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LESCHI, THE OFFICERS AND THE CITIZENS

Documents about the role of Leschi of
the Nisqually Indians in the opening
of the Indian War of 1855 and his
execution after the close of the war.

by Gary Fuller Reese

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INTRODUCTION

One of the more interesting sidelights of the Indian War of 1855-1856 in Washington Territory was the controversy surrounding the efforts made to have Leschi, one of the surviving Indian leaders hanged for murder committed at the outset of the war. In October of 1855 an express sent from a detachment of the Army which was camped near Naches Pass with dispatches for Fort Steilacoom was ambushed by Indians on Connell's Prairie in rural Pierce County. A number of men, including A. Benton Moses, were killed.

A witness, Antonio B. Rabbeson, who was a member of the guard sent to accompany the express swore that Leschi, a leader of the Nisqually Indians was present and responsible for the death of Moses and the others. Leschi continually denied having any part in the ambush and at his trials his attorneys were quick to point out that even if Leschi had been involved in the attack it was a legitimate act of War and could not be considered murder.

When the war ended most of the Indians were made part of a general amnesty which was proclaimed by the civil authorities. Excluded were a number of Indian leaders, including Leschi. He was eventually arrested and tried for the murder of Moses for territorial officials reasoned that the attack occurred before the actual outbreak of the war and the crime was indeed murder.

A number of the officers of the United States Army who were stationed at Fort Steilacoom were prominent in several of the attempts to stop the hanging of Leschi. Convinced that he was not involved in the

murder of Moses and the others, the officers went to great lengths to save Leschi's life. Joining themselves with others who believed that Leschi was innocent their activities became the major cause of contention on Puget Sound during the Winter and Spring of 1857-1858. The officers and their friends failed, but in their failure they demonstrated that they were willing to undergo public censure to support what they believed to be right.

Prominent in the group wishing to see the end of Leschi was Governor Isaac I. Stevens who considered the Indian leader to be one of the major instigators of the Indian uprising. The governor was supported by many public officials, by most of the white residents of the region and by the Olympia newspaper Pioneer and Democrat. It is of interest to note that Leschi was the only Indian identified by name by the Pioneer and Democrat during the early stages of the war and probably served as a focus of frustration as the war continued.

While nearly all the officers at Fort Steilacoom supported the attempt to save Leschi, Lieutenant August V. Kautz proved to be the most outspoken. Kautz was born in Baden, Germany and was brought to America as a small child. He served as an enlisted man during the Mexican War and was later appointed to the United States Military Academy. Upon graduation he was assigned to the Fourth Infantry and spent several years on Puget Sound both before and after the war. During the early part of the war he was serving at Fort Orford along the California coast. When Lieutenant William A. Slaughter was killed in King County during the war on Puget Sound Kautz was transferred to Fort Steilacoom to replace Slaughter and finished the war chasing Indians around the lower Cascade mountains.

Kautz convinced himself that the testimony offered by Antonio B. Rabbeson was invalid for by measuring distances between where Leschi was first seen and where Moses and the others were killed on Connell's prairie Kautz found that Leschi could not have traveled the distance necessary to have ambushed the express.

Kautz and his allies first attempt to obtain executive clemency for Leschi. A new territorial governor, Fayette McMullin, had arrived to replace Stevens. Leschi's friends were convinced that the new governor, when presented the evidence that Kautz and the others had gathered would reprove Leschi.

When this failed Kautz and his associates at the Fort along with DR. William F. Tolmie, chief factor or agent of the Hudson's Bay Company at Fort Nisqually, arranged for the publication of a newspaper in Steilacoom which they hoped would counteract the reporting done by the Pioneer and Democrat in Olympia. The Steilacoom paper they entitled the Truth Teller. In its columns demands were made for the respite of Leschi and the new evidence found by Kautz and others was outlined. The paper ran two issues, one before Leschi was hanged and the second following the execution.

The most overt of all the actions taken by the officers and their associates to save the life of Leschi was that of arranging for the arrest of the sheriff of Pierce county and his deputy who was also the executioner. They were charged with selling liquor to Indians which was a Federal offense and were arrested by Fred Kautz, a brother of the Lieutenant, and David McKibben, an officer at the Fort on a warrant issued by the U.S. Commissioner who was also the post sutler.

The law officers were placed in custody until the time set for the execution of Leschi passed and he was saved for another day.

Indignation meetings of local citizens were held in both Olympia and Steilacoom where resolutions of condemnation were drawn up by the citizenry expressing outrage that Leschi was not hanged. The arrest of the sheriff did Leschi little good for a new warrant was issued to the sheriff of Thurston County and within the month this official carried out the execution.

A study of the whole Leschi affair leaves a number of unanswered questions. Certainly knowing why the officers and others went to extraordinary lengths to save the Indian leader's life would be interesting. Generally the officers were not closely involved in local affairs, did not feel themselves permanent members of the community, and did not take public stands on issues.

The collection of documents which make up this paper present information about the beginning of the Indian war, especially the murder of A. Benton Moses for which crime Leschi was eventually hanged. Comments about Leschi from a variety of sources are included as are newspaper and other accounts of the tactics used by his friends to save his life.

We are fortunate to have copies of the diary kept by August V. Kautz available so that we have a day to day account of the efforts made by that gentleman to save Leschi.

Also included are a number of other items which the editor of this paper felt would be of interest to anyone studying this episode in

history of the Pacific Northwest.

The final section of this paper contains reminiscent accounts of the Indian War of 1855 and Leschi as seen through the eyes of a number of people. Urban East Hicks was a captain in the Pioneer Company of the Territorial volunteers and 1897 responded to an article in the Tacoma Ledger written by James Wickersham whose account of the Indian War raised the ire of surviving pioneers.

Something should be said about the unpopularity of William F. Tolmie of the Hudson's Bay Company with local settlers. The Company still claimed large portions of Pierce County under the Treaty of 1846 and it became Tolmie's duty to remind many settlers that they were trespassing on land owned by the British and not open to American settlement.

Captain Maurice Maloney was popular with American settlers because he didn't "fit" into the mold which produced the other young officers at Fort Steilacoom. He was an Irish Catholic who was commissioned after spending some time as an enlisted soldier. He was often at odds with Kautz and did not approve of the general policy of the young officers to co-habitate with Indian Women.

Gary Fuller Reese.
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PART ONE

THE OPENING OF THE WAR AND THE
FIRST CASUALTIES

Outbreak of the War with a letter by James McAllister of Nisqually Bottoms asking for assistance to "attend to" Leschi.

Letters and articles published in the Pioneer and Democrat of Olympia reporting the outbreak of the war, the killing of Moses and the others and the role of Leschi in the war.

Letters and articles published in the Puget Sound Courier of Steilacoom regarding the opening of the Indian War.

Letters and reports from the Military at the outset of the War.

LETTER OF JAMES MCALLISTER

Nisqually Bottoms, Washington Territory.
October 16, 1855.

Superintendent of Indian Affairs.
Washington Territory.

Dear Sir:

From the most reliable Indians that we have in this country, we have information and are satisfied that Leschi, sub-chief and half Clickitat is and has been doing all that he could possibly do to unite the Indians of this country to raise against the Whites in a hostile manner and has had some join in with him already.

Sir, I am of the opinion that he should be attended to as soon as convenient for fear that he might do something bad. Let his arrangements be stopped at once.

Your attention to the above will be exceedingly appreciated by the people of the Nisqually bottoms. For further information, call, and I am at your service.

James McAllister.

OUTBREAK OF THE WAR ON THE WEST SIDE OF
THE MOUNTAINS

Fort Steilacoom, October 30, 1855

George B. Goudy, Esq.
Pioneer and Democrat.
Olympia, Washington.

Sir: Being separated from you through the accident of war, and thinking that it might not prove unimportant to our readers to know the doings of the Puget Sound Rangers (Captain Eaton), I have permission of leave from service for an hour to inform you and others as to the result of our late expedition.

The election of officers of the Rangers as you are already apprised took place at Mr. Nathan Eaton's on Monday the 22nd of October, 1855. The choice of commissioned officers was determined by the selection (Charles H. Eaton, of course Captain), of Messrs. McAllister, Tullis and Poe, Lieutenants. The non-commissioned officers were all good men, it is unnecessary to recapitulate their names.

The company left Mr. Eaton's nineteen strong on the 24th of October in quest of the whereabouts of Leschi, a Nisqually chief, half Clickitat, and who, it was apprehended had for some time been preparing his band for active hostilities against the settlements.

Leschi is an Indian of more than ordinary wealth and power. He is in possession of farming land, which he has heretofore cultivated near the Nisqually River, between Packwood's ferry and the crossing

of that stream at the Yelm. He has some good, substantial houses on his place and to all appearances would indicate that he might live there comfortably.

As Captain Eaton's command passed his farm, under the piolate of his half-brother Sehi, expecting to find Leschi at his residence, evidence having been afforded at the Indian department that he (Leschi) had assumed a hostile attitude towards the white settlers the command found that the bird had flown, but that the prairie around abounded with his horses, and other evidence that his absence was only temporary. Suffice it to say, we found not the Indian or satisfactory information of his whereabouts.

We encamped on the evening of that day, and until morning, in Pierce County, near the house of a Frenchman, of the name of Gravelle, about twelve miles from Steilacoom.

The next day, after a short stay for persons to join the command, expecting them up, and their not arriving at an appointed hour, the command left, nineteen in all, for the Puyallup River, crossed the river and encamped for the night about a mile on the eastern side at the house of Charles Baden, good grass and water.

Next morning, Captain Eaton divided the company into two divisions, one under his own superintendence, and the other under Lieutenant McAllister, with an object of making a reconnoissance of both sides of the Puyallup River above the settlements about five miles; along which stream it was reported large bodies of Indians were engaged in fishing. Captain Eaton took the trail on the western side of the

Puyallup, crossed the river at a ford almost swimming, entered the settlements at the forks a large prairie entirely deserted and passed up the river some three miles, the trail crossing and re-crossing the river, extremely rough and rugged until a junction was formed with Lieutenant McAllister, who had scoured the other side most thoroughly.

No sign of Indians was found of later period than two weeks, as was supposed. The whole command returned to their former camping ground, somewhat late in the evening.

The next morning provisions being exhausted, we having taken only two days' rations from Mr. Eaton's, after consultation amongst the officers, it was, as I suppose deemed advisable for Captain Eaton to send Quarter Master and Commissary W.W. Miller to Fort Steilacoom for supplies and pack animals; at the same time, according to Indian reports, it was thought to be prudent, on the part of Captain Eaton to assign Lieutenants Poe and Tullis to the recruiting service and dispatch them, the former to Olympia and the latter to Mound prairie, for the purpose of raising additional recruits.

For the assistance of Mr. Miller, in the obtaining of provisions and pack animals, Captain Eaton detailed to accompany him, two corporals and three privates. Immediately after the departure of the above named gentlemen, Lieutenant McAllister applied to the Captain for permission to reconnoitre the military road leading towards White River at or near the crossing of which, it had been reported that from two to five hundred Indians were encamped, peaceable engaged in fishing some twelve miles distant from our present

camp.

Permission was given to Lieutenant McAllister by our Captain, with an injunction to return that evening. The reply of Lieutenant McAllister was, " I will return if I am alive," and accompanied by Connell, a settler on White River, and two Indians, he left our camp.

An hour had elapsed and Captain Eaton being informed that a bad slough interrupted the passage towards White River about three quarters of a mile from camp, and in order to ascertain what amount of labor it would require to repair the same, requested your correspondent to accompany him on a reconnoissance of it.

After determining that it would require not more than two men for two hours to free from all danger horses passing over it, we started on our way back to camp. When within about two hundred yards of the house containing our baggage, the sharp report of a rifle was heard, followed immediately by a second, a few seconds elapsed, bringing us to a stand still, after which five additional shots were fired, when Captain Eaton coolly responded to the shots, "My God, our boys are gone."

We immediately hurried towards camp, Captain Eaton giving orders to the following effect, " Boys, saddle up your horses, get your baggage all in readiness and above all things keep cool."

As near as I could understand, the first impression of Captain Eaton was to take the road in the direction of the firing, and the second suggestion, as I supposed, was to beat a retreat back to

the settlements. The first would have been certain death, being only eleven of us, inasmuch, we supposed, as the Indians were ambuscaded all along the road, the second proposition would have exhibited a cowardice of which Captain Eaton nor none of his command were capable.

The house occupied by the company was made of thin cedar boards, unable to hold out for an hour against the force that we supposed were opposed to us. The next suggestion of Captain Eaton was to fall back on a log house which had hitherto been occupied by Indians and in which a considerable quantity of oats, wheat, peas, salmon skins, berries, etc. were stored. It became necessary to throw out of the cabin all the combustible matter of which it was possessed.

In order to insure safety, it was found necessary to level a long Indian barn looking to the eastward, in which was contained a very considerable amount of grain for the size of it. Our next object was to make port holes through the cabin, which was accomplished by the raising of the logs, breast high, by lever pressure, and placing blocks under the logs raised.

By this process the cabin afforded port holes to the four points of the compass. During the process of this operation, some of the men were detailed to bring from the deserted house our baggage and provisions for the purpose of safety, etc.

During the confusion that might be supposed to have prevailed, the greatest concert of action existed, the horses were picketed with-

in two hundred yards of the port-hole to the northward, all the baggage of the company was secured and brought to the cabin, a water cask was procured from the house of Mr. Baden, which was filled two thirds full of water, enough to last eleven of us a week.

Thus secured, we determined to hold out as long as our provisions and water lasted. About the grey of the evening the enemy were discovered by Captain Eaton making slow, stealthy and crawling approach towards our little fortification, the door was barred as best could be, and all hands were on qui vive for Indians.

They commenced assault on our little fortification about three quarters of an hour to sun down, continuing until about two o'clock on the following morning; during this time, we were apprised by them that Lieutenant McAllister was killed; that they also had killed a cow belonging to one of the settlers, and that they intended to devastate the whole country.

They then warned us out of the house we were occupying telling us that unless we left there early in the morning, that they would scalp us. During the whole night, until two o'clock in the morning they kept up a constant fire, at least one hundred shots must have been fired at the house .

The horses belonging to the company were stolen during the night within two hundred yards of the cabin. At intervals during the night orders were frequently given by the chiefs to their slaves, to mount our cabin and pull the roof off. Indian reports say that during the melee, seven of their party were killed and amongst

them a chief. A light was kept up all night at the house below, where we originally encamped.

During all these scenes, Captain Eaton was perfectly self-possessed. At first dawn of morning he commenced making arrangements for a permanent defence. It was found that the port holes were more extensive than we had means to defend, there being but three men on three sides, including Captain Eaton, with but two on the other. By means of our blankets and a few logs we strengthened our position and maintained our ground.

Supposing the bushes that surrounded us were alive with Indians, no vigilance or guard duty was neglected. About eleven o'clock this day, whilst all eyes were turned towards the scene of danger, not one eye having batted during the night, an express from Fort Steilacoom for Maloney's camp arrived in sight.

At first we supposed them to be the escort of Quarter Master Miller of our command with the men detailed as before designated. On a nearer approach we found it was the express, under Mr. Vale. We immediately threw out the Ranger's flag, the party, three in number came inside of our fortification.

Time will not permit to give full particulars as to what occurred during the time we were held under duress. Suffice it to say that all the officers and privates behaved like men and gentlemen.

By the signals, the screaming and the yelling of the Indians, a person would have supposed that we were besieged by at least one thousand Indians, there must undoubtedly have been two hundred

amongst the assailants. In their harrangues, they used the most provoking language towards us that it is possible to conceive of, or which the jargon language would permit. We, at first supposed that there were three Clickatat chiefs, during the night, giving orders to the Indians but we have since learned that the chief in charge of the assault were none others than our own dear Nesqually neighbors.

Beyond a doubt all the Indians of all tribes on the Sound and Straights are confederates, aiders and abettors of the hostile Indians east of the mountains. They but await action to ascertain which is the stronger party and they are ready to fall on either side as strength may indicate.

Captain Eaton and Sergeant C.E. Weed, were the only commissioned and non-commissioned officers on duty during the engagement.

In conclusion, I have only to say that out of our command, only one was killed and one wounded, Lieutenant McAllister and a Mr. Wallace. We arrived at the settlements on Monday last.

J. Wy Wiley.

Pioneer and Democrat
November 9, 1855.

PROGRESS OF THE WAR

We issued no number of the Pioneer and Democrat last week because the hands in the office were all engaged either as volunteers in one of the several parties, who have taken to the field or on various duties connected with the present war, or were employed in the work of fortifying the town of Olympia. For this irregularity, the cause of which is not yet removed, we know our readers will pardon us.

Since our last issue of October 26, 1855, the following summary will include all matters of interest in this vicinity, connected with the war. The war was then thought to be waged against the various Indian tribes located east of the Cascade mountains. It was known that Indians living on the Sound, had been tampered with, that vigilance was required in watching the Indians living among us, the settlers in the vicinity of Seattle had occasion for alarm, and had collected in Seattle, but no overt act of hostility had been committed this side of the mountains.

A new element, however, since then, has entered into the war! The Klickatats, Puyallups, and a large portion of the Nisqually Indians have entered into an offensive alliance to wage war against the whites, under Leschi, a Klickatat, and commenced their aggressions about the time of our last issue.

In that paper, we chronicle Capt. Eaton's company of Mounted Rangers taking the field. Of this company, Lieutenant McAllister, and Mr. Connell, a settler on the White river, were treacherously murdered. Captain Eaton's command, having been reduced to eleven by sending off

detachments for recruits, provisions, etc. were assailed in the afternoon of Monday, and took position in a small shanty where, for fourteen hours, were these gallant fellows under a fire from a savage force, variously estimated from one hundred fifty to two hundred, protected by brush and timber.

During this siege, Captain Eaton did not lose a man and we have no means of knowing how many Indians were killed though seven at least were supposed to be.

When this news reached Olympia, the citizens assembled in town meeting and resolved to fortify the town. The claims in Thurston and Sawamish counties were all abandoned, the families taking refuge in Olympia and the various forts on the different prairies.

