

TRIBAL HISTORY

A Piece of Siletz History

by Robert Kentta, Cultural Resources Director

This is the 10th in a series of articles about our tribal history. Each article focuses on a particular event or era of importance in understanding our past. The last article was about the early days of reservation life for our people. This article will explain some of the events leading up to the first attempts at reducing our reservation.

Part X – Executive Order, Dec. 21, 1865

Concentrating on one particular government action toward our people and trying to adequately describe it is daunting. Part of the problem is that these snippets of history do not stand alone in time and context. All of these situations relate to each other, not only because they are all part of the same story, but because many times, patterns of involvement by the same people show up over and over. Additionally, there are trends and eras of federal Indian policy and other national and regional political and legislative movement that indirectly (but ultimately directly) affect our people.

We also must not forget the power and influence that local attitudes of the general populous can have and the determination of some people when they are out to make a dollar. Just remember that several things generally were going on in any governmental action toward our people. This usually includes politicians fishing for votes, federal economics, individual moneymaking schemes, and other personal interests.

Having said all that, President Andrew Johnson's signing of the Dec. 21, 1865, executive order was the result of several different things that happened over the several years previous. All must be weighed against the interpretation of the times regarding our legal history, rights, etc.

A couple of articles ago, I discussed the establishment of the Coast (Siletz) Reservation (its relationship to the treaties already ratified, how the Senate had delegated the power of creating our permanent reservation to the president – by specific language within the treaties, etc.). Creating reservations and indeed the "reservation system" as a policy was relatively new in the mid-1850s. Creating reservations by executive order was a brand new concept (the first done in the spring and ours in the fall of 1855).

I also have mentioned that Oregon's non-Indian population at that time was overwhelmingly in total and in some extreme elements – violently – opposed to the creation of a permanent reservation in Western Oregon. Permanently reserving nearly one-third of the Oregon coast for exclusive Native use was absurd in many people's minds. (They quickly forgot that the 1855 Coast Treaty had not been ratified, so they were technically squatting on the other two-thirds.)

I wonder how much that sentiment has died down after seeing what we went through to get our scattered parcels returned in 1980. By 1865, the history of how the Coast Reservation was created and why already was muddled in many people's minds. They seemed to already be thinking that the executive order was a temporary, emergency measure by the president, rather than a directive by Congress through the ratification of several treaties.

Through the early and mid-1860s, several things were going on – locally and nationally – that built up to the signing of the 1865 executive order. If you stop to think about it, this was a time of intense trial and turmoil in the United States, testing the strength of the less-than-100-year-old government.

The Civil War distracted most of the attention away from the West and focused it on the Southeast. A large population of southern sympathizers existed in Western Oregon. Forts Hoskins, Yamhill,

and Umpqua, and the Blockhouses, were more worried about a southern "uprising" most of the time than any serious worry about us. At the end of the war, the forts were abandoned

Congress passed the Homestead Act - *-----
-----right around the time that the executive order was signed, bringing on a gold rush atmosphere nationally among those looking for a good place to file a claim. Locally, a court case was brought against our Siletz agent (Ben Simpson) by a schooner ship captain who refused to quit coming onto the reservation to load native oysters. Although the state Court decided in favor of the agent's action as a representative of the United States in 1864, it only brought Yaquina Bay to many more people's attention as a potentially valuable harbor.

Agent Simpson would say or do one thing seemingly in favor of protecting the reservation, then turn around and do something that totally jeopardized it. He would be somebody to watch out for over the next 10 to 15 years. He definitely had very divided loyalties.

The state Legislature also got involved, representing to Congress and anyone in Washington, D.C., who would listen that the Coast Reservation was too large and that valuable access to the coast and a good harbor was being wasted. Let's just say that a good amount of conversation was going on about the subject.

In 1864, J.W.P. Huntington (superintendent of Indian Affairs) wrote in the annual report that he had studied the matter and concluded that the public good required that access to Yaquina Bay from the Willamette Valley be granted.

Included in the same report is a letter to the secretary of the Interior, signed H.D. Barnhart with no indication of what office he held if any, that was printed immediately following Superintendent Huntington's report. In it, Barnhart said that the Indians on the reservation did not need or use Yaquina Bay. He extolled the many benefits of opening that area to settlement, trade, and commerce.

Nobody seemed to recognize that Yaquina and Alsea villages still were occupied by their original people and that the Siletz agent had encouraged Coquille and Chetco families to live, farm, and take advantage of the extensive fishery on the Yaquina. Agent Simpson himself, probably fearing ostracism from good society and/or feeling some of his natural internal conflict, had reported a couple of times on the subject.

He spoke of the evil influences that develop by Indians associating with a bad class of whites and the need to keep Indians separated from whites to whatever extent was possible. He then did an about face and talked about the opening of at least a town site on Yaquina Bay as though it was a done deal, and said that a "right of way" across the reservation should be made.

Nowhere during this process did any government agent bring up the ratified treaties, but there was some discussion about the rights of the Indians. Agent Simpson talked about it as though it was a foreign land, except to say that the Indians living in the Siletz Valley have the right to hunt and fish there. It is not clear how it was decided that the president should take action instead of looking for legislative approval from Congress. It simply may have been assumed that it was within the presidential powers to reduce a reservation created by the executive office.

The end result was that on Dec. 20, 1865, Secretary of the Interior James Harlan wrote a draft to the president. "... It is represented by the Oregon delegation in Congress that this reservation is unnecessarily large ... They ask for a curtailment of

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