
Primary Source Analysis: Allotment

A Word About Sources

Primary sources are documents, recordings, photographs, accounts, newspapers stories, films, and other records that historians study and analyze in order to describe and interpret the past.

Secondary sources are scholarly books, articles, and videos produced by scholars to explain and describe the past. One easy way to think about the difference is that historians study primary sources to write secondary sources about the past.

Many primary sources were written at the time of the events, and the authors each had their own **perspective**, motivations, and biases. No single document can tell a researcher about the entire past. Instead, historians need to compare primary sources to each other and to other research about the past to figure out what, how, and why things happened. This is especially important when learning about Native history.

As you will see, federal officials and settlers often had ulterior motives for creating documents and would exaggerate, omit important details, and sometimes lie in order to get access to the land and resources of Native Tribes. They considered themselves to be racially superior to Native people and saw Native people, culture, and languages as standing in the way of American progress. Historical documents, such as government reports, provide important information about the past, but readers must approach them with a critical eye. What was the perspective and motivation of the person or people who wrote the document? Is it possible that the claims and information have been colored by an anti-Native **bias**.

Accounts of Native voices also need to be put into context. When Native people interacted with federal officials, they often had to speak in strategic ways to get government officials to take them seriously. Native people weren't always able to express their true thoughts and feelings openly to federal officials without risking punishment or retaliation. In the late 19th century, English was often not the first language of many Native people, and many elders relied on younger relatives to write and sometimes translate their words. This process, too, can make some documents more challenging to read and interpret.

In this activity, you'll get a chance to review two sets of primary source documents related to allotment as implemented and experienced by members of the Confederated Tribes of Siletz Indians. Then you'll use the document organizer to consider how the process of allotment unfolded at Siletz.

Primary Source Analysis: Allotment *(Continued)*

1. Siletz Letters: These two letters are from Siletz people describing their own experiences with allotment—especially the difficulty of getting desirable land and ensuring that families could stay together during allotment.

- a. William Strong:** The Indian Office sent two different special allotment agents to Siletz. The first, J.S. Mayhugh, clashed with the Siletz Indian Agent T. Jay Buford, who wanted to reserve most of the land near the agency for the use of the boarding school and agency farm from allotment. Buford managed to get Mayhugh replaced by William Jenkins, who was more willing to accept direction in where to place allotments. Like William Strong, many Siletz families saw the promises for the best land made by Mayhugh unfulfilled when Jenkins submitted the actual allotments for approval.

[University of Oregon, Southwest Oregon Research Project, Series 2, Box 14, Folder 12]

United States Indian Service

*Siletz Indian Agency
Siletz, Oregon
November 3rd, 1894*

*Commissioner of Indian Affairs
Washington D.C.*

Sir,

I will hereby notify you of my land that is allotted to me by J.S. Mayhugh allotment agent. I have been claimed it a long before any Lotment was ever done here. The land is all Timber.

I have lived on near the Agency and the agent, Fairchild, moved me down on this place, told me I can claimed as much as I need.

We made a trade for land & land.

We wanted the piece of land that I have lived on at the near Agency, and I have claimed the land since my boy Norman Strong was drowned. He was the said person that have claimed the land. And since he drowned have left two of his boys behind him. And by law I knew it was right for one of these boys to have the land, and I have left the land to the smallest child, to have the land after his father.

Primary Source Analysis: Allotment *(Continued)*

Since Mr. Mayhugh resign and left here, Then Mr. Jenkins came in place of Mayhugh, and I had a talk with Mr. Jenkins about this place I mention up above, and told me that is taken back to government for Reserve of Timber purpose. I Shall and well claimed the said Land as I did before time. I am sorry that when they have turned to Reserve, the have never told about it. But as I said Mr. J.S. Mayhugh have Allotted it to me, therefore I will claim the piece of land.

J.S. Mayhugh told all the Indians that they have right to choose they land wherever they wanted to.

The land is mine and I will say I want it a business, I shall write again when I get an answer from you.

The land is all timber and it is 80 acre where they got it for Reserve.

There is no use to take the land away from boy where he has right to claimed it as well as his father did, Indian children do not live long life and if one should die they can take the other land, and there for I want both of them to have their land right near together.