Depredations upon these claims, the plunder of stock, etc. followed their course, and the Indians were growing bolder in their hostilities. The authorities of Vancouver's Island and the officers of the British vessels of war at that point tendered "material aid" of arms, ammunition and men and in the extremity here felt on Wednesday of last week. Adj. General Tilton, by authority of Acting Governor Mason dispatched the steamer Traveller, Captain Parker to accept their liberal proffer and her return is hourly expected.

An express had been sent by Governor Mason to Captain Maloney as soon as the former had learned that the forces operating from The Dalles were not ready for the field, apprising him of that fact. On the receipt of this intelligence, Captain Maloney determined on falling back and dispatched an express consisting of A.J. Bradley, and William

Tidd, the express men to him, together with Col. A.B. Moses, Aid-de-camp to Captain Maloney, Joseph Miles, Dr. M.P. Burns, A.B. Rabbeson and George R. Bright of Capt Hays' company mounted volunteers.

When this express party were within one day's travel of Steilacoom, they met some Indians who approached them in a friendly manner, but in a very short time they found themselves surrounded. At the first fire Colonel Moses was mortally wounded and Joseph Miles was killed during the attack.

The rest of the party escaped, after a severe pursuit, reaching Steilacoom on the third day after the attack. We refer our readers to the account furnished by A.B. Rabbeson, sheriff of Thurston County, one of the party for the particulars of this melancholy affair.

Captain Maloney's command coming up and finding bodies of those killed and also that of Lieutenant McAllister, immediately commenced scouring the country in search of the guilty Indians. On Saturday last, November 3, 1855, a force consisting of fifty volunteers from Captain Hay's company and fifty U.S. troops in command of Lt. W. A. Slaughter met the enemy in the vicinity of the Puyallup River and had an engagement which continued from eight a.m. to four p.m.

The Indians lost over thirty known to be killed and numbers of their wounded were carried to the rear. Our loss was, of regulars, one killed and one wounded, and of volunteers, one wounded. The Indians were driven from the ground and at our last advices the troops were in hot pursuit reinforced by Captain Wallace, Pierce County Volunteers, Company D over fifty strong, Captain Eaton, Puget Sound Rangers, fifty men, Captain Maloney's force and the remainder of the Puget Sound Mounted

Volunteers, together amounting to over one hundred men and also Captain Hewett's company from Seattle numbering fifty-five.

We do not believe the scoundrels can escape and it is thought ere this they have received the condign punished they so justly merit.

Governor Mason and A.B. Stuart, Esq. have just arrived. From them we learn that the Oregon volunteer regiment together with the regulars under Major Rains moved forward from The Dalles on Tuesday the 6th inst. The Oregon regiment elected J.W. Nesmith, Colonel, James K. Kelly, Lt. Colonel and M.A. Chinn, Major.

They Indians are reported to number over three thousand warriors and rumor says they are fortifying themselves with block-houses, etc. If such proved to be the case it is altogether possible that an engagement took place on Sunday or Monday last.

Governor Mason obtained from Fort Vancouver one hundred fifty stands of arms, and ten thousand rounds of cartridges. He distributed fifty on his way over with a proportion of cartridges. The remainder are intended for the counties on the Sound, to be as equally distributed as possible. The arms ordered to be shipped from Benicia, California, are expected soon.

Pioneer and Democrat, Olympia, Washington.
November 1855.

OBITUARY

On Wednesday, October 31, 1855, Colonel A. Benton Moses, Aid-de-Camp to Captain Maurice Maloney, Colonel of the Militia District composed of Pierce and Sawamish counties and U.S. Surveyor of Customs for the Port of Nesqually, District of Puget Sound. He was born in Charleston, South Carolina.

The subject of this notice is well known to the citizens of our Territory where he has resided since the fall of 1851, and during the whole of that period he has been more or less in official positions. He enlisted as a volunteer in the Mexican war, and served with credit on both the lines of General Taylor and Scott and was promoted to a 1st Lieutenancy.

He served creditably under Lt. Colonel, now U.S. Senator Welier, in the battle of Monterey; then in the fight at Marin, and afterwards on the other lines as Aid-de-camp to Brig. General Childs, U.S.A. by whom he was highly esteemed.

He came to California in 1849 and while there went on an expedition to Southern California against the Indians; and on his return to San Francisco was a Deputy to Colonel Jack Hays, sheriff of San Francisco, until the fall of 1851 when he accompanied his brother, the Collector of Customs to Olympia, then Oregon.

That winter he was one of the volunteers to Queen Charlotte's Island

to rescue the crew and passengers of the American sloop Georgiana from captivity, on that Island. He afterwards held the office of sheriff of Thurston County, which he resigned to accept the office of Surveyor of Nesqually.

He leaves a young widow, a mother, sisters to mourn his untimely sudden end, and a numerous circle of friends. He was so generally known in this community, that it is needless to give his characteristics. We may say that the regret at his loss, too well betokens the regard of the many friends his frank, manly and generous nature secured for him.

At the same time, and in the same treacherous surprise on the part of a greatly larger force, Joseph Miles, Esq. a member of Capt. Hays company of Puget Sound Mounted Volunteers, met his fate, by a bullet shot through his neck, his body being found by Major Tidd some fifteen paces from the spot where he had been seen alive.

At the time of his death, he held the office of Lieutenant Colonel of the Militia of Thurston County and Justice of the Peace of Olympia, to both which offices he had been elected by large majorities at the late general election.

Lt. Col. Miles had lived in Olympia very nearly two years, and was among the first to respond to the call of the Executive for volunteers. At that time he with his brother, was engaged in the erection of the Capitol. He was a good citizen and a useful man in our community, and leaves a large circle of acquaintances and friends to mourn his untimely loss.

To his brother, and his family at home we extend the assurance of our sympathy in this bereavement. We can but remind them in these melancholy occurrences, what tradition and education so potently teach us all, that death in our country's service is holy martyrdom, that there is no holier appeal to man's sympathies and regard, than to pursue as our guide star that beautiful precept:

"Stand firm for your country, and become a man,
Honor'd and lov'd: It were a noble life,
To be found dead embracing her."

Pioneer and Democrat. November 2, 1855

LETTER FROM MR. RABBESON TO THE EDITOR
OF THE PIONEER AND DEMOCRAT DATED OLYMPIA,
WASHINGTON TERRITORY, NOVEMBER 5, 1855.

Believing that a short account of the misfortune happening to the escort detailed from Capt Hays' company of Mounted Volunteers to escort the Express messengers--Major William Tidd and John Bradley to Acting Governor Mason, might prove of interest to your readers, I therefore give a brief detail of the circumstances happening on the route.

Colonel A. Benton Moses, Dr. M.P. Burns, George Bright, Joseph Miles, and myself in company with the Express messengers, left camp at the first crossing of the Nachez river, on Tuesday last; and traveled unmolested until Wednesday evening, three o'clock to Connell's prairie in the White River valley.

Here we met with a party of Clickatat and Nesqually Indians, numbering about one hundred fifty warriors. Having there discovered that Mr. Connell's house had recently been burned, we inquired of the Indians who, at that time showed no signs of molestation, had burned the house or if they knew how it came to be burned?

They denied all knowledge of the cause and declared themselves entirely peaceable, saying that that their tum tums were hyas close copa Bostons, ie. that their hearts were right towards the Bostons. We talked with them for a long time, asking many questions, why there were there? and endeavored as much as words would do to draw them out and make them show their true position, they all the while making declarations of friendship.

We then went to the place where we supposed they intended to camp and endeavored to purchase some mockasins from their squaws and while

there we saw and conversed a while with their main chief, Leschi. In the meantime, all the first Indians were gradually dispersed, but we did not know at that time where. We then mounted our horses again and proceeded on our route about half a mile to a deep muddy swamp.

There we received a murderous fire, from the very same Indians who had secreted themselves in ambush from behind us. Colonel A. Benton Moses received a ball, entering the left side of the back and passing immediately under the heart and came out through the right breast, going through the center of a letter in the breast pocket of his over coat.

Mr. Joseph Miles, of Olympia, received a wound in the neck, which unhorsed him, he fell in the deep mud and was unable to regain his horse's back again, or get out without assistance. We directed him to take hold of his stirrup leather, while we gathered his horse's bridle and then putting spurs to our horses, we succeeded in dragging him out of the mud.

Here we found that he had become so faint, that it was impossible for him to mount his horse. He then told us to leave him and make our escape if we could, as there was no hope for him.

All this time the Indians were pouring into us a continuous fire, not more than thirty yards distant, in which Major Tidd received three slugs in his head, but did not penetrate the skull. We were compelled to leave Mr. Miles so we put spurs to our horses and rode about a mile and a half when Colonel Moses became so much exhausted in consequence of his wound that he could not remain on horseback any longer.

We then dismounted and carried him some two hundred yards and hid him in the brush. We then remounted and rode at full speed to the first crossing of Finnell's creek. Here we discovered another ambushade; whereupon we dismounted and made a charge into the brush, three of us on one side of the creek and two upon the other, each of us discharging the full contents of our revolvers and then using our sabres, completely routing the Indians, they not firing a gun.

We must have killed quite a number of them, as none of us had to shoot more than ten feet, and several times we placed our revolvers against their bodies. We then returned to Colonel Moses for the purpose of making him more secure and comfortable; we took our coats and wrapped them around him and left him having rendered him all the assistance in our power, that we were able under the circumstances. On leaving him, his last words were: "Boys if you escape, remember me!"

We then returned to the edge of the bluff going down to Finnell's creek, here we discovered a large body of Indians on the opposite side of the prairie that lay close by, but our number being so few, we did not think it advisable to risk another attack. All of us, with the exception of Dr. M.P. Burns, took to the brush, but he kept straight on declaring that "He would fight until he died!" We considered it recklessness, but it was utterly impossible to persuade him otherwise.

We saw him enter the opposite side of the timber and immediately heard the report of three guns and an Indian yell, and very naturally supposed that was the last of him.

We kept in brush and traveled until dark. We then stopped and held a consultation as to what course to pursue. Some were for returning to Captain Maloney's camp, others for making for the settlements. We finally concluded to make for the settlements, believing that we could get assistance to Colonel Moses sooner.

The night was very disagreeable, raining and dark in the forepart of the night and freezing in the afterpart. We all became so exhausted that we could not travel but a short distance at a time, sometimes up to our waists in water and at others entangled in the immense thickets of underbrush and fallen timber.

While resting, two of us would lay down on the ground and the other two upon the top of them. When the two underneath would get a little warm we would then change places. At other times we would get to a hollow stump or tree, two of us would enter and allow the other two to lean against our breasts, and blow the warm breath in others faces.

About daylight we crossed the immigrant road, but dare not travel in it from fear of discovery. We then took a course as near as we could for the forks of the Puyallup River. We struck the river at noon about three miles above the forks, then travelled down the river until we supposed ourselves opposite the upper crossing, then went to the river and found ourselves too far down.

We here undertook to cross a large deep swamp. This was about two hours before sunset. On reaching the opposite side we found ourselves on the edge of Lemon's prairie; consequently we were compelled to

remain in the deep mud and water until long after dark, all the while shaking with cold so much that our cartridge boxes rattled like cow bells. About an hour from the time we first came there we saw two Indians approach close by and secrete themselves in a small willow thicket. We supposed them to be spies. We could have taken them prisoners or killed them, but to do so we were afraid that we would have to fire a gun and to escape without observation required much care and anxiety having to scrape away, the sticks and leaves from under our feet as we stepped until we were out of hearing.

We then crossed the Puyallup and took the immigrant trail direct to Steilacoom. We arrived at Mr. Tallentire's on Friday morning at three o'clock all very much exhausted having been three days and nights without food. About one half mile from Mr. Tallentires house, Mr. George Bright became so much fatigued that it was impossible for him to travel any further; here he laid down and went to sleep the rest of us being so weak that we could not carry him.

Upon reaching the house we dispatched Mr. Tallentire and an Indian in search of him, but he slept so soundly that their hallooing would not rouse him and the night being so dark he could not be found until morning.

After reaching Steilacoom we immediately sent to the station and informed Lieutenant Nugent of the above circumstances, who immediately detailed Captain Wallace and his command to the relief of Colonel Moses and to deal with the Indians according to their deserts.

Yours in haste.
A.B. Rabbeson.

Please contradict the report that I was killed by the Indians on Wednesday last. I killed seven with my own hands. They hunted me through the brush for one mile with dogs and lighted sticks and every one who carried a light I shot.

The only wound I got was a skin wound in the forehead from a buckshot. I lived in the brush on leaves and shot an Indian this morning for his dried salmon and wheat at Mr. Lemon's.

Give my respects to Bright and Rabbeson and let them know I am safe. Only I had to throw away my boots and my feet are badly hurt. Lost my horse, instruments and medicine case.

My horse was shot in the kidneys in the swamp where we received a murderous discharge of balls and buck-shot.

Please let Mr. Wiley say I am all right.

I remain respectfully,

M. P. Burnes,
Surgen. Capt. Hay's Comp.

Letter to Ad't General Tilton published in the Pioneer and Democrat

Portions of a letter written by
James Lodge dated November 3, 1855.

The snow on the summit was six inches deep and the weather cold. It rained during the several days we were coming down the mountains and I have no doubt that the snow there now is impassable for our train. There was no feed for three days and we were obliged to give our horses flour. Since the news of Connell's house and barn being burnt, we have been actively on the lookout.

Yesterday morning we reached the burning ruins, and entered into a thorough search of the premises, expecting to find the bones of our comrades and the express-men, or their bodies concealed in the woods. An undershirt, with two bullet holes and two stabs through it, quite bloody, was found and is supposed to be Joseph Miles'.

A bottle belonging to him and a book, identified as Rabbeson's was also found. In the evening the body of 1st Lieutenant McAllister of the Rangers was found, brought into camp, and today was arranged for transmission to his friends. The Expressman, William Tidd and Captain Wallace's command arrived this afternoon. They discovered on the way the body of A. Benton Moses, who died like a man.

Yesterday morning the scouts discovered, on the edge of the prairie, Indian spies. Pursuit was immediately given by about forty of us, under Lieut. Hurt. Coming to White River some of the men saw about fifteen Indians on horse back and on foot, and after traveling for a short time, saw more of them dodging about through the brush.

The country was suitable for an ambush, and as our force was not sufficient we turned back. This morning fifty volunteers and fifty regulars started out for a fight. Soon after their departure, those

of us who were left to guard our camp heard a tremendous firing. Captain Maloney started to their relief with about forty men, but soon came back, as it was apprehended that the Indians would cross White River and attack our camp. For some time we were drawn up in position by the howitzer, awaiting the attack.

Tonight, since I have been writing, there were four shots fired, the alarm given and in less than three minutes the men were drawn up in position, the fires put out and everything made ready. The four shots were fired by Captain Maloney's picket guard at what they supposed was an Indian on horse back. We may be attacked in this camp but it is not probable.

Captain Hays and Lieutenant Slaughter have returned from White River. Their fight lasted six hours. Our men were on this side of the river, and the Indians on the other. Shots were exchanged across the river, but no crossing was attempted by either party. The volunteers fought bravely and several of our men distinguished themselves.

Henry W. Harsel, known about Olympia as "Lengthly" killed four; the orderly Sergeant Joseph Gibson killed three and others did nearly as well. The total loss of Indians is estimated at the least, at thirty; they carried away their dead and wounded. One poor fellow; a regular, of the advance guard, who were sent forward early this morning to fall a tree for crossing the river, was killed and another one wounded slightly.

Of our company, W.S. Northcraft had part of his boot shot away, and James Wilson and J.T. Bush were shot through the hats. The action has put the men in the best of humor, as they know now that they are not attempting impossibilities. The Indians had their women, children

and horses with them.

Probably there will be another fight tomorrow. It is extremely fortunate that we turned back as these Indians, judging from the way they have been attacking here, would have attempted attacks on the Sound.

Yours Truly,

James Lodge.

Letter dated November 3, 1855 "In camp at Connell's" (Three miles west of White River.).

OUTBREAKS OF THE INDIANS WEST OF THE CASCADES
AS REPORTED IN THE PUGET SOUND COURIER

We hasten to lay before our readers at the earliest moment news of greatest importance, that we are in the midst of hostilities, that a number of persons have been killed, houses burned and cattle driven off, that we have to watch day and night through the country, expecting that we may be attacked every moment. In fact that all the tribes of the interior are banded together and appear to be determined on exterminating the whites.

Major Tidd reports the following:

Left Fort Steilacoom on the 27th of October and proceeded without molestation not seeing or hearing of any Indians and came up to Captain Maloney's command at the first crossing of the Na Chez river and delivered despatches from Major Rains desiring Captain Maloney to fall back as the troops from The Dalles would not be able to move as soon as was expected.

Messrs. Col. A. B. Moses, Bright, Rabbeson, Burns, and Miles obtained permission to return with the express, which was conveyed by Major Tidd and A.J. Bradley. They proceeded without molestation on their return until arriving at a swamp between White and Puyallup Rivers about twenty miles from this place where they came to a camp containing about one hundred fifty Indians, who made protestations of friendship.

Immediately after leaving this camp they were attacked. Col. Moses was shot through the body, and then rode on two miles, when he was taken

off from his horse by Mr. Bradley and carried by him to a knoll in the brush, he then said; "Boys, save yourselves; remember me, don't forget me." They then left taking to the brush leaving their horses. Messrs. Miles and Burns separated from the rest, and shots were heard and yells from the Indians and they are supposed to be killed.

The balance of the party after three days and nights in the woods arrived at Fort Steilacoom today at noon quite exhausted. Major Tidd had his horse shot from under him, and received three slugs in the head which have since been extracted.

Captain Maloney was within two days march of Tenass camp when the express overtook him. It is expected that the command will be at or near White River, tonight as he was falling back when the express left.

It is reported that between four and five thousand Indians are at Teiass camp.

A small force of the Puget Sound Rangers, commanded by Captain Eaton proceeded last week to the Puyallup about twenty miles east of Steilacoom, in order to ascertain the feelings of a party of Indians who were supposed to be encamped in that vicinity. Crossing the river on the 28th they encamped after which Lieutenant James McAllister, accompanied by Mr. Connell a settler living near there, and two friendly Indians started to the camp of the Indians distant about two miles to talk with them having no arms visible and only their revolvers in their belts. Soon after leaving shots were heard by the remainder of the party, who immediately repaired to a log house in the vicinity and fortified themselves.

