



# History of the Siletz



This page intentionally left blank for printing purposes.



# History of the Siletz

## Historical Perspective

The purpose of this section is to discuss the historic difficulties suffered by ancestors of the Confederated Tribes of Siletz Indians (hereinafter Siletz Indians or Indians). It is also to promote understanding of the ongoing effects and circumstances under which the Siletz people struggle today.



Government Hill – Siletz Indian Fair ca. 1917

Since time immemorial, a diverse number of Indian tribes and bands peacefully inhabited what is now the western part of the State of Oregon. The Siletz Tribe includes approximately 30 of these tribes and bands.<sup>1</sup> Our aboriginal land base consisted of 20 million acres located from the Columbia to the Klamath River and from the Cascade Range to the Pacific Ocean.

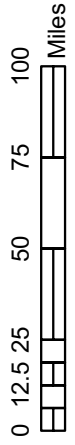
The arrival of white settlers in the Oregon Territory resulted in violations of the basic principles of constitutional law and federal policy. The 1787 Northwest Ordinance set the policy for treatment of Indian tribes on the frontier. It provided as follows:

The utmost good faith shall always be observed toward the Indians; their land and property shall never be taken from them without their consent; and in the property, rights, and liberty, they never shall be invaded, or disturbed, unless in just, and lawful wars authorized by Congress; but laws founded in justice and humanity shall from time to time be made for preventing wrongs being done to them, and for preserving peace, and friendship with them.