*Yours truly, Wm Strong
Reply soon*

- b. Isaac Martin:** One of the most pernicious forces of allotment was that it made it impossible for future generations to receive land. During the early 20th century the government did allow some Native people to select allotments from federal land instead of reservation land, but these so-called “section-four allotments” (named after the provision authorizing them in the Dawes Act), had strict eligibility requirements that a person receiving the allotment prove occupancy by “improving” the land. In this letter, Isaac Martin writes about his frustration at the government refusing to approve a section-four allotment that he had selected for his daughter Hattie near present day Florence, once the southern end of the Coast (Siletz) Reservation.

[University of Oregon, Southwest Oregon Research Project, Series 2, Box 23, Folder 9]

Department Interior,

I thought I would wright you a few lines to let you know how the people use us here. Just because that man Wilson in Roseburg Land Office sent to Siuslaw 3 man’s filling up Indian allotments. He always go to work against the Indians, every time a man comes he just work against the Indians, nothing is done for the Indian yet. The last time he came he gave my daughter a allotment. I said “alright it is your business to give my girl

Primary Source Analysis: Allotment *(Continued)*

a allotment [illegible] afterward he sent me a letter saying she could not hold the allotment they tried to make me believe the letter was from Washington That's why I ask you people a question about the Indian allotment. Give me a understanding. Mr Wilson say a Indian can't hold a allotment without improvement. If government is going to give the Indian an allotment give it to them and be done with it. This coast Indians are so poor, almost starving because the government take every thing away from them.

My ten year old daughter wrote this letter for me in my own house. I can't make a thumb mark because I have nothing to make it with.

- 2. Government Talk:** The next two documents offer an opportunity to compare what federal officials told Native people about the value of their land with the reality of the demand for reservation land.
 - a.** In seeking authority to sell the “surplus” reservation land remaining after allotment, federal officials held a council with Siletz people in 1892. The minutes of the meeting survive and offer a chance to see how federal officials explained the sale of unallotted land to Native people. Notice the way that the commissioners downplay the value of the land as well as the amount of land that they want to sell. Even as they stonewalled Tribal questions and refused to provide details about the proposed land sales, federal officials were sending up-to-date estimates to Washington D.C.

[“Full Report of proceedings,” 17 October 1892, in Records of the Bureau of Indian Affairs, RG 75, Special Case 147, Siletz, 1900 Land 1276 (enclosure 14), National Archives, NADP Document D80.

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Full Report of proceedings

Siletz Indian Reservation,

Benton County, Oregon.

October 17 1892.

ON THIS THE 17th DAY OF OCTOBER A.D.1892, a Council was held with the Indians of the Siletz Reservation, by the Commission heretofore duly appointed to treat with said Indians for the purchase of the lands unallotted, when the following remarks were made by the Commission, and interpreted to the Council by Oscar Brown, the regular appointed, Qualified and acting Interpreter for the Agency, and who was also appointed by said Commission to act as interpreter for said meeting.

Primary Source Analysis: Allotment *(Continued)*

W.H.Odell.

If you are now ready to proceed with the Council, I will state that Mr. Brown here will act as Interpreter, and will repeat to you what we say, and interpret to us what you say.

We have a Reporter here who will take down all that is said on both sides.

Judge Boise, Major Harding and myself were appointed as a Commission by the Government to come here and talk with you in regard to the selling of your lands that are not needed in allotments. Judge Boise the Chairman of our Committee will explain to you briefly the work we will have to do, and lay it before you in such a way that you will be able to understand it. (Repeated so that the Interpreter would more thoroughly understand it) Judge Boise, Major Harding and myself were

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appointed a Commission by the Government at Washington, to come here and talk with you, in regard to the selling of your lands that are not needed in the allotments. We have with us here a Gentleman who will take down in writing all that is said on both sides. Judge Boise the Chairman of our Committee will now explain to you fully what we are sent here for.

Judge R.P.Boise.