Shortly after four o'clock p.m. they were attacked by the Indians supposed about one hundred fifty in number, and a constant fire kept up until daylight that morning when the Indians drove off. Express riders to Captain Maloney found the Rangers at ten a.m. being unable to proceed.

At seven, they all thirteen in number started on their return to Fort Steilacoom. None were killed at the log house, and but one wounded. Mr. Wallace of Olympia in the head, slightly. The friendly Indians report a chief and seven Indians killed.

One of the Indians who accompanied Lieutenant McAllister escaped and immediately returned to Nisqually and informed his family of the occurrence. He says that he saw his three companions fall, he then fled.

Puget Sound Courier November 16, 1855.

ADDITIONAL ITEMS

The party of seventeen who went to Puyallup have returned and report that there have been no buildings burned in that settlement, excepting those situated immediately on the military road. Nearly all the houses have been broken open and every thing that could be conveniently packed was gone.

Some of the party seem to be well convinced that part of the property which was taken from the lower part of the settlement, had been taken down the river and as no Indians were found about the mouth, must have been taken across the Sound where the Indians with the plunder are no doubt yet concealed.

Not a single Indian was seen during the whole trip and our friends failed of an opportunity to distinguish themselves, though they made several gallant charges on Indian houses, but found them all deserted. A considerable amount of of dried salmon and other provisions belonging to the Indians was destroyed and one horse was brought in.

Lieutenant Sam W. McCaw of Company D with twenty-four men escorted a train of six wagons to the upper Puyallup settlement from Camp Montgomery for the purpose of securing some of the property not yet destroyed. Lieutenant McCaw saw no Indians and but two fresh horse tracks; he found and brought in one horse.

Sergeant Byrd company D. with a detachment of fifteen men, Mr. Reiley as guide, was sent to examine the trail leading to the Puyallup which

they found blocked up. They proceeded about ten miles from camp without seeing any fresh signs. On their return, Corporal VanBuren discovered an Indian tracking them from camp and informed the advance. The Indian snapped his gun and attempted to escape; Sergeant Byrd and D.M. Hall fired simultaneously, the former sending a rifle ball through his head, and the latter fifteen buckshot through his heart.

Captain Maloney's command has returned to Fort Steilacoom. We understand that Lieutenant Slaughter with fifty men, will start in a few days for Green River. Lieutenant Slaughter has shown himself well worthy of the confidence reposed in him and will do up matters handsomely if the Indians allow him to get near enough to them for a brush.

Several horses belonging to the Indians have been found and brought in. Several Indians have also been taken, some of which have been set at liberty on the plea of their friendship. There is a screw loose somewhere, or we should not find friendly Indians thus scattered.

Puget Sound Courier, November 16,
1855.

RETURN WITH THE BODIES

On Wednesday, November 7, 1855 the pack train started for Fort Steilacoom escorted by the Rangers; the Pierce county volunteers also returned by another route. The train brought in the bodies of Colonel A.B. Moses, Lieutenant McAllister and Joseph Miles; some of the wounded were also brought in.

The bodies it is understood will be taken to Olympia for burial. The body of Colonel Moses was found as left by his companions when shot; those of Lieutenant McAllister, Messrs Connell and Miles were found badly mutilated, showing that the most revengeful feeling which animated the brutal savages.

Dr. Burns was found and rescued by the Pierce County volunteers some four or five miles from the place where he was supposed to have been shot; he had taken refuge in a barley stack, having lost his horse and accoutrements, coat, pistols, boots and hat, but fortunately saving his scalp, and having his ammunition dry and carbine ready and had remained in that perilous situation four days. A narrow escape, certainly.

Puget Sound Courier. November 16, 1855.

Camp on Naches River.
October 29, 1855

Major:

In accordance with orders which I received from you I joined with the available troops at Steilacoom, amounting to seventy-five men at the earliest possible moment, the 21st of this month Lieutenant Slaughters command which had fallen back to the White River prairies.

I remained there two days until I was joined by a company of volunteers, under the command of Captain Gilmore Hays. On the 24th, I commenced my march for Yakima Country expecting to find you in the field. Yesterday I arrived at this Camp, where I laid over today to recruit my animals.

I received an express today from Steilacoom, which I get information that you will not be on your march for from one to two weeks. I have also got information that there are from two to three thousand Indians well armed, and determined to fight in my front, and, after considering the matter over, have concluded that it is my duty to return to Steilacoom.

My reasons are as follows: Viz: first, my forces are not sufficiently strong to fight them, and protect the animals and provisions which I have along with me; secondly, if I advance I must meet them, as there is no front before me before I get into the plains where I can camp and defend myself and animals where I will not be cut off from

communication both in front and rear by high water before you can get into the enemies country; thirdly, in accordance with your orders I started with thirty days provisions, I have been out twelve days and therefore have only eighteen days provisions which would be out before my command could join yours; there is already snow upon the mountains, and there is every reason to believe that in three or four days it will close the road from here to Steilacoom, and also raise the Naches River, so that it will prevent communication between this place and the Yakima Plains.

I am of the opinion that the best way to get troops from Steilacoom into the enemies country will be by way of The Dalles. I also hear by the same express that the Northern Indians are showing themselves in considerable numbers at Steilacoom, and other points on the Sound, intending with other Indians to strike a blow in case I should be defeated here.

I am, Major, very respectfully , your obedient servant.

Maurice Maloney, Captain.
4th Infantry, Commanding.

Major G.J. Rains,
Commanding, Post at Vancouver.

Fort Steilacoom, W.T.
October 30, 8:00 a.m.
1855.

Sir:

I have just received an express from Captain Sterrett, Commanding "Decatur" informing me that the Indians on White River have broken out and that seven Whites and two Indians have been murdered. Amongst the whites were one or two women.

On Sunday, the 28th, fifty-five men under the command of Captain C.C.Hewitt went up the Duwamish enroute for the White River Country.

Rumor came in here last evening, by a friendly Indian, to the effect that McAllister and nine others of the Rangers were killed last night on the Puyallup and that the Indians are advancing towards this post, two hundred fifty strong. I am unable to say how true this is, but fear it is but too true.

Yours truly,

John Nugen, 2nd Lieut.
4th Infantry, Commanding.

Acting Governor, Charles H. Mason.

Fort Steilacoom, W.T.
November 2nd, 1855.

Major:

I have just received an express from Captain Maloney and I sent you a copy of his letter to Major Rains.

The following men composed the Express, Mr. Bright, Joe Miles, A.B. Moses, Tidd, Bradley, Dr. Burns and Rabbeson, your sheriff. The express was ambuscaded near White River and Miles and Dr. Burns killed, and Moses mortally wounded and left in the woods.

I sent Captain Wallace with his company to open communication with Captain Maloney who will reach White River tonight and fear that small parties will be coming in from his camp tomorrow.

Captain Wallace will make a forced march and reach Captain Maloney before daylight, if he has good luck. Hurry up the Rangers so that there may be short work of this matter. You had better let Mrs. Moses know this sad news, yourself. If he is still alive, Captain Wallace will rescue him.

Yours truly in haste,

John Nugen, Lieutenant.
4th Infantry, Commanding.

Major James Tilton.

November 3, 1855.
In Camp at Connell's Prairie.

Sir:

You have doubtless heard before this of our return to this side of the mountains, and also of the narrow escape of George Bright and comrades. We have had a great deal of anxiety on their account and had come to the conclusion that they had all been cut off.

Dr. Burns, not killed as originally reported, arrived in camp this evening, having been out since the night of the attack. I never saw a man so changed, he says he shot seven Indians, and that George Bright three.

There is very little doubt of the death of James Miles, Mr. Connell, Mr. James McAllister and A.B. Moses are all killed, the bodies of the two latter are found and will be sent to their friends for interment.

Yesterday with a detachment of forty mounted men I discovered some Indians and pursued them for two miles, but did not succeed in getting near enough to get any of them. Captain Hays took another trail and found a junction with command under Lieutenant Slaughter, but saw no Indians.

This morning a detachment of fifty volunteers and fifty regulars under the command of Captain Hays and Lieutenant Slaughter started

on an expedition towards Seattle sending forward an advanced guard of ten regulars and two choppers to fall a tree across the White River. While chopping the tree one of the regulars was shot in the neck and died in two or three hours.

The command was about one half mile in the rear when the first gun was fired and we arrived at the scene of action in a full run and found the Indians in force on the opposite shore of the White River.

The men, after firing five or six rounds, got under cover and the Indians having done so before, the fight lasted for six hours, our sharpshooters picking them off whenever they showed themselves. There is no doubt that from twenty-five to thirty Indians were killed.

One soldier was wounded in the thigh. Mr. Bush's son had his hat shot off from his head, another, James Wilson, had a ball through the rim of his hat. All, both volunteers and regulars fight like men and all the officers had to do was to caution their men not to expose themselves needlessly.

Henry Pearsell, a volunteer, got a position close to the River and killed four Indians during the action.

Captain Hays will probably write you officially, please do not consider this as such. We go after them again tomorrow.

Respectfully yours.

Jared S. Hurd, Lt. Volunteers.

James Tilton, Adj. General.

PART TWO

THE TRIALS OF LESCHI

Diary of August V. Kautz,
December 29, 1857 to Feb-
ruary 19, 1858 (Excerpts).

A note on August V. Kautz
by Charles Prosch

A note on August V. Kautz
by Andrew Wallace.

A note by Ezra Meeker on
the map prepared by Lieu-
tenant Kautz.

A note on the arrest of
Sheriff Williams as writ-
ten by J. M. Bachelder.

A letter to Colonel George
Wright regarding the de-
feated Indian leaders.

Letter to Colonel Silas
Casey from Governor Fayette
McMullin regarding the hang-
ing of Leschi

First Indignation Meeting of
Steilacoom citizens.

Second Indignation Meeting
of Steilacoom citizens.

First Mass Meeting of
Olympia citizens.

Second Mass Meeting of
Olympia citizens.

Report of the Olympia investi-
gating Committee

Letter from the territorial
prosecuting attorney regarding
the Leschi case.

Death Warrant for Leschi from
the Territorial Supreme Court

Notes on Leschi by
Rabbeson.

A note on Leschi by James Wickersham.

A note on Leschi at Medicine Creek by
Hazard Stevens.

A note on Leschi by Ezra Meeker.

A note on Leschi by J. Ross Browne.

A note on Leschi by Hubert Howe Bancroft.

The Diary of August V. Kautz.

Excerpts from the daily diary of
Lieutenant August V. Kautz from
December 29, 1857 to February 19,
1858

Notwithstanding the rain I set out very early this morning with Tidd. We reached Connell's prairie about two o'clock. Dr. Tolmie arrived soon after and we made most of the measurements. It is half a mile that Leshi would have had to go on horseback part of the way and the remainder on foot and Rabbeson had in the same distance only half a mile to go, a good road all the way and he on horseback. We found some Indians in the houses at Connells. We camped in an unoccupied house. Two Indians, Luke and Pors-wiki are with us and they are of considerable assistance.

29 December 1857.

We measured the distance to the swamp which is all that is required and we returned home. We found the Puyallup a foaming torrent and not fordable.

30 December 1857.

I made a plan of Connell's prairie.

3 January 1858.

The feeling against Leshi has rather increased, and remonstrances are going about against Leshi's pardon.

14 January 1858

The governor arrived about noon. I fired a salute. We all took lunch at the Colonel's. In the evening about five o'clock the Governor gave Mr. Wallace and Mr. Clarke a hearing on Leshi's case. They talked for about an hour. Clarke presented quite a number of papers among them my survey of Connell's prairie and my affidavit. The Colonel took the Governor to his house and provided for him.

16 January 1858.

Dr. Tolmie stayed all night with me last night and I rode to town with him. The Dr. and I had some long conversation about Indian matters.

17 January 1858

Nothing transpired worthy of note except that Clarke went up to Olympia with a view to get the news of what the Executive was going to do in the case of Leshi. There was no doubt but what he will respite and Williams, who is in the Governor's confidence stated as much.

20 January 1858.

We were all much put out by the news today that the Governor has refused Executive clemency. It seems that when the Governor reached Olympia he found a remonstrance awaiting him with about seven hundred signatures and some threats that the people would burn the Governor in effigy if Leshi was respited decided him.

There were no new features in the case, simply a heavy pressure of public opinion put the Governor down. He sent for Mason and obtained his written opinion which, of course, was adverse to Leshi, except to prop up his decision on the side of seven hundred voters.

Tolmie was exceedingly wrought up, he was desirous of entering a final protest. There was one hope and that was that if the Indian who committed the offence was to be found and his confession and voluntary surrender could be obtained Leshi might still be saved. Simmons, Tolmie, Clark and I rode to the reservation on the Nesqually and had an interview with Puo-yon-is. He admitted that he was present when Moses was killed, that he fired but he would not say that his ball had killed Moses.

He maintained that he was at war with the whites when he did this and thought he was doing right. But he would not surrender himself. So we had to return without him.

21 January 1858.

The Colonel gave orders that no one should leave the post. He received a letter from the Governor asking him to furnish a guard to attend Leshi's execution. I was ordered to hold myself in readiness with a guard.

About twelve o'clock Bachelder placed a warrant in Fred's hands for the arrest of Williams, the sheriff, and McDaniel, the deputy and soon after it was served.

About the same time the Constitution came down from Olympia with a large crowd, and they rushed up to the post having gotten some word about what was going on and without any definite knowledge they marched over to the Colonel with Mason and Tilton at their head and demanded of the Colonel whether he had ordered the arrest of the Sheriff and made several other charges quite as ridiculous. Their minds having been to some extent disabused on this question, they looked around to find out what had really occurred and ascertained the fact when it was too late.

Fred to make the arrest was obliged to call McKibben to his assistance. They took the sheriff off to town and by the time an investigation was held the hour for the execution expired. The charge was for selling liquor to Indians. The witness could not be found and the sheriffs were discharged on their own recognizance.

Mason, Strong, and others were very drunk and the crowd generally very much excited. They all went off very much disappointed. Judge, Fred, Colonel Simmons remained all night, also Clarke who has much apprehension for his safety.

They are having some indignation meetings in town and all of them are generally very drunk.

22 January 1858.

I rode to town this morning and found considerable excitement prevailing. The Governor sent down a letter informing the Colonel that a law existed providing cases for these where from any cause whatever the time for execution passed of a prisoner requiring him to be remanded for sentence again.

The Colonel, of course, intended to that thing before he received any such intimations from the Governor. There is no news by the steamer. She went on down the Sound. Men seek the Leshi affair for a vehicle to work out their own private dislikes. The Leshi question becomes the wire by which many a machine, social and political is pulled into action.

23 January 1858.

Dr. Tolmie is very much pleased that Leshi should have escaped so far.

24 January 1858.

The excitement, though not so violent continues still. The Colonel, Clarke, and Bachelder were hung in effigy at Olympia on Saturday night. They were hanging until Sunday morning about ten or eleven when they were cut down by the deputy sheriff or marshall. It is said of the Governor that whilst they were doing so he looked out of the window and told the man that he had better consult older and wiser heads than his own before he cut them down.

25 January 1858.

Gove came down from Olympia and brought us some letters and also some papers among them the Pioneer and Democrat with the report and resolutions of the indignation meeting. They are much more moderate than we were led to suppose. They, however, bring sweeping charges but furnish no basis for their charges. I think they have committed themselves very much. We are undecided whether to come out in a circular, or in a paper. There appears some disposition to take things back by some of the people in Olympia.

29 January

We have decided on a paper and the inkmen will commence tomorrow. The Dr. had quite a little crowd at his place and entertained us very much.

30 January

Spent the day in quarters writing. I have written three articles and will probably produce another. I spent the evening in Colonel Casey's quarters.

1 February

McKibben and Fred returned from Olympia. They have brought the intelligence that the Supreme Court is in session. Clarke, Bachelor, Fred, McKibben and others have been summoned to appear before the court to answer for contempt. A posse has also come down to take up Leshi. He will probably be hanged immediately after being sentenced, the legislature at the instigation of the court have so changed the law that he can be led from the court room to the gallows.

I was busy all day making a wood cut for the paper giving a plan of Tenalcut prairie. The Colonel gave a little party at his quarters this evening. I remained there until after eleven then went to town to attend to getting out the paper as it is absolutely necessary to have it out tomorrow to give it full effect.

3 February

I did not get back until five this morning. The paper is out, however, and I think it will take very well. We sent quite a number of copies up to Olympia this morning. Leshi went up also. I marched on as Officer of the day. I took a nap in the afternoon. All parties in the garrison seem to be well pleased with our paper, and I think it will have a great effect in Olympia.

They never supposed that we would take such a public stand. I spent the evening at the Colonel's quarters where we discussed the paper thoroughly.

4 February

McKibben, Shaaf, Fred and Bachelder returned, Bachelder has been removed, but no other person has been affected by the action of the court. Bachelder was removed by a petition. Leshi has returned and is sentenced to be hung on the 19th inst. Chenoweth has evidently been very hard pressed by the people and Judge McFadden and what little respite has been awarded Leshi is probably due to Chenoweth. McKibben it seems tried to call the Governor out. The Governor and Kendell had a street encounter in which Kendell got the worst of it. Kendell behaved very badly. The people seem to regret exceedingly the violent course pursued and are as much disgusted with the Governor's course as any one of us. We evidently have gained the day. Mason and Tilton are anxious to come round, and Tilton is going to make a public retraction of what he has done.

6 February

Dr. Tolmie visited us today. Clarke returned from Olympia. Kendell has done nothing towards settling his difficulty with the Governor. Mounts also came and we all were present to receive a voluntary statement from Leschi. The sum and substance of which was to exculpate himself and implicate others. He misstated and prevaricated very much. Knowing as much I do now about the war I have little difficulty in detecting the truth. He is coming down in my estimation very much. He is bringing his Indian nature to bear and while some petty jealousy leads him to expose some, he lets others more notorious

go by.

10 February

A great many Indians are here pleading for Leshi. Mr. Gosnell, the Indian agent, is here, and says that the Indians are much excited and that he has apprehensions that trouble will follow the execution of Leshi.

11 February

I spent this day in the garrison writing. I managed to get through with five or six pages.

