

## TRIBAL HISTORY

### A Piece of Siletz History

by Robert Kentta, Cultural Resources Director

*This is the 13th article in a series that covers different time periods or events in our tribal history. The articles have, hopefully, explained some things you didn't know about the treaties our people signed and how our reservation was created and reduced to a mere fraction of its original size within the first 20 years of its existence. I hope, too, that I have explained some of the aspects of federal Indian policy that have had dramatic effects on each of us as individual members of our tribe, on our families, and on our tribal organization as a whole. Last month's article was about the process of allotment at Siletz in 1892. This article is a continuation of our story and a continuation of the story of allotment and its effects at the Siletz Indian Reservation.*

#### Part XIII – The 1892 “Surplus Lands Agreement”

As stated in the last article, allotment was both boon and bane to our people for various reasons. Federal policy was directed at de-Indianizing our people. The allotment policy was an important part of that process because it meant breaking up communal ownership of reservation lands and getting individual tribal members to accept individual ownership of lands and the resources on those lands.

Allotment generally was a popular notion at Siletz because of the belief that it would protect our people from the kinds of dispossession that they experienced in 1865 and 1875. What probably was not understood were the consequences of taxation (once clear title was achieved), what would happen with inherited allotment lands, and what would happen to reservation lands that weren't included in allotments. It didn't take very long to find out.

The process of allotting lands at Siletz was wrapped up late in the summer of 1892. Before Commissioner of Indian Affairs T.J. Morgan had even received a final report on the completion of the Siletz allotment, he began setting up a commission to “negotiate” with our tribe for the remainder of our reservation. The secretary of the Interior had apparently already decided to declare the Siletz Reservation land remaining after allotment “surplus” under a provision of the General Allotment Act.

On Aug. 22, 1892, Commissioner Morgan wrote a letter to Reuben P. Boise and William H. Odell, both of Salem, and H.H. Harding of Carthage, Mo. He included instructions for them to use in the proposed negotiations. The commissioner's letter gives the first of many clues that this proposed “negotiation” was anything but a casual offer to negotiate with our people for our remaining reservation lands.

The rushed nature of the affair (not waiting to find out exactly how many allotments had been assigned or how many acres they encompassed) is not the only indication that things were not necessarily on the up and up. The letter mentions several details that had already been taken care of in the planning process, looking forward to our people's eventual acceptance of this scheme.

The most surprising feature in the letter of instructions is a statement that “A bill is now pending in the Senate to authorize the secretary of the Interior to reserve from sale five sections of timberland upon said reservation, not required for allotment to the Indians, and located conveniently to the sawmill upon said reservation, and provides

that the timber on said lands may be cut and manufactured by the Indians for their own use and for sale under such rules as the secretary of the Interior shall, from time to time, prescribe, regulating the cutting of timber so as to secure an equality of benefits to the Indians, employment for them, and judicious aid to them in becoming self-supporting, the right, title, and interest of the Indians as at present existing, not to be altered, changed, or affected thereby.”

In effect, the letter was a contradiction in terms. While proposing to take nearly all of the remaining land and resource base of our tribe – destroying any real chance of economic development of our natural resources – he also was speaking of a bill that would recognize our commercial rights to five sections of reservation timber that would be reserved from the cession. If the government was really concerned about our people having an “equality of benefit” and “employment” and “judicious aid in becoming self-supporting,” why didn't the bill recognize that our Siletz people had commercial rights to all of the remaining reservation land? Why was the tribe about to be forced into ceding 191,000+ acres in order to secure commercial rights to a mere five sections (3,200 acres)?

“Forced” is my interpretation of what happened, although Commissioner Morgan's letter of instructions stated that “no undue pressure should be used to induce them to consent to the cession.” It's clear to me that the proposed cession was much more than a casual offer from the government. It's also clear that a simple NO would not be enough to fend off the barrage of inducements and pressures that would then be used to gain our people's signatures on an agreement to cede the unallotted reservation lands. It was the same situation as the 1865 and 1875 reductions of our reservation, with only the illusion of our people having a choice in the matter.

The three commissioners (Boise, Odell, and Harding) arrived at the Siletz Agency in the first week of October 1892. They spent a couple of weeks touring the reservation, getting a feel for the lay of the land, and getting a visual inventory of its resources. They also met tribal members in various parts of the reservation, stated the reason they were here, and told the people about meetings that would be held on the subject.

On Oct. 17 and 29, meetings were held at the agency. Oscar Brown, Johnny Williams, and Pengra Logan served as interpreters. The commissioners stated the purpose of their visit and immediately began discussing the terms of the agreement.

The first fear tactic used was that if the people sold the unallotted lands, part of the interest on the sale price would be held back in order to pay taxes on the allotments while they remained in trust. This is something that is mentioned in correspondence at other times and it baffles me. My understanding has always been that taxes would not accrue on allotment lands while they remained in trust. The commissioners warned our people that they would need cash right away to pay taxes on their allotments or else they would lose their allotments and the sheriff would sell them.

Taxes on allotted lands would not be the only nor the most blatant example of threats, intimidation, lies, or promises (that would go unfulfilled) used to gain acceptance of the commission's proposal.

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