We have been appointed and instructed by the Commissioner of Indian Affairs. The Commissioner represents the President of the United States; he speaks for the President. The Commissioner of Indian Affairs is the man who speaks for the President, and who instructs us. The Commissioner of Indian Affairs is the man who has charge of this business and represents the Government, and we are instructed to talk with you about selling these lands to the Government, which have not been allotted to you by Mr. Jenkins. The Government does not think that these lands are of much value to you now, after you have the best lands that are on the Reservation allotted; and that it would be better for you to sell them; for what you would get for them would be of more use to you. The Government will pay you for the lands all that they are worth. The money that you would get for the lands would bring you an income, or some money every year. A part of the money would be paid to you when the bargain which we make with you is ratified by Congress, (by the Government) at Washington. Part of the money would be put at Interest. You will now, after these allotments, be obliged to pay taxes on these lands, and the Government is

Primary Source Analysis: Allotment *(Continued)*

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going to make provisions to pay these taxes. You will have to pay taxes the same as white men have to, and the Government wants to make provisions for that. It is going to make it in this bargain to save some money to pay taxes with so that your land cannot get sold for taxes. If the taxes are not paid when assessed against the land, the Sheriff will sell the land, and in order that no such thing should happen the government will make a provision to pay out of this interest money, these taxes, which will not be very high.

Probably the lands may be assessed at \$1.00 an acre, and these taxes will not be large, but it will have to be paid, and the Government is looking out for this. We cannot tell you what they will be, the assessor has to fix that.

There will be reserved from these lands that are not allotted, some timber land to supply this mill with logs, to make lumber for the Indians, and to make lumber for sale if they want to. This timber land will be reserved, and belong to the Indians. We have called you together to talk this matter over, and have an understanding. The lands which have been allotted are of a great deal more value than the lands which are left. You have got most of the good lands as we understand it. The matters which we are to talk with the Indians with reference to is, First, as to whether they are willing to sell these unallotted lands, and then as to what we are to pay for them.

[Pages omitted]

(Mr. Harding.) The allotted lands of course are one thing and your sale of the other lands does not affect your title to the allotted lands at all. In the agreement which we propose to make with you, and which is to be signed now, there will be no money paid on it, and nothing done with it until it is approved by Congress. The allotted lands of course, the title at once vests in the persons to whom they are allotted; your bargain don't affect the allotted lands, only it has a tendency to confirm your titles, because there is nothing left here but lands that are allotted, and the other lands

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that are public lands. As I understand it, and as stated before, the Government does not buy these lands because they want them, or need them. They are buying to give away to the settlers, the same as the other public lands. When they become public lands, Homesteaders will come in and take them up and the Government will get nothing for them. The Government will not pay own cash in one amount. It is for the

Primary Source Analysis: Allotment *(Continued)*

benefit of the indians, and to provide an income for them. The Government would not make a purchase in any other way except for the benefit of the indians; and the Government's experience is that Indians are not accustomed to dealin with the outside world the same as other people are, and if they were to pay the Indians down in cash, the Indians would be liable to be swindled out of it. Many of them could take care of it, but the Government must adopta policy which applies to all. And, from time to time as the indians need money the Government can, and provision will be made that an appropriation can be made not only to pay the income,—that is the interest,—but can make an appropriation from year to year to pay a part of the cash purchase money; but the Government will not buy these lands and pay it in cash, Simply for the benefit of the Indians. They are dealing with you just as they would deal with all the Indians all over the country. They will not make an exception of these indians.

They will treat with them, and buy of them just as they buy of others, and provide a fund so that their indians can have some money every year coming to them; and if you have 5 per cent, that is: five per cent on \$10,000.00 is \$500.00, or five per cent on \$100,000.00 is \$5000.00, and so on, would come in every year; The object of the Government is to

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make an income for the Indians; to provide a safe income for them. The Government only pays white men, sometimes as low as 2 per cent for their money. White-men are loaning money now to the Govern-ment for 2 per cent, but the Government proposes to pay you 5 per cent. It will be paid annually, every year; so that you will get an income, and from time to time, and from year to year, if the Government finds you are doing well and prospering, and improving yourselves and your property, and taking care of your money, and you need a portion of the principal that they hold, they will of course from time to time, as will be provided by the contract, provide for paying you not only the income, but from time to time pay you a part of the principal sum if you need it.

Now I want to say another thing. It has come to my ears in such a way that I cannot but believe it is true, that some of you have had an idea that we were to get some advantage, to cheat the indians. If any of you have any such an idea, I want to tell you that the Government instructs us particularly that we are here as well to look out for the interests of the indians as for the interests of the Government. We don't represent anybody else but the Government. We are here to make a fair bargain with the indians, and not to take advantage of them or to swin dle them. We would be violating the instructions from the Govern-ment if we undertook to take advantage of you. We are connected with no outside schemes; we simply

Primary Source Analysis: Allotment *(Continued)*

represent the Government, and we propose to make a fair honest bargain with you, to be carried out, and the Government, if we make such a bargain, will carry it out. But, the Government will not make a bargain with you different from what it has made with all the other Indians.