16 February

I have managed to have ten pages ready for the Truth Teller. Tolmie wrote me a note by an Indian. He sent me the Pioneer and Democrat. The Pierce County resolutions are therein with all the signers. They are the most ridiculous action every taken by any meeting. The whereases have no connection with the resolutions whatever. They look the more ridiculous on being published upon the sober and sound thought of the people.

17 February

I continued my resume for the Truth Teller and have finished sixteen pages of foolscap. The thaw continues. The sheriff of Thurston comes down today with a posse of fifteen men to execute Leshi tomorrow. Clark has handed his protest to the Colonel this evening. McKibben has gone off on some wild goose chase to Olympia. He started off last night after seeing the Pioneer and Democrat wherein he expected to find a card from Tilton retracting all he had said against the officers. I fear he will commit some foolish act that will lead him into difficulty.

18 February

An order was issued this morning prohibiting any officer or soldier from leaving the garrison without permission from the commanding officer on account of the execution of Leschi. It appears that the Sheriff of Thurston County has no authority under the law to execute the man. The Council asked the Colonel to retain the prisoner and prevent his execution. I urged the Colonel to do so but the Colonel thought he had no right to decide in the matter as he was merely holding the prisoner at the request of the court.

He might have been saved as it was by the issuing of a writ against the sheriff under the position that he was about to commit a homicide. But I advised Clark not do to so; Leshi was accordingly taken out and executed about eleven o'clock. He died manfully.

19 February

A NOTE ON LIEUTENANT AUGUST KAUTZ BY CHARLES PROSCH

No the least pleasant recollections of early days on Puget Sound are those connected with the army officers. Those at Fort Steilacoom were among the first to extend to me and others a cordial welcome to the country; they were always courteous, affable, and sympathetic, and never omitted an opportunity to do a kindly act for any of the citizens who merited it.

This remark applies to all in a greater or less degree from Colonel Casey, the commanding officer, down to the sergeants. To Lieutenant Kautz especially I cannot here refrain from acknowledging my indebtedness for assistance and counsel on many occasions when they were of much value to me.

He was a frequent visitor to my (newspaper) office, and always manifested a deep interest in the work I had undertaken....

There was probably no military station in the United States at which the officers enjoyed garrison life so much as at Fort Steilacoom. All were loud in praise of the climate and surroundings, which they pronounced superior to those of any of the states or territories elsewhere.

As evidence of their sincerity, it may be stated that after being stationed at Fort Steilacoom a few months, the officers became so strongly attached to it that it was not uncommon for them to shed tears when ordered to other garrisons. Lieutenant Kautz has repeatedly

informed the writer of such scenes. It was one of the hardships of military life that the officers were liable at any moment to be called away from stations the most delightful and ordered to others the most repulsive.

Charles Prosch, Reminiscences of
Washington Territory. Fairfield,
Ye Galleon Press, 1969. p. 48-49.

A NOTE ABOUT LESCHI AND KAUTZ BY ANDREW WALLACE

In April, Kautz was recovered from his wound and led his company on a scout to the foothills of Mount Rainier. On the Mashel River they found the survivors of an Indian village attacked by the volunteers, old men, women and children. The Lieutenant took them back to the fort where he saw that they were well treated. Some were later sent back to their people to induce the former hostiles to surrender.

With Leschi's return to the Nisqually Valley, most of the hostiles had already come in. For the great chief, however, his troubles were only commenced. The whites forgot, that during open hostilities Leschi has caused many tribesmen to take a moderate course characterized as Kautz observed, "by great intelligence and humanity than any of the other chiefs."

Leschi protested the killing of white women and children and was against plundering the white settlements. Kautz attested that, on "...several occasions during the war he had individual white men in his power, and his influence saved them from being killed by Kanasket. But Leschi's name seems to have become unaccountably familiar in the mouths of the people, and obtained a notoriety beyond that of any other Indian in the war."...

Now with the war at an end, Governor Isaac I Stevens and a large part of the settlers were clamoring to have the chiefs hanged.

After his arrest Leschi was delivered for safekeeping to the military authorities at Fort Steilacoom. He received a speedy trial only four days after his arrest, but the jury failed to agree. When he was returned to the fort to await a second trial, the responsibility of the guard fell to Lieutenant August V. Kautz.

Leschi was a Christian Nisqually and spoke English well. The army officer was greatly impressed by the Indian's sincere religious convictions, his natural leadership, his stolid forbearance, and his compassionate acceptance of his fate. The weeks of close association with Leschi framed an attitude in Kautz' mind that remained with him for life.

As the days passed, Kautz was convinced of the prisoner's innocence. Kautz came to feel that Leschi was blameless for the war in general and specifically innocent of the charge of murder. He helped the Indian all that he could with the preparation of his defence. The second trial was scheduled for March of 1857.

Others at Fort Steilacoom took an interest in the Nisqually chief's defense. For one was August Kautz' brother Frederick who was employed at the Fort. Fred apparently had succumbed to gold fever, or perhaps inherited the same wanderlust as his brother; he had gone from Ohio to California in 1850. Just when he arrived in the Oregon Country is uncertain; but as he is not mentioned by Dr. Glisan at Fort Orford, we may assume he came to Steilacoom after his brother was stationed there in January, 1856.

Other white men who now befriended Leschi included Dr. William F. Tolmie, manager of the Puget Sound Agricultural Company; J. M. Bachelder, the post sutler; and Col. Silas Casey, district commander. In view of August Kautz' predilection for legal affairs, it is surprising he did not offer himself as counsel for Leschi

The second trial of Leschi was held, unfortunately, in the capital city of Olympia, where Governor Isaac I. Steven's influence was the greatest. At the conclusion of the trial, the presiding judge took the unusual view, and so directed the jury, that they need only to "...believe the defendant was present aiding and abetting..." in the killing of Moses and Miles; that there was no distinction between principals and accessories to the alleged crime.

In order to prove that Leschi was present near the swamp where Tidd's party was ambushed, the prosecution produced its sole witness, a man named Antonio B. Rabbeson. Since the trial in November, it had become common talk that Rabbeson was perjured; that he had, in fact, no close knowledge of Leschi's activities in October of 1855, or any exact knowledge of the manner in which Tidd, Moses, and the others were ambushed.

Nevertheless Rabbeson again mounted the witness stand to repeat his story substantially as before. The verdict was this time "...Guilty as charged...and that he suffer death." The execution was set for June 10.

Andrew Wallace, General August V.
Kautz and the Southwestern Frontier
Tucson, 1967. p. 24-26.

A NOTE BY EZRA MEEKER

ON THE KAUTZ MAP

By examination of the rough map made by Lieutenant Kautz, afterwards General in the Union army, it will be seen the utter impossibility of Leschi being at the two places that Rabbeson testified he saw him. Lieutenant Kautz made a careful survey of the only possible routes the parties could traverse. By this it is shown that Leschi would have had to travel twice as far to intersect the road traveled by the express party and by a rough and difficult trail, while the party would have the direct, open wagon road to make the distance of sixty-eight chains, and by the trail Leschi would have had to travel one hundred and four and one half chains.

The truth was that Leschi was not in either place that Rabbeson swore he saw him, but was miles away, as he said he was in his last words on the scaffold.

The unfortunate circumstance about this map was that it was not ready before the trials were ended, the conviction had, and the case gone to the Supreme Court where evidence could not be received. The effort made at so late a day was with a view of obtaining a pardon from Governor McMullen, who had succeeded Governor Stevens, if that were possible, otherwise to make an appeal to the President....

Meeker, Ezra.
Pioneer Reminiscences.
Pp. 419-20.

NOTE ON THE ARREST OF SHERIFF WILLIAMS

written by J. M . Bachelder, U. S. commissioner,
2nd Judicial District and published in Truth
Teller. Steilacoom, Washington Territory, February
3, 1858.

Had a plain statement of Facts and a smaller exercise of imagination been made by the parties who drew up the resolutions adopted by the recent meetings at Steilacoom and Olympia relative to the case of Leschi, there would have existed no necessity for the undersigned to vindicate himself from the false charges made against his conduct as U.S. Commissioner. In times of popular excitement, much injustice is apt to be done to individuals, and although a cooler temper will undoubtedly ensue, and many regrets be made by those who are most savage in their demonstrations; still, the undersigned thinks he has not the right altogether, to remain quiet; but that he owes a duty to himself, his friends, and to society to state plain and honest Truth.

On the morning of the 22nd of January, an affidavit was made before me by an Indian, to the effect, that Mr. Williams, who resides near Fort Steilacoom, had on a certain occasion sold a quantity of whisky to an Indian. As I am the U.S. Commissioner, it was my duty to swear a warrant for the arrest of Williams which I accordingly did.

It was served upon him by Mr. (Fred) Kautz, a citizen of this territory, whom I appointed acting U.S. Marshal. At any other time than the 22nd of January, Mr. Williams might have been arrested for selling liquor to Indians without a single shriek on the part of the public or a solitary howl from the crowd that went to Fort Steilacoom to see Leschi hanged.

But on that day justice was about to be set aside; a man charged with the misdemeanor of selling liquor to Indians was to escape punishment because forsooth, that man happened to be sheriff, an officer, who according to the law books of the Olympian and Steilacoom reformers,

can only be arrested on certain days of the year if I know my duty at all. I always endeavor to do it well and promptly and in issuing a warrant for the immediate arrest of Mr Williams was simply carrying out what I was sworn to do in my official capacity.

But the cry is that there was a plot, a secret caucus, it is said, was held(nobody knows where), by a set of persons(nobody knows who), to do something(nobody knows what) which would result in saving Leschi from the gallows.

Now, if there was a plot, I certainly am the victim, and if the carrying out of the law, in the case of Leschi was prevented, it certainly is the fault of the law itself which does not ordain that sheriffs cannot be arrested for selling liquor to Indians.

The shallowness of reasoning and the vividness of imagination brought to bear in blaming me for exercising for legitimate purpose the powers vested in me by the law are truly extraordinary. It was a matter of indifference to me whether Leschi was hanged or no, and I leave it to my friends to declare whether I ever expressed an opinion about the propriety of hanging him. It is sometimes the lot of honorable men to do their duty to be abused and I cannot expect to be free from the common chances of life; but I do enter my protest against being included in any plot.

I know that the good sense of the community will finally uphold my official acts, whatever their results may be. My motto in life has always been to do my duty and leave the consequences to take care of themselves.

J. M. Bachelder.

LETTER TO COLONEL GEORGE WRIGHT FROM GOVERNOR ISAAC I. STEVENS
REGARDING DEFEATED INDIAN CHIEFS INCLUDING LESCHI.

Col. G. Wright, Command, Columbia River District. Fort Dalles, Oregon.

Sir:

I have received your letter of this date, in answer to my requisition for the delivery of Leschi, Nelson, Quimuth, Kitsap and Stehi, to be sent to the Sound to be tried by the civil authorities.

These men are notorious murderers, and committed their acts of atrocity under circumstances of treachery and blood thirstiness almost beyond example. All belong to bands with whom treaties have been made, and in the case of all, except Nelson, the treaty has been sanctioned by the Senate, and the execution of the treaty has been placed in my hand.

Whether a treaty has been made or not, I am of the opinion that men guilty of such acts should at least be tried, and if convicted, punished, more especially should this be done in cases where, by treaty stipulations, provision is made for the punishment of such offenses.

If the condition of things is so unsettled in the Yakima that the seizing of these men, after such arrangements as to time, etc. as necessarily comes within the direction of the force making the seizure, will lead to war, the sooner the war commences, the better. Nothing, in my judgment will be gained by a temporizing policy.

The war commenced on our part in consequence of the attempt to arrest

the murderers of Bolon, Mattice and others on the requisition of the Acting Governor of Washington Territory. If this demand is not inflexibly insisted upon, and peace is made under milder terms, it will be, it seems to me a criminal abandonment of the great duty of protecting our citizens, will depreciate our standing with the Indians, and pave the way for wars hereafter.

I must, therefore, again respectfully made requisition for the delivery of the Indians mentioned, in order that they may be sent to the Sound to be tried by the Civil Court. The particular mode and the special time of making the seizure rests with your discretion....

Isaac I. Stevens, Governor
and Superintendent of Indian
Affairs. Fort Dalles, Oregon
Territory, October 4, 1856.

LETTER TO SILAS CASEY ABOUT THE LESCHI
EXECUTION FROM GOVERNOR FAYETTE McMULLIN

Olympia, January 22, 1858.

Lieutenant Colonel Silas Casey.
Commanding.
Fort Steilacoom.

Sir:

I am just in receipt of a communication by express from the Sheriff of Pierce County informing me that he called upon you last evening and requested you to furnish him today with sufficient guard to protect him in the discharge of his duty in executing the Indian Leschi who is now a prisoner confined at Fort Steilacoom and condemned to death.

He further informs me that your answer to him was that if you were formally requested by some person having authority, that you might or you might not furnish such guard.

I have therefore respectfully to request that you furnish such guard to George Williams, the Sheriff of Pierce County, as shall be necessary to protect him in the execution of his duty in the hanging of Leschi.

I am, Sir, Very respectfully, Your Most Obt. Servant.

Fayette McMullin.
Governor of Washington Territory.

INDIGNATION MEETING

The citizens of Pierce County, W.T., after returning from witnessing the disgraceful transaction enacted at Fort Steilacoom, the place appointed for the execution of the murderer Leschi, on the 22d January, 1858, assembled at the Church in Steilacoom City.

Mr. O.P. Meeker was called to the chair, and N.W. Orr was chosen secretary.

The chairman then stated the object of the meeting.

The meeting was addressed by Messrs. Sam McCaw, E. Cady, and Henry Bradley. On motion,

A committee of five were appointed consisting of A.L. Porter, O.H. White, W.R. Downey, E.M. Meeker, and M.J. West for the purpose of drafting resolutions expressing the views of this meeting as regards the conduct of Sheriff, Geo. Williams, U. S. Commissioner, J. M. Bachelder, and such of the military officers at the Steilacoom Garrison as assisted in evading the execution of the law, and likewise the disgraceful course pursued by Frank Clark.

The committee, after retiring for a short time, reported the following resolutions which were unanimously adopted.

WHEREAS, at connivance, as we fully believe, of sheriff Williams and others, an arrest was made of said Williams for the purpose of preventing the execution of Leschi, who had been tried, convicted of murder and sentenced to death, therefore.

RESOLVED, That we, as citizens of Pierce County, denounce the act as being unworthy of honorable men. That the aiders, abettors, and sympathisers in this high-handed outrage, deserve the unqualified condemnation of all lovers of good, order, and are no longer entitled to our confidence.

RESOLVED. That the action of those of the officers of the U.S.A. at Fort Steilacoom, who have participated, aided and abetted in the arrest of sheriff Williams at the very hour he was to have executed Leschi, and, as we believe, solely for the purpose of preventing him from performing his duty as sheriff, deserve at our hands the severest condemnation, that we consider it an act unworthy of the officers of the U. S. Army, it being clearly their duty to assist in enforcing the law instead of throwing obstacles in the way of its mandates.

RESOLVED, That the action of the U.S. Commissioner, J.M. Bachelder, in issuing a warrant for the arrest of Sheriff Williams on the affidavit of an Indian, and, as we believe, with the full knowledge of the object to be effected by the arrest, is without the least shadow of excuse, and that the interest of the community demands his immediate removal.

RESOLVED. That we believe that Frank Clark has done all that was in his power to prevent the execution of the laws, and has been instrumental in having an affidavit filed, which resulted in the arrest of the sheriff and his deputy, and we brand the act as being unworthy of a law abiding citizen of this territory.

RESOLVED, That the representative of the foreign company in our midst, W.F. Tolmie, has, by his own officiousness in this matter, rendered himself more than obnoxious to the citizens of Pierce County, and that we earnestly desire to see the day when our Country shall be rid of this incubus on our prosperity.

On motion of A.C. Lowell.

A committee of three was appointed by the Chair, consisting of Henry Bradley, A.L. Porter and Sam McCaw to circulate the above resolutions to give such of our citizens as wish the opportunity to endorse the same.

On motion of A.C. Lowell, The proceedings were ordered published in the Pioneer and Democrat. On motion the meeting was adjourned.

O.P. Meeker, Chairman.

N. W. Orr, Secretary.

Pioneer and Democrat, Friday, January 29, 1858.

RESOLUTIONS ADOPTED BY SECOND MASS MEETING

The second mass meeting of local residents was held in Steilacoom on January 26, 1858. Erastus Light was selected to preside at the meeting and F.A. McCarty was named as recorder and secretary.

The resolutions were signed by about seventy prominent pioneers of the county.

Whereas, the County of Pierce in the Territory of Washington, is fast gaining a disgraceful notoriety in other counties of this territory, and in other parts bordering on the Pacific Coast, and in all places where the acts of a part of her citizens are known, which the undersigned citizens of Pierce County have long endeavored to ignore to the world; and, whereas, the said County of Pierce embraces within her borders a very large amount of arable lands, also good inroads and fine navigable harbors, and we verily believe some as good law-abiding citizens as can be found in any other country or place that can be mentioned and

Whereas, certain citizens, implicated in the disgraceful farce enacted at Fort Steilacoom on the 22nd inst. to prevent the execution of Leschi, have complained that they have not had a chance to vindicate themselves, and

Whereas, the hour appointed having arrived in which every citizen of the county was invited to participate, and the said parties having refused or neglected to attend, therefore:

1st, Resolved. That we, the people of Pierce County assembled, do now denounce George Williams, the present sheriff of this county, as a base hireling, unworthy of the position he now occupies, and the confidence of any good law-abiding citizen; and especially do we wish to express our indignation at the part our said sheriff acted in the late farce of the non-execution of the sentence of the law and justice upon the notorious Indian Leschi, who a few short months since was murdering, in cold blood, our inoffensive, and defenceless neighbors, and their children, and would, had it been in his power, swept every civilized

being from this fair land.

2nd, Resolved. That we do most earnestly pray that the proper authority will remove and disincumber the present "tool" namely James M. Bachelder, of the high position of United States Commissioner, and confer the trust to a more honest man.

3rd. Resolved. That we consider the thing that calls himself an attorney, namely Frank Clark , the instigator and planner of the late most ridiculous and unparalleled outrage which robbed justice of her rights, and again jeopardizing the lives and property of our frontier settlers.