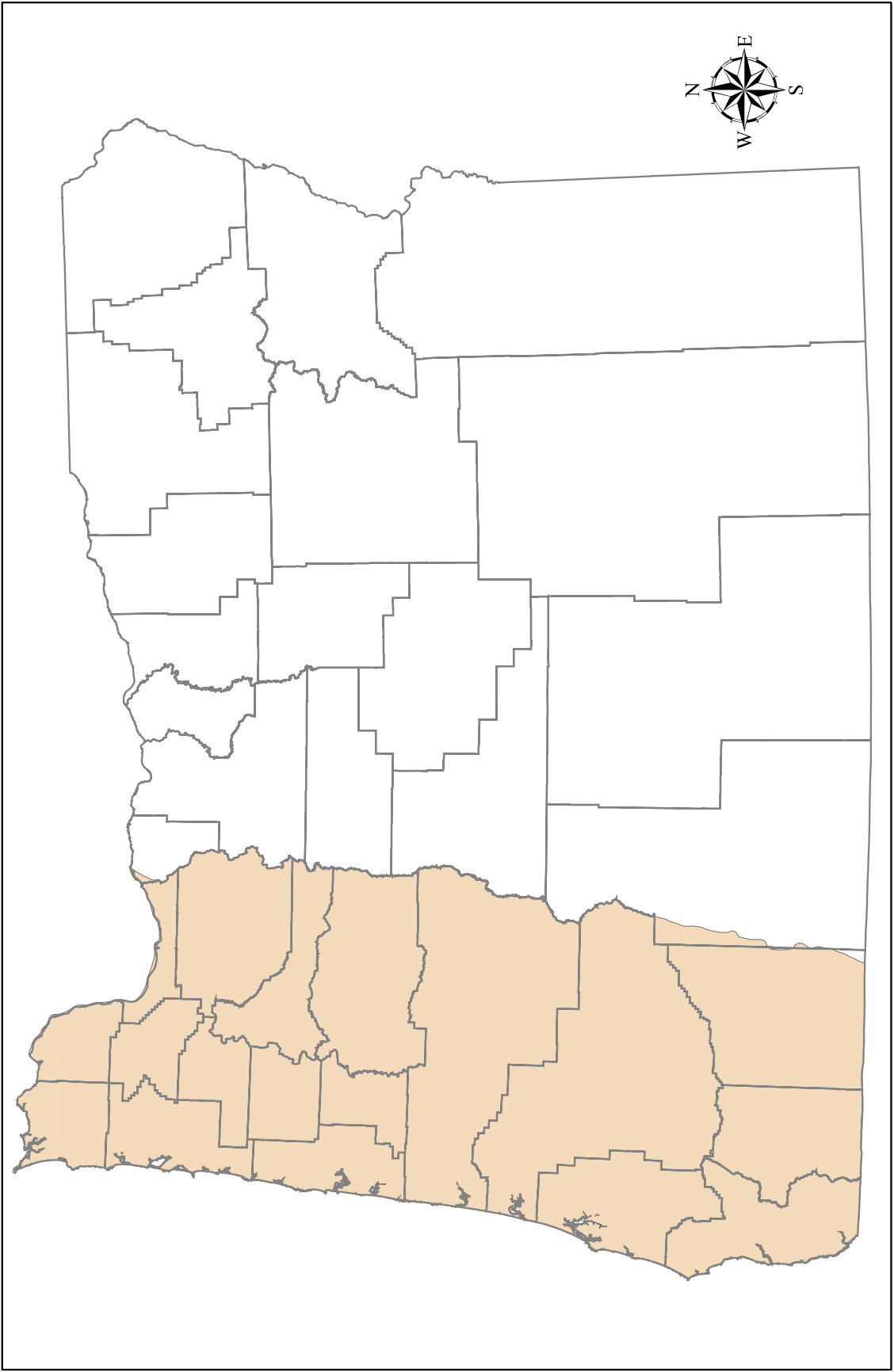




Data was collected from the Oregon Geospatial Data Clearinghouse. Map is displayed on Oregon Lambert Projection with NAD 1983 datum. Created by Brady Smith on May 2, 2005.



# Aboriginal Lands in Oregon



This policy of federal paternalism and protection prevailed for half a century and was, in essence, an attempt to facilitate the peaceful settlement of the ever-expanding territories of the United States.

Congress enacted the Organic Act two years after division of the Northwest Territory, on August 14, 1848. This Act created the Oregon Territory, confirmed Indian land titles to the territory, and voided temporary land laws except missionary stations. The Oregon Territory was also declared a territory of the United States, thereby extending the provisions of the 1787 NW Ordinance to apply to the new territory.

Congress then quickly violated those protections by passing the Oregon Donation Land Act. This Act granted 320 acres to every settler over age 18. A man and his wife could claim 640 acres together (1 square mile). It is the most generous land granting law ever passed by Congress for individual citizens. Congress, in doing so, disregarded the previously confirmed Indian land titles, and set the stage for conflict.



Government Hill, Siletz Agency ca. 1910

Congress established the Oregon Superintendency of Indian Affairs on June 5, 1850, however, in an attempt to resolve this dilemma. Anson Dart, the newly appointed Superintendent commenced the treaty-making process and ultimately negotiated a number of agreements in 1851 with individual western Oregon tribes, all of whom agreed to cede the majority of their lands,



but insisted on retaining permanently a portion of their home territory. These treaties were not acted upon by the Senate and so the tribes, while retaining aboriginal title to their lands, continued to be invaded and threatened with extinction. In 1853 Superintendent Dart was replaced by Joel Palmer. Palmer arrived in office during a tense period and