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They are to pay you sufficient money to ease your present wants, in cash; and then they are to pay you every year a certain income, so that you won't have your money to squander, but will from year to year get the benefit of this fund. And, it may be that the Government will see fit to shorten the time. I have very little doubt they will shorten the time so that the allotments can be handled the same as the white man handle their lands. The Government has pursued a policy to protect the Indians, recognizing the fact of their inexperience in business, and want of experience and care in dealing with people, until they will be more capable of taking care of their own affairs.

And, another thing: if you cede these lands to the Government, as I stated before, they will be given away to the people for home-steads, and white men will be induced to come in and settle, and they will want to occupy your lands, and increase the value of your lands. The Government wants you to get the benefit of all your property, and is willing to give you four times as much as any private person would give you for them. No private man could come and buy the lands that are left unallotted here, and pay more than a trifle for them, but the Government will take them at a fair price, and will pay you own a certain amount in cash, and every year will pay you interest on the balance, and from time to time will pay you as you need it, the principal sum.

- b.** In reality, Coast (Siletz) Reservation land was home to invaluable stands of old-growth timber. This section is an excerpt of *Looters of the Public Domain*, a sensational tell-all from a corrupt land speculator detailing the way that timber companies manipulated federal land law to gain access to the former reservation lands. Federal regulations required settlers to live and farm the area in order to receive land. In the scheme described by Puter, timber companies paid settlers to make bogus homestead claims that they would then sell to the company—or allow the area to be logged. NOTE: In this section, the author mistakenly refers to the agreement above as a treaty.

[S.A.D. Puter and Horace Stevens, *Looters of the Public Domain* (Portland: Portland Printing House, 1908). Available online at https://en.wikisource.org/wiki/Looters_of_the_Public_Domain/Chapter_30]

Primary Source Analysis: Allotment *(Continued)*

Chapter XXX

The story of Siletz—How the Indians were robbed of their homes for the benefit of palefaced looters, under the guise of treaty rights—The scheme to open the reservation to settlement under a special homestead law merely a cloak for grabbing the timber by dishonest methods, as only a few entrymen were acting in good faith—The part United States Senator Fulton, of Oregon, took in the game of trying to induce the Secretary of the Interior to expedite the issuance of patents to the bogus entries of Willard N. Jones—How old soldiers were lured into committing perjury by the clink of land fraud gold—Fulton’s senseless warfare on William C. Bristol prevents the latter from being confirmed as United States Attorney for Oregon, and also helps materially in the overthrow of Fulton at the polls.

ASSOCIATED with the restoration of public entry and the subsequent alleged settlement of the former Siletz Indian reservation, situated on the Western coast of Oregon, is a story of intrigue from the moment of inception of the idea of throwing this vast domain upon the market, down to the time when some of those involved in the plundering scheme to acquire title to the lands in a fraudulent manner have stood pale faced before the bar of justice and listened to the scathing rebukes of a committing magistrate.

There must be something in the irony of fate when All-Hallowe’en’s Day was selected by the representatives of the Government for concluding a treaty with those who had held almost undisputed possession of the wilderness since time immemorial. Perhaps they regarded it as a period when goblins might be holding high carnival within the confines of the dense forests, and it would be an auspicious occasion for appealing to the imagination of the aborigines, to the end that they might be induced, by glittering promises, to barter their heritages for a song.

At all events, on October 31, 1892, a treaty agreement was entered into, according to the official records, between Reuben P. Boise, William H. Odell, (he of Oregon State School land notoriety) and H. H. Harding, Commissioners on the part of the United States, and the chiefs, headmen and other male adults of the Alsea and kindred tribes residing upon the Siletz Reservation, whereby the Indians disposed of all their holdings, aggregating ten full townships in extent, and embracing some of the finest timber in the world, for the paltry sum of \$142,000! What the Indians were coaxed into giving for this comparatively insignificant amount represents an area equivalent to about 1,300 homestead claims of 160 acres each, or practically 200,000 acres in round numbers, and is worth today at a conservative estimate, more than \$8,000,000! If Uncle Sam could do as well on all his real estate investments, he could afford to retire, satisfied with his sagacity, if not his conscience.