4th, Resolved. That we believe a part of the officers of the military garrison at Fort Steilacoom are a clog and detriment to the execution of civil law.

5th, Resolved. That we hold as enemies to law and order all who did, do, or shall in any way countenance or uphold the foregoing named persons in their acts of the 22nd day of February, 1858, and previous thereto, in clogging the execution of the law and justice in the case of the Indian chief Leschi.

6th. Resolved. That we now firmly believe, as it has long been supposed by some, that Dr. W.F.Tolmie and other representatives of the Hudson's Bay Company are the Indians' friends and abettors, and the enemies of the American citizens; therefore, we do most humbly pray the United States will deliver Pierce County of this very effective blight and curse.

7th. Resolved. That we depreciate and denounce in unmeasured terms

the grog-shop influence which has ever controlled our elections in this county, and we are determined in the future, to withhold our patronage in every way and form, and will disown as a neighbor and citizen anyone that may in the future, under any pretence whatever, exert said influence at any of our elections.

8th. Resolved. That the undersigned citizens of the County of Pierce think and conceive it to be a duty that we owe to ourselves, our families, our friends and our country to publish to the world that we have resolved to see the civil law of the land and the decree of our courts executed in the future, though to be at the expense of our property or even our lives.

Resolved, that we exonerate Captain M. Maloney from the censure expressed in resolution four, respecting the military officers at Fort Steilacoom.

Signed E.A. Light, Chairman.
F.A. McCarty, Secretary.

Bonney, William P. History of
Pierce County, I, 219-221.

MASS MEETING OF THE CITIZENS OF WASHINGTON TERRITORY

Held at Olympia, Washington Territory on Friday evening the 22nd of January 1858. About two hundred citizens of Olympia and other parts of Washington Territory assembled en masse, at the public school house in said town, for the purpose of taking into consideration the unprecedented proceedings of the civil authorities of Pierce County, and the Military stationed at Fort Steilacoom; in relation to the culprit "Leschi" who was to have been hanged in the aforesaid county on the 22nd of January, between the hours of ten o'clock and two o'clock p.m.

The meeting was organized by the election of Hon. Lewis Van Vleet, Chairman, and J.T. Turner, Secretary.

On motion of J.W. Wiley, Capt. James M. Hunt was called upon to state the object of the meeting. In response to the call, Captain Hunt arose and in a brief and pertinent manner, stated that the object of the meeting was to investigate the cause of the non-fulfilment of the sentence of the Court in the case of the murderer "Leschi," who was under sentence of death by the highest tribunal of Washington Territory; but though the high handed outrage perpetrated by the civil authorities of Pierce County, the connivance of the Military officers at Fort Steilacoom and particularly the disgraceful conduct of one James Bachelder, U.S. Commissioner, he, the culprit "Leschi" had escaped the hands of justice.

— Captain Hunt moved that meeting request the attendance of Hon. Charles H. Mason, adopted; and upon request the Chair appointed Col. B.F. Shaw, C. H. Armstrong and B.F. Harned, Esqrs. as a committee to wait upon him and make known the said request.

On motion of Major Maxon, a committee of five were appointed to draft resolutions expressive of the sentiments of the meeting and report the same on next Tuesday evening, 26th January. Whereupon the following gentlemen were appointed said committee: Hon. H.J.G. Maxon, Hon. Crumline La Du, Hon. J.W. Wiley, B.P. Anderson, and B.F. Harned, Esqrs.

Hon. C.H. Mason now appeared and addressed the meeting as follows: That upon his arrival at Steilacoom and before reaching the garrison to which place he immediately repaired, he was met by a messenger who informed him that the Sheriff of Pierce County was in the custody of the commanding officer at Fort Steilacoom; whereupon he used all dispatch in reaching the Quarters of Col. Silas Casey when upon finding that officer the following conversation took place."

"Colonel, I understand that the Sheriff of Pierce county is under arrest and that by your order?"

To which he replied, " he is not, sir."

"May I ask you sir, if it is true that you refused to furnish a guard to be present at the hanging of "Leschi?"

Answer: "It is not true; on the contrary, I had ordered a guard of twenty men to hold themselves in readiness to assist the Sheriff if demanded and that he stood ready to surrender the prisoner upon

demand of the proper officer, with a legal warrant from the court."

"Can you give any information of his(the Sheriff's) whereabouts?"

Answer: "I cannot."

"Are you cognizant of the fact that the Sheriff is under arrest by any authority whatever?"

Answer: "I have been informed that he was arrested by civil process."

The above together with a brief outline of the whole transaction was the substance of Mr. Mason's communication.

Upon his taken his seat, Major Maxon moved that Governor McMullin be called upon to address the assemblage. The governor responded to the call and in a brief and eloquent speech the following was said:

"Fellow citizens: The majesty of the highest courts of our territory have this day been trodden under foot, by the under ground machinations of the civil authorities of Pierce county, and if what I have heard be true, also by the officers of the United States Army at Fort Steila-coom. The acts of these officers, both civil and military, fellow citizens, call for your unmittigated and unqualified condemnation.

"Active steps should be by you taken to ferret out and sift clearly the causes that have led to this singular and extraordinary usurpation of authority in prevent the ends of justice beting meted out to one who has been sentenced to death by the Supreme tribunal of our Territory.

"I would suggest gentlemen, that the Legislature Assembly, now in session, be requested to take such steps and adopt such measures as the exigencies of the case would seem to demand at their hands, in bringing this

unprecedented and unparalleled procedure to the notice of the proper department in Washington City.

"Fellow citizens: It is your duty to see that the laws of your country and the immutable doctrines of your sacred Constitution are upheld and sustained at every hazard. In my official capacity as Executive of your territory, I shall spare no means that I may be able to bring to bear in preventing this affair in an unprejudiced and an impartial light to the Secretary of War.

"There has evidently been a trick perpetrated upon the majesty of the law, worthy only of the perrifogging brains that concocted it, to the end that a condemned criminal might go unwhipt of justice, merely to secure to certain unprincipaled person that which otherwise might have escaped them.

"In conclusion, fellow citizens, I would recommend that you do nothing by violence for such high handed outrages as have this day transpired can not and will not triumph."

Major Tilton was then called for and promptly responded to the call. He stated in brief, that he would endores the statements already made by Mr. Mason. He expressed his firm conviction that a collusion had existed between the civil and military authorities in Pierce county, to defeat the ends of justice.

He desired the meeting to understand that in speaking of the military officers in connection with this outrage, he wished to make an honorable exception of Captain Maurice Maloney whom it gives him pleasure to say is as upright and law abiding a citizen as he is a gallant and meritorious officer.

Messrs. La Du, Maxon, B. P. Anderson, J. W. Wiley and Hon. William H. Wallace, followed and all of whom united with those that had preceeded them in condemning the criminal proceedings that have so outraged the feelings of the law abiding citizens of Washington Territory.

Upon leave, Mr. Sewell offered the following resolution:

Resolved, That we hold unmitigated contempt for the Sheriff of Pierce County.

Resolution laid on the table to be submitted to committee appointed to draft resolutions.

Mr. Maxon moved that this meeting request the Legislative assembly to take into consideration the affair relative to "Leschi" and that they take such action in the premises as they may conceive the nature of the case demands at their hands.

Adopted.

On motion of Mr. Anderson the meeting was adjourned to meet again on Tuesday, evening, January 26th, 1858.

L. Van Vleet Chairman.

Attest--J.T. Turner, Secretary.

Pioneer and Democrat. January 29, 1858.

SECOND MASS MEETING IN OLYMPIA

Tuesday, January 26, 1858.

Meeting met pursuant to adjournment. The Hon. Lewis Van Vleet in the Chair and J.T. Turner, Secretary.

On motion of Mr. Armstrong the minutes of the last meeting were read and on motion of Mr. Wiley were unanimously adopted. On motion of Mr. Rutledge, the report of the committee to draft resolutions was now submitted to the meeting.

Upon request, B.P. Anderson, Esq. read the report. On motion of Mr. Armstrong the report, after being read, was adopted.

Mr. Weed moved that the resolutions presented by the committee be read separately for adoption. Which motion was carried, and the resolutions were adopted without a dissenting voice.

Mr. Wiley moved that copies of these proceedings be forwarded to the President of the United States and the several departments in Washington City.

Pending which motion, Mr. Weed moved to amend by sending a copy of the Pioneer and Democrat to the President of the United States and to the several heads of the different departments at said city, accompanied by a note calling their attention to the proceedings as aforesaid.

Which amendment was adopted. On motion the meeting was adjourned.

Lewis Van Vleet, Chairman.

J.T. Turner, Secretary.

REPORT OF THE OLYMPIA INVESTIGATION COMMITTEE

The committee deem it their duty to state as a basis for resolutions the following facts:

An indictment was found against the Indian Chief Leschi by a grand jury of Pierce County, in November, 1856, charging him with the murder of Colonel A. Benton Moses. At a special term of the district court in Pierce County, he was tried on that indictment, having the benefit of the best counsel.

At that first trial the jury failed to agree upon a verdict consequently he was tried again at the March term, 1857, of the district court for the second judicial district, when he was found guilty of murder and accordingly sentenced to be hung on the 10th of June last.

His case was then taken before the supreme court of our Territory on a writ of error. Before the last named court his case was argued elaborately and he was again sentenced to be hung at Steilacoom on the 22nd day of January, 1858. A warrant was issued and delivered to the sheriff of Pierce County, commanding him to cause the execution of the sentence to be had.

Between the time when the sentence was pronounced and the day fixed for its execution, the counsel and the volunteer friends of Leschi made the most extraordinary efforts to secure his pardon or respite from our governor. The counsel appeared before the Governor near the place of confinement and reargued the case, presenting its favorable features with the utmost latitude, when no one was present to uphold or

defend the action of the courts. Dr. William F. Tolmie, the Chief Factor of the Hudson's Bay Company and Agent of the Puget Sound Agricultural Company at Nisqually in Pierce county address the Governor an elaborate and powerful appeal in Leschi's behalf in which he exhibits an ability in artful cunning, ingenious, special pleading worthy of the representative of an unlawful illegitimate foreign corporation.

He goes entirely beyond the bounds of truth in his statements. His whole communication is characterized by a stubborn and selfish disregard for the laws of our Territory and the well being of our community. Lieutenant August V. Kautz of the U.S. Army at Steilacoom barracks went to the ground where Leschi committed the murder, made a laborious survey of it and we believe by assuming the testimony of the material witness in the case to be different from what it is made a cautious and cunning affidavit that it was impossible for Leschi to have been present when the murder was committed.

Lieutenant Colonel Casey of the army also, in his official capacity addressed a letter to the Governor praying a respite for Leschi. Colonel Wright, another officer of the Army, was appealed to, and joined Tolmie and Casey in Leschi's behalf. Governor McMullin laid aside the rules generally followed by an executive officer, and went to the military post at Steilacoom to give the prisoner more than a fair hearing.

There he gave patient audience to all the appeals of Tolmie, Casey, Kautz, and all others who joined them, and considered them calmly and deliberately as this committee believes with an earnest desire to do justice in the premises, and give the Indian the benefit of all

doubts in his favor.

When he had done this he came to Olympia and announced his determination not to interfere with the sentence of the law. On Friday, the 22nd of January, at two o'clock a.m. the Governor received the following letter from the sheriff of Pierce County:

Steilacoom, W.T., January 21, 1858.

Sir: This afternoon I called upon Colonel Casey commanding Fort Steilacoom with the request that he would furnish me with a sufficient guard to maintain the supremacy of the law in the execution of Leschi. He did not positively refuse, but informed me that if he was formally requested by some person having authority, "he might or might not" that he entirely washed his hands of the whole affair, that he considered it as a murder at the best, that he and all the officers of the army entertained the same opinion.

He also further positively forbid me having him executed upon the Government reserve, (so called).

I would request, if in your superior judgment you deem it necessary as I do, that a requisition or request from you to Colonel Casey for a sufficient guard to protect me, be forwarded by the bearer of this communication.

George Williams.
Sheriff, Pierce County,
Washington Territory.

To His Excellency Fayette McMullin,
Governor, Washington Territory.

Upon the receipt of this letter, Governor McMullin addressed a letter to Colonel Casey, desiring him to furnish the guard. Between the hours of ten and twelve o'clock on Friday, the sheriff, George Williams and his deputy and executioner, C. McDonald, were arrested by Lieutenant David McKibben of the army and Fred Kautz, the brother of Lieut. Kautz, upon a warrant issued by J. M. Bachelder, a U.S. Commissioner, and the sutler at the military post at Steilacoom.

They, Williams and McDonald were taken into the town of Steilacoom, a mile or two distant from the post, where they were kept until after the hour of two o'clock, which was the limit of time fixed for the execution.

When Williams was in Steilacoom and, as he said, under arrest, Secretary Mason requested Mr. Sealy to get the death warrant from him. Mr. Sealy proceeded to Steilacoom and demanded the paper. Williams refused to give it up "...without an order..." as he said. Mr. Sealy then asked to know by what authority he was detained there.

Lieut. McKibben answered that Williams was under arrest and in his charge. Mr. Sealy then attempted to take Williams by force with a view of conveying him to the place where his duty required him to be.

Lieutenant McKibben, Dr. T.B. Webber and others interfered and prevented Sealy from executing his design. Charles McDonald, the deputy sheriff and executioner, said he would not regard the arrest and demanded of Williams the authority, which was the death warrant of Leschi that he might proceed with his duty. Williams refused to give him the paper.

It is the fixed conviction of two truthful and reliable men who witnessed this affair, that Williams remained under arrest willingly and did not desire to be released. In consequence of thos most extraordinary and unprecedented course of conduct the Indian Leschi was not executed in obedience to the sentence of the law.

In addition to the above cited facts, the committee have gathered sufficient information to induce them to believe that this disgraceful scheme to prevent the execution of the law was concocted and carried out in the following manner:

Frank Clark, an Attorney at Law, and one of the counsel for Leschi, procured an Indian to make an affidavit before J. M. Batchelder, the U.S. Commissioner, charging George Williams, the Sheriff and C. McDonald, the executioner, with selling intoxicating liquor to Indians, in order to justify the infamous plot he was about to put in execution.

We believe Clark did this, because he requested Dr. Webber and S. McCaw, Esqu. to act as deputy Marshals on the morning of that day, saying there were two persons to be arrested and that he wanted it attended to; and because he offered to bet one hundred dollars on two different occasions that Leschi would not be hung on Friday.

Batchelder, Williams, Fred. Kautz, and McKibben were cognizant of the plot. Our reasons for this belief are the conduct of these individuals on that day.

Entertaining these views, and with the foregoing facts before us, we would respectfully recommend the adoption of the following resolutions:

1. Resolved, That we believe it is the duty of all good citizens to condemn publicly all outrages; and particularly is it the duty of everyone to publicly and privately denounce and condemn the late disgraceful and disorganizing transaction at Steilacoom.
2. Resolved, That the whole course of conduct exhibited by Dr. William F. Tolmie, in this affair has been a voluntary and unjustifiable attempt to interfere with the execution of the laws of our Territory; with the bona fide citizens of which he had no interest, sympathy, or affiliation whatever; and that his conduct merits and should receive the general condemnation of our whole people.
3. Resolved, That we deem the conduct of Lieutenant Colonel Casey, Lieutenant Kautz and all other officers of the United States army who have in his affair attempted to arrest or interfere with the execution of the laws of the land, as entirely outside of their line of duty, unbecoming public officers, and calculated to bring disgrace upon our army, and immeasurable difficulties upon our people: Therefore we do condemn in the most unqualified terms all such conduct and earnestly hope the officers who are guilty of it may be removed from our midst as soon as possible.
4. Resolved, That such conduct on the part of the officers of the U.S. army exhibits a most unnatural and unreasonable sympathy for the Indian who was known to have been engaged in the fiendish massacre of helpless women and children on the White River in the fall of 1855, and that it is considered by this community a good and sufficient cause for their

removal from this territory and dismissal from the army.

Resolved: That it is difficult and almost impossible to find language sufficiently strong to express the feelings of indignation entertained by this community towards George Williams, the sheriff of Pierce County, J. M. Bachelder, the U.S. Commissioner and Frank Clark the attorney for the Indian Leschi. Their disgraceful acts on Friday last were alike dishonest, disreputable and infamous.

6. Resolved That Fred Kautz and Lieut. McKibben, in acting as the tools in the hands of dishonest officers and being used by them to carry out the most disgraceful violation of the law, have disgraced themselves and merit the severest condemnation of the community.

7. Resolved, That it would be unjust and unwise for this meeting to adjourn without commending in the highest manner the course of Capt. M. Maloney throughout this whole affair and we do therefore admire and highly esteem his course of conduct.

8. Resolved: That this meeting agree most cordially with the sentiments expressed in the resolutions adopted by the public meeting held at Steilacoom on the 22nd of January, and do hereby tender to those citizens engaged in that meeting our sympathy and promise them hearty and earnest cooperation in any attempt to bring to justice the perpetrators of this outrage.

9. Resolved, That the publisher of the Pioneer and Democrat be requested to publish these proceedings.

H.J.G. Maxon, Chairman.

Pioneer and Democrat, 29 Jan. 1858

LETTER FROM THE TERRITORIAL PROSECUTING ATTORNEY
REGARDING THE LESCHI CASE.

Olymia, Washington Territory.
May 4, 1858.

Sir:

Complying with the request made in your note of the 30th of April, I have carefully examined the communication by you to the Hon. John B. Floyd, Secretary of War, in which a statement of the facts connected with the trial and execution of the Indian Chief "Leschi" is made, and will freely give you my opinion in regard to their correctness.

Without entering into the minute details of the case, you have given its true general history from the time it came before the courts in a very concise manner. You might have added with perfect propriety that no criminal of any age, sex, or color, ever had a fairer trial than "Leschi!"

The investigation was deliberate, impartial and complete, his Senior Counsel is the oldest Attorney in our Territory and ranks as one of the ablest criminal pleaders on the Pacific Coast, his Junior was as active and energetic as the sequel proved him to be unscrupulous and dishonest.

