
Creating the Coast (Siletz) Reservation | The Real Story

Excerpt from Siletz Tribal Historian and Cultural Resources Director Robert Kentta

There has been a great deal of misinterpretation about how and why our reservation was created. These errors began shortly after the reservation was created and they have directed our Tribal history from that point on. The misinterpretations were used to open the majority of our lands to settlement without treaty agreement or compensation. The incorrect history has also been used to force our people to cede another 191,000 acres of reservation lands (in 1892) because we supposedly had nothing more than temporary “use and occupancy rights” to the lands anyway. Eventually then, the question of our hunting, fishing and gathering rights came also to be judged by this false history.

For our people to move forward in a responsible way, we have to develop a complete understanding of our history—as it all relates to our treaties and our reservation. Our ancestors signed a number of treaties between 1851 and 1855. The earliest of these treaties to become ratified was the Rogue River Treaty of September 10, 1853. Nine days after this Rogue River Treaty was signed, a treaty was concluded with our ancestors living in the Cow Creek drainage. The two treaties went side by side through the complete process of being ratified by the U.S. Senate and being proclaimed law by the president. They were both ratified on April 12, 1854 and proclaimed on February 5, 1855.

The Rogue River and the Cow Creek Treaties are fairly unique in their provisions and language. Usually, a permanent reservation was created within the treaty. The standard process was for a Tribe to agree to cede the majority of their lands, but permanently “reserve” a portion of their lands for their use—always. In our ratified treaties of Western Oregon, our Tribes ceded title to all aboriginal lands, however reserving the right to exclusive use and benefit of a portion of their lands (a temporary reservation) until the president of the United States selected a permanent reservation. In essence, the U.S. Senate delegated the authority to create a permanent “treaty” reservation to the president under the Rogue River and Cow Creek Treaties. Similar language is in the construction of the other Western Oregon treaties that were ratified.

It appears as though the original intent of the government and our Tribal people, of course, was to retain the temporary reservations and confirm them separately for the Tribes who had signed the treaties for those areas. But eventually, a policy of collecting all the scattered Tribes and bands and concentrating them on one large reservation away from the mining settler populations became the preferred alternative, and the policy pursued.

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The treaties themselves gave liberal authority to the government to confederate many Tribes together on one reservation. Knowing that our Western Oregon people would have to be completely whipped in a bloody war to induce us to live east of the Cascades, Oregon Territory's Superintendent of Indian Affairs Joel Palmer wrote to the commissioner of Indian Affairs on April 17, 1855. He informed the Commissioner that he had given the settlers of Oregon notice that the area between the Siltcoos River and Cape Look-out would not be open to settlement by non-Indians. He stated that it was intended as the permanent reservation for the Coast, Willamette, and Umpqua Tribes. He asked the commissioner for tentative approval of his actions, and for the commissioner to follow up with whatever appropriate official action needed to take place.

Several months went by without any official action on his plan, although the commissioner had given approval of Palmer's actions to secure the area. Palmer was also vested with certain discretionary powers usually not entrusted to a territorial superintendent of Indian affairs, at least partially because of the state of emergency brought on by lawless whites screaming for extermination. The truth is that it was also needed simply because of the need for quicker action by the superintendent based on the distances and history of delayed reactions from Washington D.C.

Delayed reaction came into play with Palmer's original request to establish the Coast Reservation. In the meantime, Palmer began making plans to draft a treaty confederating all of the Oregon coast Tribes and getting the coast Tribes' permission to confederate others with them on a coastal reservation. It is not clear why Palmer took the course that he did (probably partly as insurance against the possibility that his original request would be rejected). Whatever the cause, he wrote the Coast Treaty so that it would create a reservation within the same area described in his April 17 request, but he described the boundaries in the Coast Treaty markedly different from those in the April request. The Coast Treaty described a reservation containing approximately 800,000 acres, while Palmer's original request for a reservation included a total of about 1,100,000 acres.

Finally, all of the correspondence and comments on Palmer's original request fell into place, and the Coast Reservation was established by an executive order signed by President Franklin Pierce November 9, 1855. One of the most frequently quoted lies about our Tribal history is that our reservation was established by executive order as a temporary, emergency measure because the Senate failed to ratify the Coast Treaty. A close look at the dates of actions and the content of correspondence leading up to the creation of the Coast Reservation, however, will quickly refute that theory.

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The executive order definitely followed Palmer's original request for a reservation and not the Coast Treaty, because the original reservation boundaries go from Cape Lookout to the Siltcoos River and not from Sand Lake to the Sea Lion Caves (the reservation was established at 1.1 million acres, not 800,000 acres). It is also noteworthy that the Coast Treaty document did not even arrive in Washington D.C. until several days after the executive order creating the Coast Reservation was already signed. There is also correspondence from the Commissioner of Indian Affairs dated October 29, 1855, recommending the reservation be created by action of the president and that an executive order would be supported by the treaties already ratified in Western Oregon.

Three days after the executive order was signed (surely before he knew that his April request had been acted upon), Palmer wrote to the Commissioner of Indian Affairs that it was futile to attempt a permanent reservation at Table Rock. He stated that the miners and settlers would never allow the Tribes to live peacefully in the area. He recommended that its abandonment at once was the wiser course and that plans should be made to remove those Tribes also to the Coast Reservation.