

Our Aboriginal Lands & Treaties

A Series of Articles (Part 6)

Establishment of the Coast Reservation

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The past 5 articles have mostly been descriptions of the terms of the many treaties that our ancestors entered into with the United States Government prior to the Coast Reservation being designated as our permanent reservation. Before a description of the 1855 Coast Treaty, and southern Molala Treaty is given, it would be appropriate to talk about the history surrounding the establishment of the reservation.

The history of our reservation has been misinterpreted by the United States Government since its inception. The popular myth that has been retold to us for generations is that the Coast Reservation was established by an Executive Order that was directed exclusively as a result of the 1855 unratified treaty with the Coast Tribes. This might make a cute story, and it might make the United States Government feel better about the having reduced our reservation by 3/4 its mass without compensation, and refusing us the rights to any of the reservations resources. But the truth is...in order to believe this fable, you have to be able to ignore all of the facts.

The confusion probably stems from the fact that most permanent reservations have been established by Congress ratifying a treaty which describes the specific boundaries of the reservation. Our ratified treaties of western Oregon however, established "temporary" reservations within the areas being purchased from our tribes, for our exclusive use "until a suitable selection is made for their permanent residence, under the direction of the President". The ratification of those treaties transferred to the President the responsibility for, and power to create a permanent reservation for the ratified treaty tribes of western Oregon. Only then were we to be removed from our aboriginal lands.

On April 17, 1855 (4 months before the Coast Treaty was negotiated), Superintendent of Indian Affairs, Joel Palmer wrote to the Commissioner of Indian Affairs in Washington D.C. informing him that he had published in the Oregon newspapers a notice that the area between Cape Lookout, and the Siltcoos River, bounded to the

East by the western boundary of the 8th range of Townships West, and extending to the Pacific Ocean, had been selected as a permanent Indian Reservation, and that it would not be open to white settlement. He sent a map to the Commissioner by the same mail, and asked for confirmation of his actions.

On June 29, 1855, the Commissioner wrote Palmer acknowledging that he had received Palmer's letters on the 25th of May, but that the tin case containing the map of the proposed reserve had not yet arrived, and due to the amount of time which has passed, assumed it was lost. He asked for a duplicate to be sent, and voiced approval of Palmer's actions, asking for more information about the lands within the reserved area - terrain, soil type, etc. On the same day the Commissioner of Indian Affairs wrote to the Commissioner of the General Land Office, asking that the boundaries of the proposed reserve be respected by that office until an

official decision could be made, and that a copy of Palmer's map would be forwarded as soon as the original was received.

On September 10, 1855, the Commissioner of the General Land Office wrote the Secretary of the Interior, saying that he had received letters proposing the large reservation for the Coast, Umpqua, and Willamette Tribes. He requested that the Order of the President be had before he issued instructions to the Land Office in Oregon.

On October 29, 1855, the Commissioner of Indian Affairs wrote a letter to the Secretary of the Interior. In recounting the sequence of treaties, letters, and delays he said, "it appears that a very great embarrassment must result to the service because this subject has not been determined". Also, "I know no reason why the recommendation made by the Superintendent is not the best, in view of all surrounding circumstances, that can be devised, I respectfully recommend that the tract of land designated on the accompanying map from the General Land Office as the 'proposed reserve for the Coast, Umpqua, and Willamette Indians' be reserved from sale or settlement, and set aside for Indian purposes - subject, however, to such curtailment in dimensions as in treaties hereafter to made and ratified, and a better knowledge of the requirements of the Indians may admit, under the direction of Congress". (In order to comply with the treaties already ratified, the reservation had to be fully established as proposed, but could, possibly, be reduced by future agreements and treaties to be signed and ratified with the tribes).

On November 8, 1855 the Secretary of the Interior wrote of the proposed reservation to the President. He said that he had been waiting on a full report from the Indian Office before bringing the matter to him, and after considering everything, his recommendation was to establish the reservation as proposed "subject to future curtailment, if found proper", or should Congress not approve of the reserve. Apparently, the Secretary was unfamiliar with the President's responsibility to provide a permanent reservation for the tribes, and the fact that his recommendation would lead to gross violations of the ratified treaties of the tribes who were to be removed to this reservation.

