A BITTER FIGHT

An account of the diplomatic, military and legal confrontation between the governor of Washington Territory and the last chief of the Nisqually Indians, who refused to cede ancestral lands to the government.

By GLENN C. ALTSCHULER, Special to the Star Tribune

When Isaac Stevens, territorial governor of Washington, implemented plans to move the Nisquallies from their ancestral lands to reservations in 1853, Chief Leschi turned from "good Indian" to incendiary. Implacably opposed to removal to a place "where the sting of an insect killed like the stroke of a spear, and the streams were foul and muddy," he organized armed resistance to the whites in Washington. Gov. Stevens' resolve to punish him became an obsession.

In "The Bitter Waters of Medicine Creek: A Tragic Clash Between White and Native America," Richard Kluger (Pulitzer-winning author of "Simple Justice," a history of Brown vs. Board of Education, and "Ashes to Ashes," an analysis of America's cigarette wars) recounts the confrontation between the two men. Meticulously researched, elegantly written and sophisticated, the book uses this all but forgotten episode in American history to give a human face to the injustices visited on Indians in treaty-making, on the battlefield and, surprisingly, in the courtroom.

Determined not only to defeat but to destroy Leschi, Stevens, who may have ordered someone to forge the chief's signature on the treaty of Medicine Creek, conspired to kidnap and then prosecute him for the murder of a soldier. Leschi's two trials, Kluger demonstrates, constituted "a mockery of legal codes and practices, even for that rough-hewn frontier setting." Antonio Rabbeson, the principal witness against Leschi, also served as the foreman of the grand jury impaneled to indict him. Although neither side had formally declared war, moreover, the alleged incident had occurred during a conflict in which the U.S. Army regulars and Indian warriors set out to kill one another. There was no precedent, Kluger reminds us, for using the civil code to charge a legitimate combatant with murder.

That Leschi would be convicted may well
have been inevitable. But, Kluger notes, the chief had some support among whites. At the first trial, two jurors held out for acquittal. And U.S. Army Commandant Silas Casey wanted nothing to do with the proceedings against Leschi, which "he and his whole garrison viewed as outright murder."

These views, however, were "irrelevant to the red-eyed citizenry," who lashed out at Casey for disgracing the Army with "the most unusual and unreasonable sympathy for the Indian."

And so, by the end of the 1850s most of the Nisquallies lived on a reservation, and the government reneged on promises to provide farm equipment, medical care and schools. Within two decades, the tribe's population probably did not exceed 200. Land hunger -- and racism -- had prevailed. As, alas, they often did in American history.

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