
History of the Cow Creek Umpqua Tribe: Sovereignty and Perseverance

In September 1853, General Joel Palmer, superintendent of Indian affairs for the Oregon Territory, arrived in southern Oregon to bring an end to the Rogue River Wars by negotiating peace treaties with the Native tribes. A treaty is an agreement or arrangement made between two groups. General Joel Palmer negotiated a treaty with the Cow Creek Umpqua Tribe, which required the Tribe to give up their ancestral land to the U.S. government. In exchange for their land, the Cow Creek were promised peace, reservation land, goods, and services totaling approximately \$12,000 U.S. dollars.

A temporary reservation was created. General Palmer promised that the reservation would guarantee food, medicine, shelter, and protection from hostile settlers.¹ He also said the reservation was a safe place for the Tribe and they would be protected from any additional violence. According to Palmer's own words:

The reckless habits of a portion of the mining population from whom the natives have received so many severe chastisements and wrongs together [with the] prospects of being provided with a home, an asylum for their aged and infirm, protection for their women and children, as well as the prospects afforded by cultivating the soil, of an abundance to guard against hunger, induced the more conservative to listen favorably to our proposals.²

The temporary reservation was the only part of the treaty that the U. S. government provided. The Cow Creek Tribe did not receive the promise of food, medicine, protection and other services. Then in October 8, 1855, the massacre of a Takelma tribal village on Little Butte Creek led to the restart of the Rogue River Wars. This massacre was carried out by a group of volunteer Indian "exterminators." These exterminators were a group of white settlers and miners whose goal was to get rid of Indians in order to take over land and resources. The attack on the Takelma village led tribal families to leave the reservation and seek safety in the mountains. During their flight to the mountains, the Takelma attacked everyone they encountered, killing an estimated seventeen people. On October 10, the Takelma reached the Cow Creeks and asked the tribe to join in the fight. While the Cow Creeks said they respected the pioneers who lived peacefully on the land, they could no longer allow the action of the Indian exterminators to continue. The Cow Creeks left the reservation and fled into the hills.

¹ O'Donnell, T. (1992). *An arrow in the earth: General Joel Palmer and the Indians of Oregon*. Portland, OR: Oregon Historical Society Press, p. 183.

² Ibid, p. 183.

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The conflict in southern Oregon brought Joel Palmer to supervise the removal of all Indians that were under the protection of the U.S. Army at the Umpqua and Calapooya Reservation. While other Umpqua Tribes and some Cow Creeks in the area were forced to move to the Grand Ronde and Siletz reservations in January of 1856, most Cow Creek tribal members continued to hide in their ancestral homelands. These tribal members raided farms and isolated cabins in order to feed their starving populations. They did manage to stay one step ahead of the exterminators.

The final battle of the Rogue River Wars was fought on May 28-29, 1856. Deaths on both sides were recorded to be high. Thirty-three Cow Creeks were reported to have joined the more than 1,175 Native Americans who were removed from southwest Oregon under the control of the U.S. Army in June 1856.

After the Rogue River Wars, most of the Cow Creek population lived in the mountains surrounding upper Cow Creek and the North and South Umpqua Rivers. One way that the Cow Creek survived was by marrying French Canadian trappers and other settlers. Having white family bonds gave the Cow Creek some protection.

In the early 1900s, efforts to require the U.S. government to honor the Cow Creek Treaty were led by Ellen Furlong Crispen, a Cow Creek tribal member. Unfortunately, her efforts were met with defeat. However, in 1918, the Cow Creek elders did create a tribal government and tried to gain the same benefits for tribal people that tribes living on reservations received.

The Tribe also sought justice with the federal government for the taking of their land as stipulated in the 1853 treaty. The \$12,000 that the Tribe was to have received, but didn't, equated to the low price of 2.3 cents per acre. At that same time, settlers were paying the federal government \$1.25 per acre under the Donation Lands Claim Act. Between 1918 and 1932, five bills were introduced in Congress on behalf of the Cow Creek people. One bill finally passed both the House and Senate in 1932, but was vetoed by President Hoover, who cited that the United States could not afford Indian claims litigation in the midst of the Great Depression.

In 1954, the United States Congress passed the Western Oregon Termination Act. This law ended federally recognized status for the Cow Creek Tribe and stated that the U.S. government would withdraw from services and support to tribes in Western Oregon in a span of no more than two years. Despite this lack of federal recognition, Cow Creek tribal members continued to be active in improving the lives of fellow tribal members. For example, in the 1970s, tribal members met with members of the Confederated Coos, Lower Umpqua, and Siuslaw Indian Tribe and focused efforts on such important issues as education, job training, and land claims.

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Even after termination, the Tribe continued to seek a land claims case with U.S. Court of Claims. In 1980 the lands claim bill was passed, and by 1984 the case was subsequently litigated by the Tribe to a negotiated settlement of \$1.5 million in an endowment from which the Tribe draws on an annual basis only the earned interest.

While the claims case proceeded in the court, the Tribe pursued federal recognition and sought to overturn the termination law of 1954. As a result of legislation that passed both houses of Congress by “unanimous consent” on December 29, 1982, a “recognition” law was signed for the Cow Creek Band of Umpqua. The Recognition Act confirmed what tribal members had already known for 129 years—that they are a sovereign tribal government.

The Tribe never received the reservation their treaty promised. Even without a reservation, the Tribe’s people remained in their homelands. Today, the Tribe is buying back its land and operating various business enterprises for the economic development of the Cow Creek Tribe and the communities in which they live.

The Tribal Government Office, located in Roseburg, Oregon, houses the tribal governing body, known as the Tribal Board of Directors, as well as various tribal programs. The Tribal Board of Directors is responsible for establishing the policies and procedures for the administration of tribal programs, economic development ventures, and other governmental business.