On November 9, 1855, President Franklin Pierce signed the Executive Order which had been prepared for him by the Secretary of the Interior, it essentially said, "I hereby order that the area described herein be reserved for the purposes indicated in the letters of Sept. 10, and Nov. 8, 1855".

Three days after the Executive Order was signed, the Commissioner of the General Land Office wrote to the Surveyor General of Oregon Territory, and told him to carefully mark the boundaries of the Table Rock Reservation on the official Plat maps of that area, to secure the reservation against white settlement. On the same day, Joel Palmer wrote to the Secretary of the Interior that it would be futile to further attempt a permanent Indian settlement at the Table Rock Reservation, and that it's abandonment at once was the wiser course. (Until this time it was generally thought that the people on the Table Rock Reservation; Takelmas, Shastas, Applegates, Galice Creeks, could stay permanently within their "temporary" reservation at Table Rock, but with an absolute war of extermination being waged by the miners and settlers of the Rogue Valley against our people, Palmer saw no alternative but removal.)

January 1994

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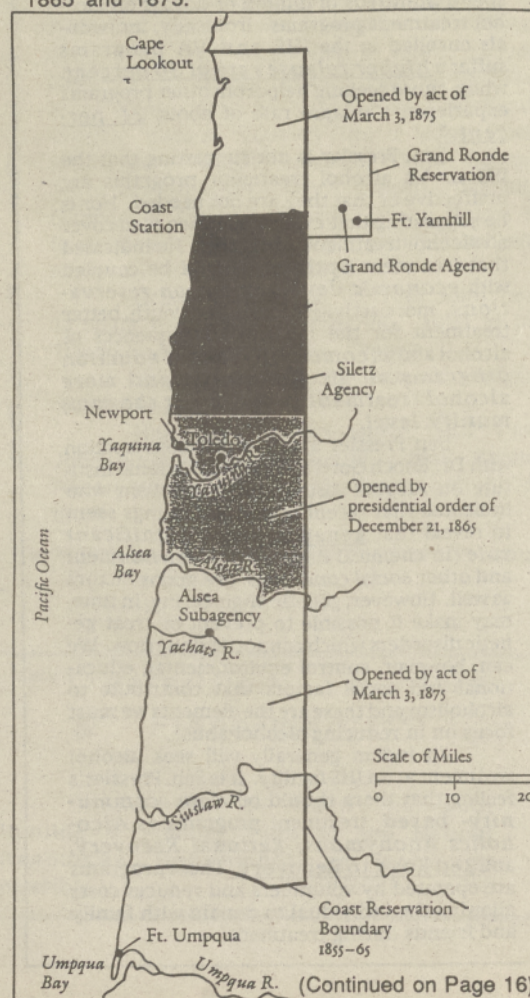
With this in mind, he said that he was contemplating the purchase of some settlers farms on the South Yamhill River and designating that as a permanent extension of the Coast Reservation (Grand Ronde).

His idea was to place the main part of the Willamette Bands on the extension, along with other less aggressive people, and put the Rogue River Bands on the Neachesna (Salmon River).

The Coast Treaty that was signed in mid August through September 8th of 1855, and supposedly was the reason for the Executive Order, wasn't even received in Washington D.C. at the Indian Office until November 14, 1855. There is no way that the Executive Order could be based on a document that wouldn't even be received in Washington City until 5 days later.

A close look at the descriptions of the reservations described within the two documents will give the final proof. The Executive Order Specifies the Cape Lookout and Siltcoos River boundaries that Palmer had announced in April of that year (approx. 1.1 million acres). The Coast Treaty specified reservation boundaries that would have began 6 miles south of Cape Lookout and ended just north of the Sea Lion Caves on the south end. (approx. 800,000 acres).

This is a very important point of distinction, and only strengthens our position that the United States Government acted in violation of the Ratified treaties that all our families can claim heirship to when it took lands from our reservation without agreement of our people, or compensation. Also when it denied us any ownership of the reservation's resources from 1855 until allotment time in 1892 and actually still denies us the resources on the almost 900,000 acres it took from our reservation in 1865 and 1875.



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