# The Confederated Tribes of Siletz Indians Original Reservation Boundary

P A C I F I C  
O C E A N

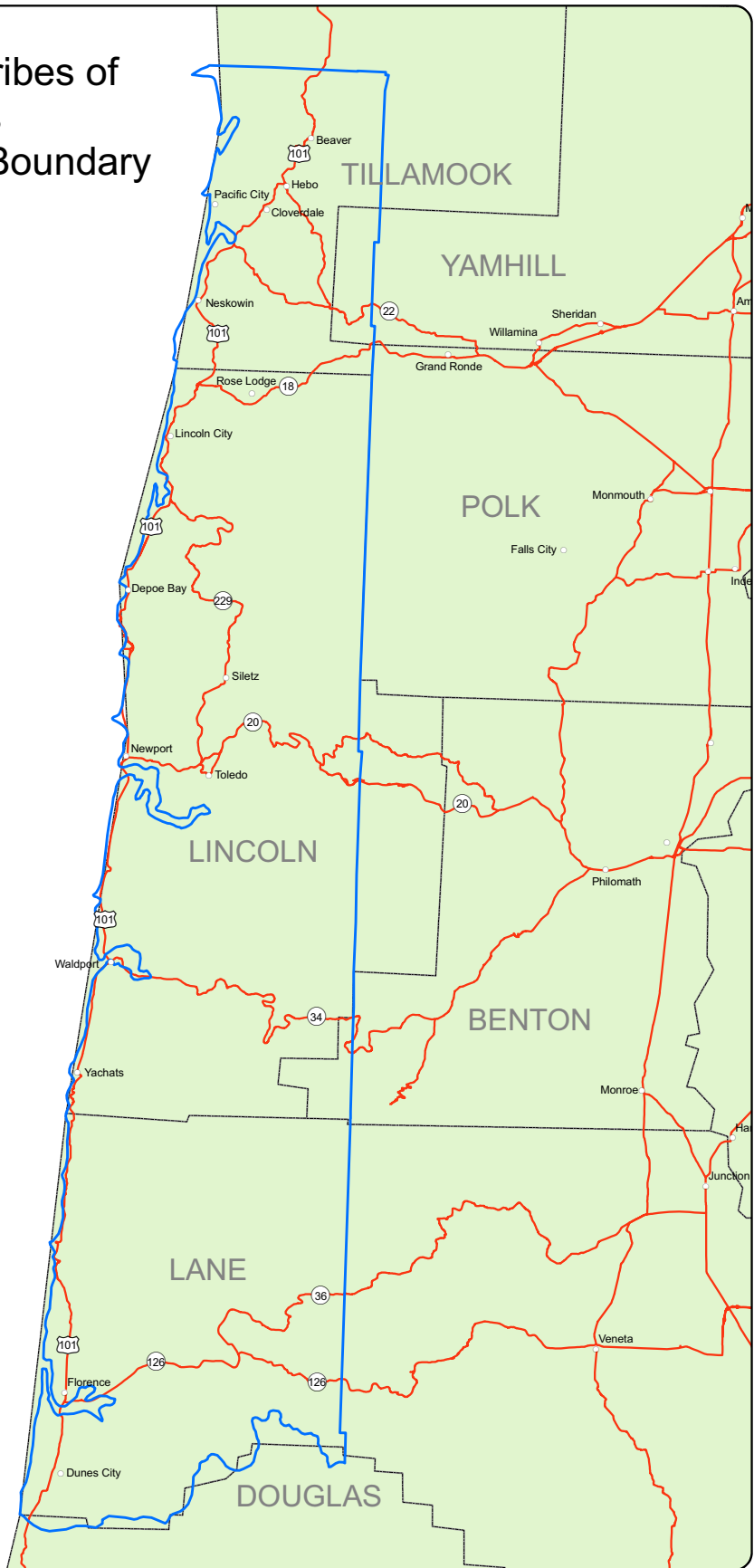
0 5 10 20 Miles

**Legend**

- Original Siletz Reservation
- Counties
- Highways
- Towns

N

Reservation Boundary was created for a CTSI ANA Tribal Court Project. Data is displayed in Oregon Lambert Projection with NAD 1983 HARN datum.



negotiated several treaties beginning in September 1853, which purchased lands held by the Rogue, Umpqua and Willamette Valley tribes. The Indians agreed to confederate with others and were *promised a permanent reservation* to be selected by the President in exchange for all the lands being ceded.

Ratified treaties were concluded from 1853-1855. Affected tribes included the Rogue River (Takelma, Shasta and Applegate), Umpqua and Calapooia of Umpqua Valley, Cow Creek Umpqua Band (Takelma), Chasta, Scoton, and Grave Creek, Takelma, Shasta, Applegate, Galice, Chasta-



costa), the Chinook, Kalapuya and Molalla Tribes of the Willamette Valley, and the southern Molalla. The remaining tribes of western Oregon were those native to the west side of the coast range. They agreed to confederate on one reservation with other tribes under a treaty signed in August and September of 1855, but the treaty was never acted upon by the Senate.