The former permitted no _____ in the investigation and did all for his client that a correct, upright attorney could have done; the latter took all advantages offered by loopholes in the Law, or that

could have been practiced by the most artful Pettifogger. But this is the inference naturally drawn from your statement of the case as it stands upon the record. It is unnecessary for me to add anything further than my full endorsement of that statement.

Yours truly.

Butler P. Anderson.
Pros. Atty. Washington Territory.

Washington Historical Quarterly, I (January, 1907) p. 59.

SUPREME COURT'S DEATH WARRANT FOR LESCHI

In the Supreme Court, Territory of Washington.

To the Sheriff of Pierce County in said Territory, Greeting:

Whereas at a term of the Supreme Court of the Territory of Washington begun and holden at Olympia the Seat of Government of said Territory on the first Monday, it being the seventh day of December, A.D. 1857, the cause of Leschi, an Indian, who was heretofore convicted of murder to wit, at a Term of the United States District Court for the 2nd Judicial District begun and holden at Olympia in said district on the ninth day of March 1857, and sentenced by said court to suffer death, came on to be heard on a Writ of Error from said Court below and the matters therein being considered by the said Supreme Court and mature deliberation being had thereon, it was adjudged and determined by said Supreme Court now here that the judgement of the court below be affirmed.

Therefore you are commanded to take the body of the said Indian Leschi and keep him in close confinement at the Military Post near Steilacoom in this district from whence you came or at some other safe and convenient place in your said County of Pierce within said district until the twenty second day of January, 1858, and then and there and on that day between the hours of 10 o'clock in the forenoon and 2 o'clock in the afternoon in the said County of Pierce that you hang the said Leschi by the neck upon a gallows erected for that purpose until he be dead.

OB McFadden, F.A. Chenoweth.

A NOTE ABOUT LESCHI BY ANTONIO B. RABBESON

During the summer of 1855, Leschi, who has the credit of being a ruling spirit in hostile Indian demonstrations visited the country east of the Cascades, both in this and Oregon territory. Whilst on this mission, councils were held by the Klickitats, Yakimas, Walla Wallas, and other tribes, in which he urged upon them resistance to the terms of the treaties, and advising them into the adoption of hostile measures. During the course of these councils, he continually urged a system of general hostility, with the mutual assurance of a common reward in the event of success.

It is understood that this proposal was openly made by Leschi to the different tribes between the Snake River and the Rouge River Valley: If you will insure us one hundred head of cattle and one hundred fifty head of horses, myself and my brother Quiemuth will succeed in inciting the Nisquallys to open acts of hostility against the settlements, and we will conquer them."

On his return to the Sound country, he told his people that the extermination of the whites in this territory had been agreed upon by the Indians east of the Cascade mountains, and urged upon them by every threat and persuasion in his power to join the general combination.

It is said, in his harangues, he discoursed with them somewhat in this wise," Brothers, you will all receive an equal share of the movable property now belonging to the whites; we will possess all the buildings and other improvements made upon the soil, and enjoy the advantages of all the farms they have opened."

He represented to them that the Indians east of the mountains were very powerful, and told them that it was their design not only to exterminate the whites, but to kill or make slaves of all the Indians on the Sound who had not submitted to the terms of the combination. This threat, in connection with others, was not without its influence in inciting them to revolt.

In his speeches he would repeat in language peculiar to himself the famous story of "Poolakly Elike" or land of darkness, a story most admirably adapted to work upon the fears and credulity of an ignorant people. This story spread amongst all the Indians with the rapidity of wildfire, well calculated to arouse their savage hatred towards all whites, particularly the Bostons.

Antonio B. Rabbeson, "The Truth of History,"
Oregon Native Son I (July 1899), 148-51.

A NOTE ABOUT LESCHI BY JAMES WICKERSHAM

Leschi was a typical man of the class of Indians who opposed the Medicine Creek Treaty. As he will always stand as the leader and representative of the hostiles, a glimpse at his former life, independence and force of character will serve admirably to explain the difference between the men composing these two factions (pro and anti treaty) at Medicine Creek treaty grounds.

Leschi was, Colonel Benjamin F. Shaw says, nearly six feet tall, and weighed about one hundred and seventy-five pounds. He was a true flat head, and had large brain room. He was an eloquent man of strong force of character and great energy.

He was born and lived on the Nisqually River; he had a winter home built strongly and permanently out of split cedar and here he passed the long winter months hunting and fishing, and frequently visiting the Hudson Bay people at Fort Nisqually. In the Spring he moved out along the meadows skirting Muck Creek, his people hunting, fishing, racing horses, digging camas, and he leading a truly patriarchial life, free from care or burdens.

His people were free and happy, they owned herds of horses, and frequently on their meadows might be seen the riding horses of their friends and relatives from Yakima, Klickitat or Muckleshoot, while around their summer mat houses they sat and talked of hunting, trapping or even of Indian myths and religions.

Of this type of independent, free and strong men was the class opposed to the treaty of Medicine Creek. They viewed with distrust the appearance of such numbers of Bostons and their peculiar notions of claims, donations, towns, mills and roads and saw with a truly prophetic eye the total extinction of their people before them.

They contrasted him with the Hudson Bay Company trader and trapper and knew that they had but little to fear from the latter while the Boston settlements meant the loss of their lands.

James Wickersham, "The Indian Side of the Puget Sound Indian War," a paper read before the Washington State Historical Society. October 9, 1893.

A NOTE ABOUT LESCHI BY HAZARD STEVENS AT MEDICINE CREEK

Lesh-high, the third signer (of the treaty) was the principal chief and instigator of the Indian war that broke out the following year, and after the outbreak was suppressed, was tried and executed for the murder of settlers, after an excited controversy and strenuous efforts to save him on the part of some of the regular officers.

Born of a Yakima mother, he was a chief of unusual intelligence and energy, had much to do with the Hudson Bay Company's people at Fort Nisqually, by whom he was much trusted as a guide and hunter and was supposed to be well affected towards the whites.

The first signer, Qui-ee-muth, was Lesh-high's brother and met with a more tragic fate, being slain by a revengeful settler after he was captured.

Hazard Stevens, i, 461.

Stevens, Hazard, The Life of Isaac Ingalls Stevens by his son Hazard Stevens with maps and illustrations in two volumes. Boston: Houghton, 1901.

A NOTE ABOUT LESCHI BY EZRA MEEKER

Leschi, a Nisqually Indian possessed a farm, had fields fenced, plowed ground, grain seeded; fifty or more horses. He had, it is true, but a possessory right to his land. By the treaty he was dispossessed of this right. He was denied the right to own land; he was an outcast, dispossessed of this property. He refused to sign the treaty and finally was goaded to go to war within ten months after the treaty was made; eventually defeated in the field, sacrificed on the scaffold while his tribe came into possession of an enlarged reservation he had contended for from the beginning.

Leschi was a great man; humane, liberal, and just in his dealings, and trustworthy. I came to know almost every member of his tribe in my hop fields in later years and many if not all of his kin folks.

They all had the same story to tell, besides the testimony of many of the pioneers. Leschi forbade his people making war on non-combatants and after he got control, succeeded in carrying out his policy. We have another illustration of like kind in the case of Chief Joseph, but this is another story in a different field.

The Indians were defeated in the field while at the same time the government was defeated in the effort to enforce the terms of the treaty. At the close of the conflict the Indians were allotted the lands they contended for at the beginning. The local authorities contented the Indians were not warriors, but simply murderers, and acting under that fiction, actually hung Leschi, their chief, for acts alleged

to have been committed against military parties in the field after armies on both sides were arrayed, leaving an indelible stain upon the memory of the chief actors of the territorial authorities.

Ezra Meeker, Seventy Years of Progress in Washington. Seattle, Hanford, 1921, pp. 348-350.

A NOTE ON LESCHI BY J. ROSS BROWNE, SPECIAL INDIAN AGENT

Leschi, the celebrated Nisqually chief, was most determined in his hostility. Bold, adventurous, and eloquent, he possessed an unlimited sway over his people, and by the earnestness of his purpose and the persuasiveness of his arguments, carried all with him who heard him speak. He travelled by day and night, caring neither for hunger nor fatigue; visited the camps of the Yakimas and Klickitats; addressed the councils in terms of eloquence such as they had seldom heard.

He crossed the Columbia, penetrated to southern Oregon, appealed to all the disaffected there. He dwelt upon their wrongs; painted to them, in the exuberance of his imagination the terrible picture of the "pokakly illeha," the land of darkness, where no ray from the sun ever penetrated; where there was torture and death for all the races of Indians; where the sting of an insect killed like the stroke of a spear, and the streams were foul and muddy, so that no living thing could drink of the waters.

This was the place where the white men wanted to carry them to. He called upon them to resist like braves so terrible a fate. The white men were but a handful now. They could all be killed at once, and then others would fear to come. But if there was no war, they would grow strong, and many, soon put all the Indians in their big ships and send them off to that terrible land, where torture and death awaited them.

It may readily be supposed that a rude and ignorant people, naturally prone to superstition, were not slow in giving credence to these fearful stories. Common interest bound them in their compact

against a common enemy.

J. Ross Browne, Indian War in
Oregon and Washington. Washington:
35th Congress, 1st Session. Ex. Doc.
No. 40. (January 25, 1858). pp. 11-12.

A NOTE ON LESCHI FROM BANCROFT

The particular crime with which Leschi was charged was the killing of A.B. Moses, the place being Pierce County. Court had just adjourned when he was brought in, but as Judge Chenoweth, who resided on Whidbey Island, had not yet left Steilacoom, he was requested by the governor to hold a special term of the court for the trial of Leschi, and the trial came off on the 17th of November, the jury failing to agree.

A second trial, begun on the 18th of March, 1857, resulted in conviction and the savage was sentenced to be hanged on the 10th of June. This action of the Governor was condemned by the regular army officers, there being in this case the same opposition of sentiment between the civil and military authorities which had existed in all the Indian wars in Oregon and Washington, the army versus the people.

Leschi's sentence was again pronounced, the day of his execution being fixed upon the 22nd of January, 1858. In the mean time Stevens had resigned, and a new governor, McMullin, had arrived, to whom a strong appeal was made by the counsel and friends of Leschi, but to no effect, seven hundred settlers protesting against pardon.

When the day of execution arrived, a large concourse of people assembled at Steilacoom to witness the death of so celebrated a savage. But the friends of the doomed man had prepared a surprise for them.

The sheriff of Pierce County and his deputy were arrested, between the hours of ten and twelve o'clock by Lieutenant McKibben, of Fort Steilacoom,

appointed United States marshal for the purpose, and Frederick Kautz, upon a warrant issued by J. M. Bachelder, United States commissioner and sutler at that post, upon a charge of selling liquor to the Indians. An attempt was made by Secretary Mason to obtain the death warrant in possession of the sheriff, which attempt was frustrated until after the hour fixed for the execution had passed, during which time the sheriff remained in custody with no attempt to procure his freedom.

So evident a plot executed entirely between the prisoner's counsel and the military authorities at Fort Steilacoom, aroused the liveliest indignation on the part of the majority of people.

A public meeting was held at Steilacoom, and also one at Olympia on the evening of the 22nd, at which all the persons in any way concerned in the frustration of the sentence of the courts were condemned and the legislature requested to take cognizance of it. This the legislature did by passing an act on the following day requiring the judges of the supreme court to hold a special session on or before the 1st of February at the seat of government, repealing all laws in conflict with this act, and also passing another act allowing the judges one hundred dollars each for their expenses in holding an extra session of the supreme court....

Leschi was brought in , when his counsel entered a demurrer to its jurisdiction, which was overruled , and Leschi was for the third time sentenced to be hanged; and on the 19th of February the unhappy savage, ill and emaciated from long confinement, and weary of a life which for nearly three years had been one of strife and misery was strangled

according to law.

Bancroft, Hubert H. History of the Pacific States. XXVI, p. 172-73.

PART THREE THE EXECUTION OF LESCHI

A note by Father Louis Rossi who was present.

The execution as reported by the Pioneer and Democrat

The execution as reported by the Truth Teller.

A NOTE ON LESCHI BY LOUIS ROSSI

The Indian Chief condemned to death, with his feet and hands well chained, was closely watched in a hut made from wooden beams placed horizontally one on top of the other. It was used as prison and guard-house at the same time.

The talk I had with the condemned man made me realize the necessity of having an Oblate come to instruct him and prepare him for the hereafter. The unfortunate man wasn't baptized, and he was polygamous. Father Chirouse succeeded in converting him, after having persuaded him to renounce all his wives, save the one to whom he was married by that same missionary.

He was hanged, and he underwent his punishment with heroic courage. In his last moment, he cried out, " I pardon everyone!" and that is truly Christian. But, unfortunately, he added one exception, which distressed me a lot. It was the only witness who had given evidence against him and who, as everyone knew, had never told the truth in his whole life.

Rossi, Louis. Six Years on the West Coast of America, 1856-1862.
Fairfield, Ye Galleon Press,
1983. p. 141-42.

EXECUTION OF LESCHI

AS REPORTED IN THE PIONEER AND DEMOCRAT

In obedience to law, the verdict of the jury and sentence of court, Leschi, the noted Nesqually chief, and head leader of the hostile tribes, who had combined a few years since to extripate the white population from the Territory was hung in Pierce County on Friday by the deputy Sheriff of this (Thurston County) to whom the execution of the sentence of the court had been confided; all confidence as to the ability or will of the sheriff of the former county to do so, to whom had been entrusted its former execution having been lost.

As much interest has been manifested by our readers and citizens in the fate of this unfortunate man, from the time of his capture to his final doom, we will briefly relate matters and things connected therewith from personal observation of the junior, who was present on the occasion.

On the day preceding that of the execution, Mr. William L. Mitchell, the deputy sheriff of Thurston County, the sheriff being absent, preceded with a posse of twelve men, ourself among the number to Steilacoom in order that he might be in readiness at an early hour on the day appointed for the execution of his order.

Arriving there, he found everything far more quiet than could have been expected after the occurrences which transpired there on the 22nd of January, the day fixed for Leschi's execution. There was no excitement. There did not seem to be the least interest felt, and every one seemed

to have come to the conclusion to let law and justice take its course. On Friday morning before leaving town for the military post, the place of the culprit's confinement, in consequence of the idle vaunting of a few foolish young men who freely offered to wager "ten dollars to one that Leschi would not be hung," Mr. Mitchell prudently summoned a number of citizens of Pierce County to assist in preserving order.

The hour fixed for execution having arrived, Mr. Mitchell proceeded at once to the office of the commander of the Post, Lieutenant Colonel Casey, informed that gentleman of his mission and demanded the body of the prisoner, at the same time producing the death warrant as his authority for so doing.

After careful examination of this instrument, Colonel Casey remarked "...that he had supposed the sentence of death had emanated from the Supreme Court, a special session of which had been convened by an act of the Legislative Assembly; whereas, the document which he then held and had read, seemed to have origin in the District Court, and that it was signed by the Clerk and sealed with the seal of that court," all of which was true, and it was only from haste in reading that Colonel Casey did not at once arrive at the true meaning and purport of the warrant.

Upon a re-perusal of this document that gentleman instantly perceived the imaginary discrepancy. The warrant, after stating the manner of trial, verdict, sentence, etc. proceeds to say that the former sentence of the Supreme Court not having been executed, the prisoner is remanded to the District court, then and there to be re-sentenced.

The Colonel then adduced a section from the laws of this Territory which, he said, "might cause him to hesitate in delivering over the prisoner." The sheriff, mistaking this for a refusal, replied to the Colonel "... that his orders were simple and his duties apparent; that he had made a demand for the prisoner, and if delivered over to him he should proceed in the discharge of those duties and execute his orders, but that he should not insist upon a compliance therewith; that if frustrated in the execution of his duties by a refusal to deliver over the prisoner he should quietly return from whence he came, but requested that that refusal be reduced to writing."

The Colonel replied that the "Sheriff had misunderstood him as well as his intentions; that instead of refusing to obey the mandates of the civil court and law and its officers, on the contrary he was ever ready and willing to submit to it. That he had thus far acted in the capacity of sheriff in keeping the Indian in his custody, and that independent of what might be his views and feelings in the case, he considered himself exculpated from and protected by the law, in delivering over the culprit, from a certain section of law in the Statutes of this Territory," which section he then read, and is to the effect "that the order of any court, whether of the Supreme, District, or Justices, commanding any sheriff, constable, or other officer to perform the order of such court, attested by the seal of such court and signed by the officer presiding thereat, shall be sufficient to authorize such sheriff or other officer to perform the service therein ordered."

He then also stated that a plea had been handed to him for consideration by the counsel of the prisoner, Mr. Clark, Esq., which he then read.

In this plea, Mr. Clark argued the jurisdiction of the sheriff, which he asserted was co-extensive only with the boundaries of counties; that beyond this their power was void; and also, that as long as Mr. Williams was sheriff of Pierce County, no other officer, unless through deputies appointed by himself, could legally perform his duties or exercise his functions.

After commenting briefly upon this argument, the Colonel replied that "...the plea had no weight in his mind; that it was not his duty to judge of matters of law, nor sit in judgement upon the validity of the orders or decrees of our courts; that it was his duty to submit to them, and that he conceived it to be his duty upon the order of the warrant which had been presented to deliver over the prisoner," which order he then immediately gave to Lieutenant Shaaff, the officer of the day, with directions to deliver him at any time the sheriff should demand him.

In order to guard against any recurrence of the events of the 22nd of January, Mr. Mitchell then proceeded to the residence of the sheriff of Pierce County, Mr. Williams, and "... in the name of the territory of Washington....." summoned him as one of his posse to assist in executing the laws. Mr. Williams replied, "You cannot do that, you haven't the power." We noticed him, however, among that body, but whether or not he considered himself on duty, we cannot say.

The preliminaries now being completed, Mr. Mitchell called upon Lieutenant Shaaff and informed him that he was now ready to receive the prisoner; whereupon he was led forth from his cell, almost tottering from weakness, and pale, or rather white from long confinement.

In fact, it seemed to us, that even though his death had not been fixed upon a few more weeks, at most, a few months, and he would have "shuffled off the mortal coil."

From the guard house he was conveyed on horse back to the place of execution, distant about a mile from the military post, surrounded in such manner that escape would have been impossible, had he attempted such a thing. But of this we believe he had not the least desire. In fact, had escape been offered him, we doubt whether he would have availed himself of it.

