

# TREATY TIME AT NISQUALLY

**T**REATY TALK IN NISQUALLY COUNTRY was new to the Nisqually Indian people. In a period of three short days in the cold winter month of December of 1854, the treaty team moved onto the delta of Medicine Creek to negotiate an agreement between the Nisqually tribe and the United States. The territorial governor of Washington, Isaac Stevens, was in charge. The treaty was signed on December 26, 1854.

Things had become hectic for the Nisqually people. The British had set up Fort Nisqually in 1833. They came to collect furs, not to settle on Nisqually land. By 1845 the Americans had started coming up the trail from the Columbia River to seek free land on which to settle. More Americans came when the United States passed the 1850 Donation Land Act which stated that each white man could claim 320 acres which doubled if he were married. The United States claimed authority over the Indian people; to give the settlers title to their donation land claims, the process of extinguishing Indian ownership began.



*This picture shows Fort Nisqually, a Hudson's Bay company post, as it would have appeared in the late 1850s. The painter of this image, James M. Alden, served as a Captain in the Puget Sound region from 1852 to 1860. All images from the Washington State Historical Society collections.*

The Treaty of Medicine Creek was set up to remove Nisqually ownership of the land and clear the way for American settlement. What a shock it was for the Nisqually people. They learned of the disenfranchisement (when plans for it were already under way) as they were told to gather at the mouth of Medicine Creek. They and their neighboring tribes were to give up title

to over 400 square miles in exchange for three small reserved parcels of land, one for the Nisqually Indians, one for the Puyallup Indians, and one for the Squaxins.

George Gibbs tells of his experience at the treaty camp. His job was to copy the treaty. He tells of what happened: "The commission, soon joined by Stevens, camped on a marsh near the tidal flats

while the Indians took their quarters on a forested bench a short distance away. The scene was lively.... Thin temporary huts of mats with the smoke of their numerous camp fires, the prows of the canoes hauled up on the bank and protruding from among the huts, the horses grazing on the marsh, the gloom of the firs and the cedars with their long depending moss and the scattered and moving groups of Indians in all kinds of odd and fantastic dresses present a curious picture...." (Beckham: 1969, 159-160)

The treaty was read and interpreted by Benjamin F. Shaw into Chinook Jargon. The 662 Indians who listened heard a jumble of words that made little sense as they sat trying to understand. The treaty was signed as indicated with an X following each name. The governor had chosen Quiemuth to sign as the Nisqually chief and Leschi to sign as sub-chief. When it became Leschi's turn he refused to sign, yet an X appeared beside his name. He told the Governor that he was upset with the choice of reserved lands. No way would he accept the two sections of land west of the treaty grounds of high rocky land that bordered the Whulge, or Puget Sound. He had requested reserved land on the Nisqually River so that his people might fish and some prairie ground so that their horses might graze.

The forerunners from the treaty team had met with the Nisqually people and had told them they would have a choice of which lands they wanted for their reserved lands. But when the Nisqually people arrived at the treaty grounds, the reserved lands had been de-



*This picture by an unknown artist portrays Quiemuth, the Native American chosen by the governor to act as Nisqually chief in signing the Medicine Creek Treaty. Image from the Washington State Historical Society.*

cided for them. Leschi left the treaty camp angry.

In inspecting the treaty one could see where the Nisquallies had ceded their homeland by the words “the tribes hereby cede, relinquish and convey to the United States all their right, title and interests in and to the lands and country occupied by them.” Would they have given up the Nisqually River Basin, their homeland, if they had realized what they had signed? Perhaps not!



*George Gibbs, an ethnologist and geologist, was asked to copy the Treaty of Medicine Creek. This photograph was taken six years after Gibbs recorded his experience with the commission.*



*Leschi was chosen to represent the Nisqually as subchief by Isaac Stevens during the treaty negotiations. When it came his turn to sign, Leschi refused.*

All images from the Washington State Historical Society collections.

men had the right to one half of the fish.

Article IV stated the amount that would be paid for the land and Article V arranged for the clearing of the lands in preparation for occupation. Article VI was sneaked in on the Nisqually people. It provided an outlet for the governor to further move them to another reservation to condense the many tribes into one out-of-the-way place. Their reserved lands appeared not to be a permanent home. However, this would backfire on the makers of the treaty. This sixth article also allowed for a survey of the reservation “into lots and assign the

Article II of the treaty described the boundaries of the reserved lands and indicated that the Nisqually tribe had exclusive rights on those lands. It also stated that they had a year to move onto those lands.

Article III of the treaty discussed off-reservation rights. It stated: “The right of taking fish, at all usual and accustomed grounds and stations, is further secured to said Indians, in common with all citizens of the Territory.” Also included in this article were their hunting rights as well as the rights of taking shellfish. These rights would later make this treaty worthwhile just by reminding the whiteman that the Nisqually fisher-



*The Medicine Creek treaty was signed underneath the trees shown in this picture. Previously called Medicine Creek, the stream that is shown is now known as McAllister Creek. (Photograph by Asahel Curtis, Walter Miller) Image from the Washington State Historical Society.*

same to individuals as families” which indicated to the Nisquallies of dividing them by removing the extended family concept which had been their safety net for so many years whereas they could always depend on several members of their extended family to be there for them in times of turmoil. Separating the Nisqually families on individual parcels of land would leave them with a foreboding feeling. It seemed that the United States President, also referred to as the “Great White Father”, planned to make and take them into his family of Americans whether they liked it or not.

The rest of the treaty dealt with mundane items seemingly important to the treaty makers except for Article X which guaranteed the tribes that that the United States government would provide education, medicine, and doctors.

The Nisqually people returned to their villages wondering if they had just signed their death warrant. Leschi had not signed but Stahi, Hiaten, Sluggia, and Wapowtee had signed.

—CECILIA SVINTH CARPENTER

#### ABOUT THE AUTHOR

Cecilia Svinth Carpenter has been a prolific and respected American Indian author since 1971. Her many articles and books include *Leschi, Last Chief of the Nisquallies*; *Fort Nisqually: A Documented History of Indian and British Interaction*, and *The Nisqually, My People*. Carpenter has a master’s degree in education from Pacific Lutheran University and nearly 20 years of teaching experience in Tacoma schools.