Primary Source Analysis: Allotment *(Continued)*

The territory ceded comprises the four tiers of townships from the center of Township 6 South to the center of Township 10 South, and from the western bounds of Range 8 West to the Pacific ocean. Not more than one township was reserved for Indian allotments, and from this congested district must come the miserable existence of a race that has been referred to poetically in the dim, distant past as the “noble redmen of the forest”—after they have been further robbed by designing whites— until such time as the last one has answered the final call to the happy hunting grounds, and his memory lives only as a tradition of wrong.



The humble home of Daniel Clark, who filed on a claim in the Siletz country. At the Jones-Clark trial Clark confessed to having induced numerous members of the G. A. R. to perjure themselves in an effort to fraudulently acquire title to a large body of timber land on the former Siletz Indian Reservation in the interest of Willard N. Jones

Primary Source Analysis: Allotment *(Continued)*

Another important epoch in history was observed in the next step in the proceedings when Congress ratified this unfair bargain on the anniversary of the birth of Napoleon Bonaparte—August 15, 1894—so it has been a sort of milestone proposition all the way through, as if some mystical power had a hand in branding human memory with the impress of perfidy.

At high noon on July 25, 1895, the reservation was thrown open by Executive proclamation. By Act of Congress of August 15, 1894 (28 Stats. 326) the treaty had been ratified, and the same act contained the following provision for the disposition of the lands:

“The mineral land shall be disposed of under the laws applicable thereto, and the balance of the land so ceded shall be disposed of until further provided by law under the townsite law and under the provisions of the homestead law; Provided, however, that each settler, under and in accordance with the provisions of said homestead laws shall, at the time of making his original entry, pay the sum of fifty cents per acre in addition to the fees now required by law, and at the time of making final proof shall pay the further sum of one dollar per acre, final proof to be made within five years from the date of entry, and three years’ actual residence on the land shall be established by such evidence as is now required in homestead proofs as a prerequisite to title or patent.”

This Act has not been changed in any particular, except that the payment of \$1.50 an acre by the settler was dispensed with by the Act of Congress of May 17, 1900 (31 Stats., 179).

While these lands have been thrown open for settlement for nearly fourteen years, many of the townships were unsurveyed at the date of the proclamation. Official surveys have been made from time to time ever since, so that at the present time only one whole township and portions of two others remain unsurveyed.

Primary Source Analysis: Allotment *(Continued)*

No sooner was a township surveyed than it was quietly gobbled up by alleged settlers under the special homestead Act created by Congress for their so-called benefit. The whole proceedings looking to the disposition of these lands was a mistake from the beginning. In the first place, the country is of such general character that no person could ever make his living there by cultivation of the soil, as it would take a lifetime to develop any kind of respectable clearing. As a matter of fact, the region is a vast jungle, impenetrable to a greater degree than any portion of the heart of Africa, and it has been estimated that it would cost fully \$300 an acre to clear the land.

It is essentially a magnificent forest, and as such should have been preserved by the Government, allowing the few surviving Indians therein to retain possession of their own. They could do no harm by their occupancy, but on the contrary, were capable of accomplishing a great deal of good, as they would naturally take a pride in preserving it from devastating fires, thus affording a continuous protection to the watershed, and thus operating to the material benefit of the climate of the Western coast of the State. Provision should have been made for the sale of the ripened timber to the highest bidder in an open market, and in this way the Government could have secured a revenue sufficient to have maintained the reserve for all time. Wild game could thrive there almost unmolested throughout the closed season, and eventually the region would have become one of the world's greatest hunting grounds.



Palatial residence of a Siletz homesteader Notwithstanding several fraud reports from honest special agents. Commissioner Ballinger passed the entry to patent

Primary Source Analysis: Allotment *(Continued)*

But there was design on the magnificent timber from the very start, and the proposition to throw the reservation open for settlement under the farcical Homestead Act quoted, was merely a ruse to cloak the real motives of those interested, who figured wisely that few honest claimants would attempt to comply with the prohibitive conditions of the law, and go there with the idea of making a home in every sense of the word. With only one method of acquiring a legal foothold, hundreds of men, and not a few women, were found base enough to lend themselves to the scheme of the looters, and even old soldiers, who had shed their blood on the battlefields of their country, were lured into committing perjury by the fascination of the plunderers' gold. Most of them established a quasi right in a manner that it were a vain ploy to call residence, and was seemingly done more for the purpose of maintaining a franchise on the right of possession, than through any honest effort to make a permanent settlement.

Original continues...