On November 9, 1855, President Franklin Pierce signed an Executive Order recognizing official establishment of a coastal reservation known as the Coast or Siletz Reservation.

Relocation of many of the interior valley and southern coastal tribes to the coastal reservation ensued. These tribes removed to the new reservation in good faith with the understanding that their ratified treaties provided for establishment of a *permanent* reservation under direction of the President.

## REMOVAL

Tragic removal of the Indians to a virtual wasteland, ill suited to their accustomed needs,



Ancestors (removal from land walk)

commenced amidst the harsh winter of 1855. A temporary destination was an encampment on the south fork of the Yamhill River. The Chasta and Takelma Tribes of the Rogue Valley marched by foot to the Umpqua Temporary Reserve. There, the Umpqua, Calapooia, Cow Creeks and Southern Molalla joined in this journey. In the spring of 1856, the Tututini, Chetco, Lower Coquilles, and more Upper Rogues marched by foot to Port Orford, sailed by steamship to Oregon City, then trudged onward to the Yamhill Encampment.

Upon arrival, the Indians were subjected to the harshest of treatment. The unique and varied tribes and bands were combined and open tents were erected to protect them from the natural elements. Overcrowded accommodations and virtual starvation occurred. The overwhelming threat of imminent death was ever-present though guards sought to protect Indians from the typically hostile white settlers.



Archie Johnson



Chetco Anna

Removal of the Shasta, Takelma, Applegate, Galice Creeks and others to the Siletz Agency in May 1857 served to allay the hostile white settlers. Shortly afterward in June 1857 the encampment became permanently established as the Grand Ronde Reservation for the tribes that remained there. Difficulties resulted from being in a foreign place with starvation, disease and misery in all directions.

## COASTAL LIFE

Rejuvenation of accustomed living arrangements was a foremost concern of the Indians upon arrival at the Coast Reservation. The coastal bands established residency on the lower Siletz River while the Rogue River, Shasta, Galice Creek and other inland Tribes resided throughout the upriver portions. White influence prohibited further maintenance of accustomed normalcy.



The Federal Government established agency headquarters on Government Hill in Siletz, Oregon. It was there and at Upper Farm and Lower Farm that the Indians operated and maintained government farms which were communal in nature. All able bodied persons were forced to labor at these farms, which rarely produced well, and then the people would have to scramble to prepare enough salmon, shellfish, elk and deer meat to get them through the winter. The children attended a government school, which was established to teach them to hate their traditions and culture under the Peace Policy. The Methodist Church was the “assigned denomination” and its officials maintained control of the hiring and firing of agency personnel.

## DIMINISHMENT OF RESERVATION

The United States Government *forgot* their promise to provide a *permanent* reservation, selected by the President, for exclusive use and benefit of the ratified treaty tribes, and others confederated with them. Instead, the government sought diminishment of the Coast Reservation without treaty agreement or compensation.

### 1. EXECUTIVE ORDER

In 1865, an Executive Order proposed to diminish the Coast Reservation by about 200,000 acres and opened those lands surrounding Yaquina Bay for white settlement. The land was described as small, rugged, and unoccupied. In truth, however, the Alsea, Yaquina, Chetco, Tututni and other Indians inhabited this area and operated family farms for subsistence purposes.

As soon as the order became known, settlers rushed upon the opened portion of the reservation and evicted Indian families from their homes and farms.

### 2. OREGON LEGISLATURE PRESSURE

In 1875, Congress responded to pressure from the Oregon Legislature and further reduced the reservation boundaries. Approximately 700,000 additional acres of reservation lands were



Siletz Baby

opened for white settlement. Afterward, the reservation encompassed 225,000 acres. Fellow Congressmen, concerned with abuse of the tribes brought on by the proposed reduction were assured that they would not be removed without their consent. As soon as the act passed, the consent requirement provision was ignored and settlement went on unabated.