To us it seemed as if he had grown tired of life, and preferred death to a continued incarceration. Arriving at the place of execution, we found the gallows erected in a low gulch in the prairie; here the unhappy man was assisted in dismounting and immediately led to the scaffold.

At the foot of the ladder, looking up to the rope which hung suspended with its sliding noose, he hesitated for a moment, but instantly collecting himself, he ascended with a firm step as if he desired to show the white man how fearlessly an Indian can meet death.

The prisoner evincing no desire to speak or make any confession, his arms were secured behind him, when perceiving his life was drawing to a close, he bowed himself to the spectators and for a space of some ten or fifteen minutes engaged in fervent prayer: said (in the jargon of the country), that he "...would soon meet his maker, that he had made his peace with God, and desire to live no longer, that he bore no malice to none, save one man," and upon him he invoked the vengeance

of heaven.

Having concluded the rope was adjusted, the cap drawn over his eyes, and at thirty-five minutes past eleven o'clock the drop fell, and Leschi, the brave in battle, was launched into eternity, without having moved a muscle to indicate fear of the death, by hanging so dreadful to an Indian. He made no disclosures whatever and proved "as true as the needle to the pole, " to his confederates.

After hanging about twenty-five minutes, and life being extinct, his body was cut down and delivered to his relations, by whom he was taken to the Nisqually reserve for burial.

And now a few words concerning Colonel Casey. As this officer has been severely censured by our citizens for supposed connivance at the disgraceful proceedings on the 22nd of January, it is but proper to say that we saw and heard nothing on the 19th but what would have served to scatter to the breeze those prejudices.

What may have been his connection therewith we cannot say; the strictures cast upon him may be well founded. His course throughout the late Indian difficulties, under no circumstances could we be induced to endorse.

But should this subject him to censure and infamy for acts in no manner connected therewith and of which perhaps he has not been guilty? A man of his standing, venerable with age, we scarcely believe would seek to obtain a fame of infamy. Of whatever sins he may have been guilty of on occasions, we must say that the opinion we formed of him was that of an honorable, high-minded gentleman, and that on the occasion mentioned

he evinced a sound judgement and a desire to do justice to all. We would suggest to our readers in conclusion to bear this one fact in mind, that many of the acts and actions of the army and its officers are not, in all instances seconded by their own view and feelings and that where such actions give offence to ourselves, they would perhaps be subjecting themselves to severe punishment by a contrary course, perchance that of removal.

Educated for the army some, at least, are not adapted from the very nature of that education for civil life. They are comparatively strangers to it and could not be expected to compete with the merchant in commerce, the broker in his stock speculations or the mechanic in his profession, for they are utterly ignorant of these.

Therefore, as the army is their support and existence, and as that army is essentially necessary almost to our very existence here, let us, whenever matters of variance arise between us, inquire whether perhaps their offensive conduct does not emanate from another source than their own free will.

"Execution of Leschi," Pioneer and Democrat, February 26, 1858.

ISSUE TWO OF THE TRUTH TELLER

On the 19th inst. a homicide was perpetrated by the sheriff of Thurston county in the vicinity of Fort Steilacoom by hanging the Indian Chief Leschi, under an order from the district court. Leschi was convicted of murder for killing A.B. Moses during the Indian wars.

The law requires that final process be served by the sheriff of the county in which it is ordered to take place, which by law must also be the county in which the crime was committed. As this occurred in Pierce County, the order to the sheriff of Thurston county was illegal on its face, and the execution might have been prevented by anyone who chose to interest themselves in the matter either by the commanding officer of Fort Steilacoom refusing to give him up on such an order or the sheriff of the county might have claimed him as a prisoner; or the sheriff of Thurston county might have been arrested on the affidavit of any citizen, knowing that a crime was about to be committed.

The matter was discussed by the friends of Leschi and the execution would undoubtedly have again been interfered with had there been any prospect that in the end Leschi's life would have been saved. He would have no doubt been resentenced again in March and time would not have been allowed to have obtained the clemency of the president.

Had his execution been prevented the Olympia people would again have had an opportunity to howl and to denounce the officers of the Army and the people of Pierce County, for it might have deprived them of the privilege of putting another Indian out of the way contrary to law, for which they have sustained a reputation beyond

any otherplace in the territory.

The interest which they take in this sort of thing is manifested by the fact that the sheriff and his party, consisting of twelve or fourteen persons came down under private pay and patronage of the people of Olympia, A purse, we are told, was made up by private contribution to reward these men for the "valuable" services.

Leschi was hanged about twelve o'clock. A large posse was summoned in the county to assist at the execution. Very few besides the posse were present and but few Indians. He was placed on the scaffold and an opportunity given him to speak.

He said in substance that now he was going to die, he wished to be at peace with all; that he felt no ill will toward the whites, and that he was not guilty of the offense for which he was to hang. He drew a parallel between his own ignominious death and that of Christ, and that he forgave all who were concerned in his death; that he did not wish to live any longer; that he had been confined for a long time and had been six times arraigned and was tired of life; that he wished to die and go to heaven.

He told his people in their own tongue, not to think hard of the whites on account of his death, and always to remain at peace with them. He then made a short prayer and on being asked if he was ready, nodded assent. His hands and feet were then tied, the rope adjusted, the cap drawn over his face, and with some difficulty the plank was knocked away. He fell three or four feet, and after ten or fifteen minutes ceased to struggle. He hung about an hour when he was cut down and his body taken to the reservation by the Indians.

Leschi was about forty-two years of age. His father was a Nisqually and his mother a Klickitat. His brother Quiemal, was about ten years his senior. They lived generally together on Muck creek and pretended to live only by hunting and farming, but in the winter season they were often dependent on salmon.

The two brothers were living near Gravel's on Muck when the war broke out. Quiemal was appointed chief of the Nisquallies in 1853 by the Indian department, and as the war approximated the two brothers rose in importance, and were used as means of communication, and to obtain information as to what was transpiring among the Indians, their intimacy with the Yakima chiefs being favorable to that purpose.

It is incomprehensible why Quiemal having been made chief should have been completely ignored at the treaty with the Nisquallies and his brothers protestations treated with insult. Some of the pure Nisquallies were jealous of the two brothers and fabricated such stories about them that they were immediately suspected of plotting against the whites. These suspicions disturbed them exceedingly as they were no doubt true to a certain extent for they seem to have been undecided whether to join the Klickitates or the whites and probably discussed the matter often among other Indians, to their own prejudice.

In this doubting state, good management would as readily have secured them to peace as to war; but, charged with complicity, suspected of double-dealing, and required to abandon their farm, their herds and cattle and go to Olympia as a conditional prisoner of the Governor.

Leschi hesitated and delayed and when Eaton's rangers were sent to bring him in, he fled with his brother to the enemy. His course during the war seems to have been characterized by greater intelligence and humanity than that of any of the other chiefs. He protested against killing women and children and against pillaging and plundering the settlements. On several occasions during the war he had individual white men in his power and his influence saved them from being killed by Kanaskut.

But Leschi's name seems to have become unaccountably familiar in the mouths of the people and obtained a notoriety beyond that of any other Indian, and when hostilities ceased in the spring he was exiled from the settlements. His position among the Klickitates seems to have been exceedingly uncomfortable, and in the fall he returned to the Sound country and skulked in the woods on the upper Nisqually until he was betrayed by his own people, occasionally stealing into the settlements and on one occasion offering to surrender himself to the commanding officer of Fort Steilacoom.

The two brothers were inseparable. When Leschi was betrayed and brought in Quiemal, anxious to ascertain the fate of his brother, followed him in and surrendered himself. He was taken to Olympia and killed in the governor's office by somebody, nobody knows who, although he had a guard of seven standing around.

However revolting this act may seem his end was by far preferable to that of Leschi, who remained in confinement for sixteen months, repeatedly tried and sentenced, his death was prolonged with but little hope and on Friday last he was unlawfully executed by a party of

hirelings from Olympia under a show of legality from the district court. We wonder whether the friends of law and justice will howl as they did on the 22nd over this last act in the tragedy?

Leschi died manfully, without fear or faltering and his last words calmly given, must put to shame if they have any feeling, those who have persecuted him and sought his death.

In a legal point of view his case is the most remarkable on record. He is perhaps the first man ever arraigned by the civil courts for an act of war of which in truth he was not guilty. Convicted finally by a jury which had prejudged him, all clemency was forestalled by the remonstrance of a prejudiced people he was at last executed contrary to law. We sincerely hope it may never be cited as a precedent.

Tacoma Sunday Ledger July 7, 1895
quoting Truth Teller February 23,
1858.

PART FOUR

REMINISCENCES WRITTEN MANY
YEARS LATER.

Why Leschi was hanged by E.R.Rogers.

Reminiscences of Erastus Light.

Reminiscences of Urban East Hicks.

Reminiscences of Sarah McAllister Hartman

Reminiscences of August Valentine Kautz.

WHY LESCHI WAS HANGED

County Commissioner E.R. Rogers of Steilacoom is a pioneer in this neck of the woods. When Chief Leschi was hanged in 1858, Mr. Rogers was a young but close observer of the exciting incidents of the Indian Wars. He has preserved copies of papers published during those times at Steilacoom and Olympia. They do not come down to the time of the execution but are filled with accounts of the trial of the famous chief.

The army officers stationed at Fort Steilacoom resisted the action of the civil authorities in the trial, appeal, sentence, re-sentence and hanging of Leschi, but the settlers had their way and were supported by the Puget Sound Herald of Steilacoom and the Pioneer and Democrat of Olympia.

Feeling ran high in those days and no words of crimination and re-crimination were too bitter for one side to hurl at the other side. The friends of Leschi and those who believed the guarantee of amnesty and protection should be carried out, formed a considerable party; but they were at constant disadvantage by reason of the fact that Governor Stevens and the territorial officers had the machinery of the courts at their command and because a majority of the settlers in the neighborhood held Leschi individually responsible for the outrages committed during the war and the mass meetings insisted upon his being hanged

This tide of public feeling as aroused and insistent as it was and backed by the determination of the territorial authorities to hang

Leschi for the moral effect such action would have upon the Indians carried the day and secured his execution.

To a great extent the heated sentiment of the settlers cooled down after Leschi was strangled and many began seriously to consider the justics of his death.

With the lapse of years and with clearer and less biased methods of investigation the belief became general that Leschi was more of a martyr than a murderer and this has grown until today there are few white men cognizant of the facts who do not deplore his death.

ERASTUS LIGHT'S COMMENTS

During the summer(1857) the notorious Indian Chief, known among the whites by the name of Leschi, was to be hung at Fort Steilacoom. He had been sentenced for clandestinely inciting his people to horrid deeds of murder and the spoilation of property. Before this trouble there had been no trouble this side of the mountains, in fact, all the following disturbances can be attributed to him and his secret work among his people.

It is a pity and shame that there are men to be found today talking about judicial murder. They certainly have forgotten many of the losses, trials, and privations of the people who were not Indian sympathizers in the memorable year of 1855.

On the day set for the execution a steamer from Olympia brought Governor McMullen, Secretary Mason, and other territorial officers and nearly all the members of the legislature and many citizens to witness the execution. Soon after their arrival came the hour for the execution. The time passed on and no sheriff nor deputy were to be found. Excitement and indignation ran high. Secretary Mason accused me of being accessory to the thwarting of the laws. I soon convinced him and all others present that he was barking up the wrong tree.

I soon ascertained that through the assistance and counsel of a lawyer, who was the only notary public in the county, the military officers of the fort, with the connivance and assistance of a United States Commissioner, the county sheriff and his deputy, both of whom were more or less connected with the affairs of the garrison and who lived just outside the military enclosure, had devised the scheme of

arresting the sheriff and his deputy just at the hour Leschi was to be taken from the guard house to be executed.

One of the lieutenants was made a deputy United States marshal, appointed by the commissioner, to arrest the sheriff and his deputy on a warrant issued by the commissioner on a complaint against the sheriff and his deputy of selling spirituous liquor to Indians.

The bogus marshal arrested his willing prisoners, as previously arranged and sneaked off down town with them. The sheriff furnished the keys and he and his deputy were locked up. It is doubtful if history records a more dastardly offense than this, considering the fact that it was the perpetrator's sworn duty to protect the lives and the people of the country, instead of the outlaws and savages who had waged warfare and destroyed lives, homes and property.

It is seldom that a more indignant crowd of people are found than that afternoon boarded the steamer for Olympia. I had the same feeling within me as did most of our citizens, and I was requested to draft a set of resolutions and an indignation meeting was called for the next evening.

The meeting was largely attended and I was elected chairman. The resolutions were unanimously adopted. They contained the name of each person connected with the preceding day's diabolical proceedings and in general gave the opinion of the common public as to their actions. The most of the participants in this outrage are now dead and I shall say let their names die with them.

I had business in Olympia and the next day went there on foot. I found the people indignant over the affair concerning the failure of the officers to act in the execution of the chief and several of the military officers and some others were hung in effigy. It became known that I had acted as chairman of the indignation committee and I was asked to state the sentiments of the people of Steilacoom which I did.

Immediately there was an act passed, the legislature convened the Supreme Court, Leschi was resentenced and the sheriff of Thurston County was ordered to select a posse of thirty men and to proceed to Fort Steilacoom, take Leschi from the guard house and execute him, according to the sentence of the court.

The plan was carried out. Leschi was hung near where my mill stood. Thus ended the life of one of the incitors of the Indian War.

Erastus Light.
Early Times in Pierce
County, ppgs. 25-27.

A WORD FOR THE PIONEERS

by Urban East Hicks

Published in the Tacoma Ledger
December 26, 1897 in response to
an article published by James
Wickersham which was printed in
the Ledger on November 14, 1897.

Judge James Wickersham in the Sunday Ledger of November 14, 1897 attempts to make a god of a savage. He openly attacks the honor and reputation of white men long dead, which seems to me should not go unanswered.

There are others, still living, who were participants in the early struggles incident to the first settlement of this magnificent coast by the Americans, or Boston white men that are better able to properly answer Mr. Wickersham than myself. Still I cannot refrain from pointing out some of his most glaring misstatements as far as memory shall serve, and respectfully ask that equal space be given in defense of those who cannot now rise up in their own behalf and preserve true history from such attempts to hide or condone the true character of the savage.

The facts are that Moses, Miles, McAllister, Connell, several families on the White river and others were massacred before the whites had any knowledge or warning that the Indian on this side of the mountains were hostile. Every instance was a cold blooded murder and not open warfare.

The first settlers on or near the headwaters of Puget Sound were M.T. Simmons, Sidney S. Ford-kindred, Bush, a colored man with a white wife, Gabriel Jones, Edmund Sylvester, James McAllister, Captain Crosby and others I cannot now call to mind. Some brought families, others were single men. The Hudson Bay Company employes and factors had long occupied the country prior to the coming of

these Americans.

The coming of the Bostons or a different class of white men to those to which the Indians had been accustomed, no doubt created some curiosity to see what they would do; but the offering of protection, making of presents, guiding them to safe and pleasant homes, etc. is all nonsense. The presents they had to give, or articles to exchange were confined to a few dried salmon caught from the waters of the Sound, or roots dug from the ground.

Whenever an Indian makes a present, or potlatch, he expects double compensation in return, and if not freely given he is pretty sure to steal it if he can.

It is pretty hard for old pioneers to see such statements in print and be confined to a mild reply. Mr. Wickersham should reflect for a moment upon the toil, hardships and privations undergone by these "tardy" pioneers in securing this coast from a savage wilderness and adverse foreign claimant, that he might enjoy the blessings of civilization, ride in palace cars, attain high political distinction and be safe in following his poetical imaginations.

That fraud was resorted to to obtain the consent of the Indians to these treaties is a mis-statement. The truth is, that had an angel from heaven dictated the terms of those treaties, the result would have been the same. There was an irrepressible conflict between the races and the white man had to prevail.

Isaac I. Stevens, first governor of Washington territory, was a West Point graduate, and stood very high in the ranks of his pro-

fession; a man of more than ordinary ability and a true friend to the Indian, whose character he studied and all of whose rights he was more than willing to conserve. He lost his life in defense of the Union and for the honor of his country.

M.T. Simmons was a noble pioneer, a perfect man, physically large and well rounded; a chief among his fellows; of fearless integrity and full of humanity; not possessing a polished education; still he was regarded as a "hyas tyee," or mighty white man. He learned their peculiar guttural sounds and could converse with several tribes in their own tongue. He thoroughly understood their character, beliefs and superstitions, and none among our own race had greater influence.

Colonel B.F. Shaw, chief interpreter in these treaties, is still living, an honored resident of Vancouver, Washington. His character needs no defense at my hands.

James McAllister was an early pioneer--a man of large family, industrious, enterprising, of sterling worth, humane and sympathetic; owner of a saw mill built on this same Medicine creek referred to by the defamatory Judge Wickersham.

Joel Palmer, Indian superintendent for Oregon after Washington was established assisted Governor Stevens in treaty making with the Indians east of the mountains, was a man of very high character, a noble Christian gentleman, against whose honesty and integrity the breath of suspicion has never before dared to whisper. In fact, every man chosen by Governor Stevens to aid him with the various

tribes on the coast were men of unquestioned honor and integrity and ability. All of them sought to do the very best they could for the benefit of the savage and to secure peace and safety.

The tribes living on the waters of Puget Sound have always been regarded as needing the care and direction of the white man, by reason of their low type of humanity. It was soon found that they fell easy victims to the white man's vices but imitated few of his virtues. They at first eagerly sought after the white man's goods and readily consented to exchange not only their squatter's rights to the lands, but even their honor and virtue.

The Hudson Bay Company had dealt rather sparingly with them, giving them only meager pay in exchange for their furs and labor, after exacting an enormous quantity of pelts for a common musket or a red blanket so when the Boston man came among them and offered large quantities of money, provisions, blankets, implements, clothing, hardware, etc. for their lands, of which they did not know before that they held any other title than that of conquest from other tribes, they of course, gladly agreed to let the white man build homes, open farms and stock the land with tame animals to take the place of wilderness, of which only had they had previous knowledge.