The affected tribes included the Tillamook, Coos, Siuslaw, Umpqua, Alsea, and other Indian tribes and bands. Their farms, homes and means of subsistence were taken without compensation. Relocation to the remaining portions of the once great Siletz Reservation was the alternative. Many displaced Indians did remove to Siletz Agency, other wandered to their old homelands or other places

At the time of the 1875 Act, Congress also declared the remaining portions of this substantially diminished land base the permanent reservation of the Indians residing thereon. Unfortunately, treaty rights were never recognized in subsequent years on the reduced reservation. Instead, a “use and occupancy only” policy was adopted which denied any ownership rights to Indian tribes.

### 3. ALLOTMENT ACT

In 1892 the Allotment Act took effect at Siletz. Individual Siletz tribal members received plots of land of around 80 acres. The land was to be placed in trust for twenty-five years. Reservation allotments were assigned to 551 individuals. The allotted land consisted of 42,000 acres. The unallotted land encompassed approximately 192,000 acres.

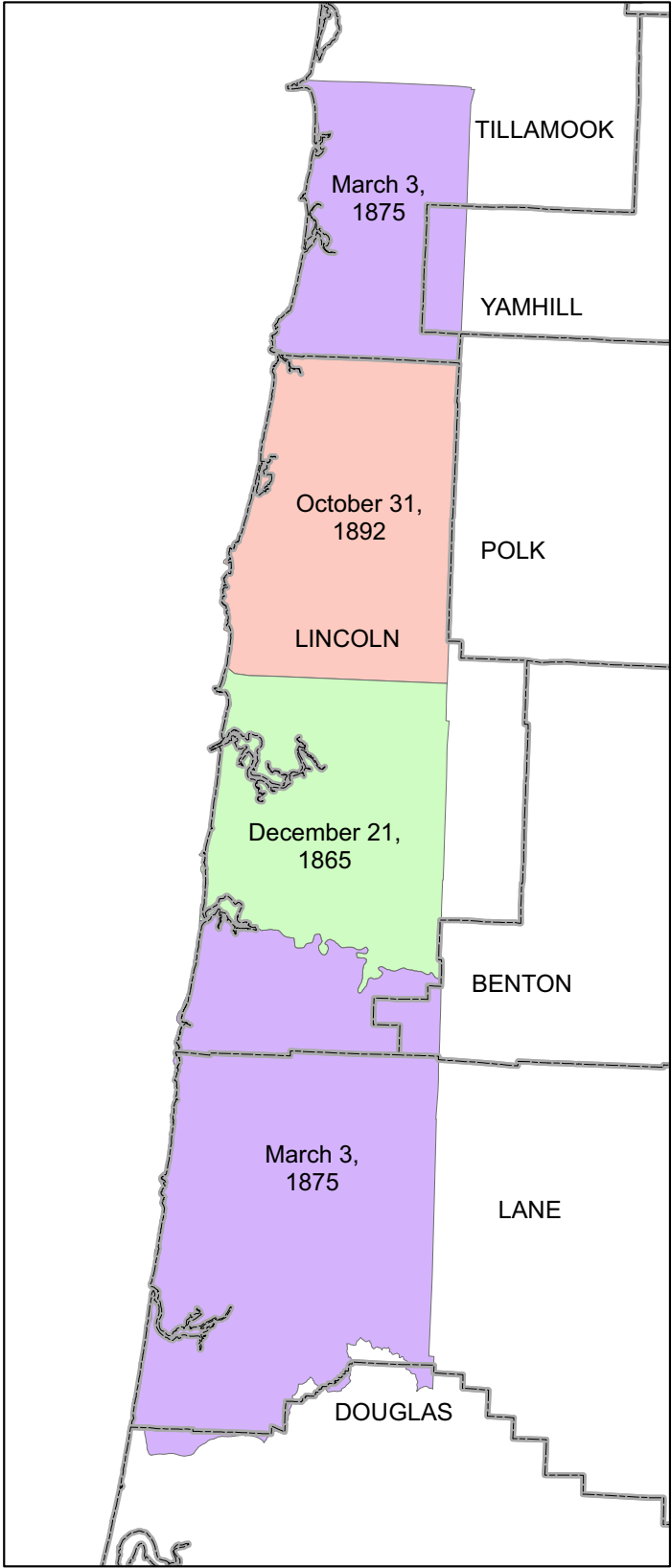
Under the Allotment Act the Secretary of Interior had the ability to declare the unallotted lands “surplus” and negotiate the purchase of surplus land - the Indians refused to sell. The response was proposing a reserve of timberlands located amongst the surplus lands for commercial use by the Indians, promising a reduction of the trust status for allotted land from 25 years to a mere five years, and promises that future generations would qualify for allotments from these ceded