But after a time, seeing that the white man was gaining in wealth of provisions, more comfortable homes and attractive surroundings, they became envious and discontented with their bargains. Then it was that the mischief maker got among them only to increase their discontent, and fatal war was the result.

The reservation held by the remnant of these tribes is admitted by every one to be the very best and choicest tracts of land that could have been made. And in nearly every instance these selections were made by the advice and assistance of Governor Stevens and his agents. The first selection made by the Nisqually tribe (Medicine creek valley), was of their own choosing, but they afterwards found that they could catch the salmon easier on the upper waters of the river than they could in the immediate shores of the Sound, and a reservation nearer the foothills would give them an opportunity for hunting game and roving at will, they demanded a change, which after some delay with the department in Washington was granted and they now have a beautiful prairie, fertile grounds and pleasant homes made so by the generosity of the government and the advise and assistance of the white men around them.

The Tacoma Ledger, two years or more ago, generously opened its columns and invited the pioneers of Washington to write out their reminiscences for publication. Many stories followed, and these no doubt have been carefully preserved for the future historian to correct and collate into book form to be read by generations yet to come.

The Indian War Veteran Society of the Northwest, with headquarters in Portland, Oregon, has for some years past been collecting data for this same purpose. Many details of the great war with the Indians known as the Yakima and Klickitat Indian War of 1855-56 have been preserved and it would, therefore, seem unnecessary for me, in the present instance to repeat these details; but I must correct the

above quoted statement because it was made for the purpose of perverting the facts to make his story the more plausible.

After news had reached the Sound country that hostilities had broken out among the tribes east of the mountains, and before any positive knowledge as to the attitude of those west, rumor came to Olympia that a small band under the leadership of Leschi, had collected on or near Connell's Prairie.

Acting Governor C. H. Mason, in the absence of Governor Stevens, who had gone over to find out the cause of the trouble, deemed it best to keep an eye on the movements of the leaders among the Indians on this side. Mason therefore requested Charles Eaton, an old pioneer who had taken an Indian woman for a wife and who was well known among all the tribes in that section and especially by Leschi and his band to take with him a few other old residents, organized as a company of rangers and proceeded to the place where Leschi's band were last seen and have a talk with him and if possible ascertain what the band intended doing.

Upon arriving in the neighborhood Eaton halted his little band and sent McAllister and Connell forward together with two friendly Indians to find Leschi and report his position. McAllister was chosen because he could talk in the Indian tongue to some extent and believed himself to be a special friend of Leschi. Connell was selected to accompany McAllister because he owned the ranch on which Leschi and his band were supposed to be encamped.

They went unarmed to show the savages that they had come for a

friendly talk. On arriving at Connell's place they met Leschi with perhaps a dozen Indians and had a long wah-wah or friendly talk, in which Leschi still protested his friendship for the whites and denied any thought or intention of joining the hostiles across the mountains. On the return of McAllister, Connell and the two friendly Indians toward the camp where their comrades were awaiting them, they had to pass over or through a deep ugly swamp some two hundred yards in width and thickly grown over with small brush.

While wading through the swamp they were fired upon by Leschi and his band and McAllister, Connell and one friendly Indian were killed the other Indian escaping and giving the alarm to the remainder of Eaton's small company. Soon after Eaton's little band were surrounded by the savages and only saved themselves from total massacre by taking refuge in a small log house near the bank of the Puyallup river.

At night two of Eaton's band crossed the river and made haste toward the settlements which they reached the next day with the dreadful news of Lesch's treachery and of the general purpose among the Indians all over this northwest coast to inaugurate warfare.

Colonel Wright, at Vancouver, had requested Acting Governor Mason to enlist a company of volunteers to assist the regular army in quelling the outbreak east of the mountains and Judge Gilmore Hays, a private citizen of Olympia, a man of high standing in the community, leader of the opposing political party to which Stevens

and Mason belonged was commissioned by Mason to recruit and command this company of volunteers. Upon organization the company was mustered into the regular service and joined Colonel Casey's command at Fort Steilacoom.

The troops started across the mountains to the Yakima country and had reached the summit of the mountains when they were overtaken by an express rider, William Tidd, with orders to return, as it would be very dangerous for so small a force of whites to contend against the large army of combined Yakimas and Klickitats that were known to be lying in ambush awaiting the coming of Casey and Hays. A.B. Moses, Dr. Burns, the company surgeon, A.B. Rabbeson, a young lawyer named Miles of Olympia, and one other volunteer whose name I have forgotten got permission from their commander, Captain Hays to accompany the express rider on his return in advance of the main force.

On the afternoon of the day following the murder of McAllister and Connell, Moses and his companions reached Connell's prairie, when they discovered Connell's house, barn, and fences all on fire, and near by the burning ruins stood Leschi with his band of savages. Moses rode fearlessly up to Leschi and asked him what all this burning meant and who set the premises on fire.

Leschi denied all knowledge of its cause or who did it, and again protested his friendly intentions. After a short parley Moses and his party rode on and while going through the same swamp above referred to they were fired upon by Leschi and his band and Moses and Miles were killed and Kidd, the express rider wounded.

Dr. Burns, Rabbeson and the other man made their escape and after going a short distance further, abandoned their horses and took to the woods on foot. By dint of traveling by night and hiding by day they managed to reach the settlements two days later in a deplorable condition. Eaton and his small company of rangers were kept surrounded by the savages until the latter heard of the soldiers' return, when they disappeared in the dense forests and allowed Eaton to escape.

It will be seen from the true account of the attitude of certain leaders among the Indians on the South that, while pretending friendship, they were plotting to join the hostiles; that Leschi and his band had stationed themselves on the only line of communication across the mountain range, at Connell's prairie, the last open space on the west side, to intercept communication, and were engaged in killing or attempting to kill all who passed that way when the opportunity offered, not in open warfare, but by stealth and assassination; yet all the while pretending friendship until the victims could be ambushed and shot in the back.

Moses was shot in the back as were all the others. Colonel A.B. Moses was a warm personal friend of the writer of this; a fine promising young man of high standing in the community in which he lived, a member of the Olympia lodge No 1 of Masons, and his remains were recovered and duly interred by his mourning Masonic brethren.

I cannot refrain from give expression to a righteous indignation against anyone who attempts to make gods of such savages.

Again, he says, "The territorial authorities cherished a particular resentment against Leschi. An unnecessary and expensive war had been caused and somebody must be made responsible. Leschi was chosen for the sacrifice."

The facts are that long before Leschi had surrendered to anyone and while he was still skulking and hiding among the hills and mountains, a civil grand jury had charged him with the murder of Moses and a reward was offered for his apprehension. Of this he was well informed. He knew that he deserved death for his crimes, hence he kept out of sight as long as he well could without starving to death. There was little treachery in his final capture. That he had friends and sympathizers is not denied. A large fee in money and horses was raised for his defense before the courts and many tricks known to lawyers resorted to to save his neck.

On the day set for the hanging of Leschi, as a last desperate resort, a false charge was filed before a United States commissioner accusing the sheriff of Pierce county with selling liquor to the Indians. This being an offense against United States law, a deputy marshal arrested the sheriff and held him prisoner until the hour had passed in which the hanging should have taken place, and then let the sheriff go free without further trial.

Of course the civil authorities were indignant at the trick. The territorial legislature, then in session, nearly unanimously passed an act transferring the authority to hang Leschi from the sheriff of Pierce County to the sheriff of Thurston county, and when the

proper court having jurisdiction again fixed the day for his execution a deputy sheriff from Thurston county did the job. Pierce county at that time was mainly populated by former Hudson Bay company employes and men who had taken Indian wives, many of whom sympathized with the hostiles and had given them aid and shelter so far as they dared to do with safety to themselves.

Several of these had been suspects and held as quasi prisoners by the military authorities during the war, for which they nursed a grudge against the people of Olympia especially.

Considerable bitter feeling had been engendered between the people of these two counties by reason of the location of the capital at Olympia instead of Steilacoom. The slight differences between the regular and volunteer military authorities grew out of jealousy as to who should claim the greater honor in supressing the savages.

Relative to the killing of Quilmulth in Governor Steven's office in the presence of the governor and his wife, and by the way, Quiemulth was not asleep at the time, but was seated between the governor and Mrs. Stevens, watchful, cowering and in great fear of his life, for he knew what he deserved, all I have to say is that while it greatly shocked and displeased the governor, still it was not wholly unexpected for the relatives of the families on White River who had been so cruelly butchered had repeatedly notified the authorities and all parties concerned that they would take vengeance on any and all the savages known to have been engaged in the massacre.

Quiemulth was admittedly at the head of the band that did this bloody death. You will notice that the judge makes no mention of this horrible massacre. A brother of one of the women so savagely butchered was a member of my company during the war, and the awful scene that he looked upon when their bodies were discovered so preyed upon his mind and memory that he was almost insane at times and the poor fellow died from grief soon after the war closed.

Urban East Hicks.
East Sound, Washington.

Tacoma Ledger, December 26, 1897.

A NOTE ON LESCHI TAKEN FROM THE REMINISCENCES
OF SARAH MCALLISTER HARTMAN

While waiting on the Cowlitz, our family was met by the Chief of the Nisquallys, Leschi, who had heard of the white squaws coming. He met them and welcomed them to this country, making each family a present and inviting them to join his tribe, saying we might be annoyed by roving Indians and if we did not belong to his tribe, he could not protect us. Some of the party joined; others did not, fearing to trust him.

Leschi took us to what is known as Bush Prairie, each family taking a claim near each other. Their claims were about twelve miles from Fort Nisqually which consisted of a trading post of five or six men.

Father, finding the soil rather light for farming on Bush Prairie, came, by Leschi's invitation, to Nisqually valley and selected his farm at the junction of the Shnonabdaub and Squaquid Creeks. We were destined to witness many a wild and horrible scene that other settlers were spared.

We were in the Indian country, indeed, there being twenty Indians in the valley to one on the prairie. We soon learned to speak their language. Mother, being a southern woman, and being used to negro servants, adopted Indian maidens Arrawannah, Hiawatha and little Slip-Slop to train to house-work.

Two boys were taken, Clipwhalen and Morodes; she found them apt scholars and they remained faithful to us during the Indian trouble. One of them, Clipwhalen, gave his life to save our family.

In 1855 Leschi came to our house, bringing both of his wives. How well I remember it! It was the last time we ever saw Leschi. He told us that he was going to fight; father and mother both tried to persuade him to remain peaceful, and really thought they had done so. The women talked and cried together. He told father that if he would remain on the farm and not join the army, he should not be hurt or his property destroyed.

Leschi said, " I will never raise hand against you, or yours, but if you join the army, I cannot be responsible for whatever others may do, for the Indians are going to fight." And I firmly believe he would have done as he said. Shortly afterwards he and his family withdrew to the mountains and thus hostilities began.

The white people raised companies of volunteers and built forts to take their families into. Father and my older brother George, who was then only seventeen years old, joined Company I, Puget Sound Volunteers. Mother begged him not to do so, and said the Indians would surely kill him then or some other time if he went. He laughed and said he would take care and come everyone of them home. I think he only said that to quiet mother.

But he thought he could persuade Leschi not to fight, and told Captain Eaton so, if he could get the authorities to substantiate

his claim. So they gave him a peace commission and he started to Leschi's strong-hold in the mountains. Mr. Eaton was Captain and my father first lieutenant of the Puget Sound volunteers. The company consisted of eleven men, including three from our house, father, George and Clipwhalen.

The company started from our house, going as far as Montgomery's the first day, reached Van Ogle's the next day, and camped there in a small house. Father, Lieutenant Connell, Clipwhalen and Stahi (the traitor) all departed from the company and went forward to make a treaty with Leschi.

Going to the White River crossing, French's Prairie, then into the woods about a quarter of a mile, they were fired upon by Indians in ambush. The Indians had hidden in three different places five in each squad. The middle squad fired upon them. Father fell forward from his horse, shot twice in the breast. The balls entered about an inch apart killing him instantly. Stahi gave a warwhoop and joined the Indians.

As soon as mother considered it safe to go, we moved into Olympia and remained there until it was safe to return to our home. About this time, those who had had relatives killed began to arrest the murderers, bringing them to trial. The law cleared everyone but Leschi, whom they hung.

The Indians who killed father were killed by law, but they did not escape justice. Little pitchers have big ears, and one night when

we were living in town I was awakened by a deep baying of our faithful hound. Presently I heard a tap on the window and it softly opened, and a voice from the darkness said, " I am going to kill the old dog." A voice replied, " Kill the old dog, but don't kill the young one."

Then a hand came in at the window and picked up a pistol that lay on the stand as it generally did. The window then closed. In a short time, I had not gone to sleep; the window opened, and a voice said, " I shot the dog." The hand entered and laid the pistol on the stand. I worried about the old dog, he being my favorite. The next morning, I rose early to see about my dog.

While I was in the yard one of our neighbor's boys came running down the street catching his hat as it fell, shouting as he ran, "Good, good, Old Quiemelth is dead and in his shell!"

Quiemelth was the Indian who shot father and he was brought to town to stand his trial, being promised his freedom if he would come. Quiemelth, Leschi, and Stahi were brothers. Owing to his guilty conscience he would not come to town in daylight, and they brought him at midnight, promising to take him out at three o'clock in the morning. So he came and stood trial.

Mrs. Sarah McAllister Hartman
Sherlock, Washington.
February 20, 1893.

THE DEATH OF LESCHI

An interview with General August V.
Kautz conducted by the Tacoma Ledger
and published in the Weekly Ledger on
April 14, 1893.

Leschi, was the chief of the Nisquallies and the leader of the dissatisfied Indians of the tribe in the uprising of 1855 and 1856. When I came back to the Sound, after an absence of two years to southern Oregon, the war was half over. This was in the latter part of February, 1856. A day or two after my arrival at Fort Steilacoom, we started out on a campaign against them.

Our objective point was Muckleshoot prairie which is now an Indian reservation, between the White and Cedar rivers. It was regarded as the heart of the country occupied by the hostiles. The troops separated at the Puyallup block house near where Sumner is now. From there I marched on what that portion of the command which went direct to Muckleshoot prairie. Colonel Casey who was in command of the other detachment went by the Lemon prairie route to Muckleshoot.

My command reached the prairie about the last day of February. On that day I received a dispatch from Colonel Casey requesting me to send a detachment to the crossing of White river to meet him. On the next day, the 1st of March, I started out with a command of fifty men. When we arrived at the ford of White river the Indians appeared in our rear and threatened an attack.

I at once sent a dispatch to Colonel Casey telling him that the Indians had made their appearance and that I would endeavor to hold the ford until he arrived. I made disposition of the men on a bar of the river, among some driftwood, to await the coming of the troops. The Indians worked their way around us on both sides of the river, but were not able to make any impression on the troops lodged

as they were behind logs and driftwood.

At three o'clock in the afternoon Captain Keys arrived at the ford with about one hundred men. We then moved against the Indians and they retreated. Later, as we were marching to Muckleshoot prairie, they gave us a volley from a bluff where they were stationed. They then disappeared and we went into camp. One man had been killed and nine men, including myself, wounded. This was the last fight the regulars had with the hostiles.

Soon after this they scattered and went off into the mountains and foothills. About the 1st of April I was sent out with fifty men into the foothills east of Steilacoom. We returned after an absence of two weeks with about thirty prisoners, men, women and children. We treated the captives kindly and sent some of them out after the rest of the hostiles. These brought all the other hostile Indians in except Leschi. He went over into the Yakima and Klickitat country and remained there until fall.

Leschi had a wife who was around about the post at Fort Steilacoom and to whom he was very much attached. He came to see her, and while there made himself known to Dr. Tolmie of Fort Nisqually. The doctor advised him to surrender himself, which he did.

He was then arraigned by the civil authorities for the murder of Miles, Moses and others the year before, the fall of 1855. He was tried at Steilacoom, soon after his arrest, and the jury failed to agree. Subsequently he was tried again at Olympia and was there convicted and sentenced to be hung.

I had Leschi in charge during all the time of his confinement. He was imprisoned in the guard house at Fort Steilacoom. I commanded the guard and took him up to Olympia and was obliged to be present during the trial. So I was in a position to know all the facts and details of the case. He was convicted principally on the testimony of Antonio B. Rabbeson who testified that while coming toward Steilacoom from the Natchez pass he met Leschi and some of his people on the edge of Connell's prairie. Leschi was friendly and did not make any hostile demonstration.

They separated after a short distance, so the testimony ran, Leschi going into the woods and Rabbeson and his party continuing on the road. At a swamp, about one mile beyond their separation Leschi and others suddenly arose from ambush and fired upon them.

This statement could not have been true because the party traveled on a road and Leschi would have had to have traveled through the woods, besides making a detour to have reached the swamp before Rabbeson and his party who were on horseback.

Rabbeson claimed there was a shorter trail which the Indians took which there was to another point of the prairie, but not to the point where he averred Leschi fired on them. The shortest route was traveled by Rabbeson and his party and Leschi could not possibly have arrived at the place mentioned before they did.

Frank Clark was Leschi's counsel, and when I called his attention to this point he recognized the fact that Rabbeson's testimony was not correct, but it was too late to help Leschi at that time.

However, he made an effort to get the sentence suspended but the prejudice against Leschi among the people was such that the governor would not take any action and it became necessary to carry out the sentence. The time was too short to communicate with Washington, and have the president interfere, so Clark stayed the execution by getting out a warrant for the arrest of the sheriff before the United States commissioner on an accusation of having sold liquor to Indians.

His arrest followed and he was in prison at the time Leschi should have been hanged. For this reason it became necessary to resentence Leschi. It was the spring of the year at that time and the court was not to meet again until December. The legislature was in session, however, and they passed a law authorizing the court to convene. Within a few days the court met and again sentenced him to be hung by the sheriff of Thurston county. He was hung near Fort Steilacoom.

On the date of the first hanging a great many people came down from Olympia to witness the execution, and there was considerable indignation expressed by them when the sentence was not carried out. The military at Fort Steilacoom were accused of being implicated in preventing the execution and indignation meetings were held there and at Olympia by the people expressing their disapprobation.

Quiemeth, Leschi's brother, came in before Leschi and gave himself up to the governor. Subsequently he was assassinated in the governor's office at Olympia. This had the effect of keeping Leschi out longer than he would have remained unexecuted under other circumstances.

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