Siletz Indian Fair ca 1917



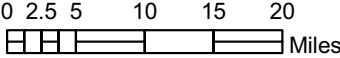
# Original Siletz Reservation Showing Reductions



## Legend

### Reduction Year

- 1865
- 1875
- Post 1875
- County Boundary



Data was collected from the Oregon Geospatial Data Clearinghouse. Map is displayed on Oregon Lambert Projection with NAD 1983 datum. Created by Brady Smith on May 2, 2005.



“surplus” lands, if only the tribes would agree to sell these surplus lands. Though this proposal promised some monetary benefit from the reservation lands and resources which were already being held at arms length by the government, the Indians nonetheless desired just compensation for the surplus land. They requested an actual acreage estimation to assist with negotiations — this information failed to materialize. Just compensation did not happen. Sale of the land occurred for a nominal price of \$142,000 for 192,000 acres. The land, which consisted of old growth timber, was purchased by the U.S. for a price of seventy-four cents an acre Only by ceding the majority of their remaining lands did the Siletz Tribes finally received recognition of commercial rights to 3,200 acres of timberland randomly scattered throughout the original reservation and the trust status of allotted land was reduced from twenty-five to five years.

Throughout negotiations, the Indians expressed a concern for their children upon sale of the land. A promise was made that application for and receipt of allotments from surplus lands would always be able to occur; this promise remains unfulfilled.

#### 4. SILETZ INHERITED LAND ACT

Passage of the Siletz Indian Inherited Lands Act in 1901 prohibited ownership of allotment land, which exceeded eighty acres per person. In essence, the heir of a deceased Siletz Indians’ estate had to receive inherited lands with clear title and pay taxes if they already held an allotment. Generally the Siletz Agency was asked to sell inherited lands and divide the proceeds among the heirs. Surplus allotment land from the estate of a deceased Siletz Indian oftentimes sold at a nominal price of five to ten dollars for eighty acres. By 1912 over 25,000 acres of the Siletz allotments passed into ownership by white settlers.



Martha Johnson

#### TERMINATION

In the early 1950’s, the Federal Government enacted the most harmful of policies towards Indians....Termination. .



Termination abolished federal responsibility and recognition. In addition, all remaining reservation lands were deeded to heirs or sold by the Bureau of Indian Affairs.

Twenty allotments were sold and the fifty remaining allotments became fee (titled) land. Delinquent taxes consumed numerous allotments within the next few years. Fractionated portions of few allotments remain Indian-owned today. Only two parcels have regained allotment status.

## RESTORATION

In 1977, The Siletz Restoration Act was passed by Congress, and restoration of the Siletz Tribe as a federally recognized Indian tribe was achieved. The Siletz Tribe was the second tribe in the nation and the first in Oregon to regain federal recognition as an Indian tribe.

Establishment of a reservation land base occurred shortly thereafter with the passage of the Siletz Reservation Act in 1980. The Tribe regained approximately 3,600 acres of scattered parcels administered by the Bureau of Land Management. Not a full restoration to the 1.1 million acre reservation established in 1855, which was subsequently diminished in 1865, 1875, 1892 and continuing until total dissolution in 1954-56, but it was a beginning. The tribe has added to its land base as opportunities have presented themselves since that time, for tribal administration, housing, cultural, economic development and other tribal needs.





This page intentionally left blank for printing purposes

