



ORAL HISTORY

CHUCK JACKSON

2 April 1979

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TAPE 1, SIDE 1:

Research for case to come before Washington, D.C.
Cow Creek Band of Umpqua Indians
Temporary reservation
Going to Grand Ronde
Not paid for 800 square miles
Parents: Clareatha (Lerwill) and Columbus Stephen Jackson
Maternal Grandparents: Dolly Clara (Thomason) and Walter Lerwill
Charles Cleveland and Union Anne (Porter) Jackson (Paternal Gpts)
Wm. P. and Susan (Nonta) Thomason
Grave of last chief
Susan Nonta was Indian, HBC interpreter, dau. of Charlotte Walla Walla
Digging in Indian graves, legislation to stop

TAPE 1, SIDE 2: *P5*

Penalties for digging in graves
Umpqua Indians all spoke same language (check with Riddle; they did not)
Tyson School, Drew, Tiller
Indian culture from grandmother
Prejudice against Indians in school
No full-blooded Cow Creek Indians
Emmeline Young sings Indian songs
Makes Indian pipes, use of Indian tobacco
Basketry
Lived in teepees (really?) // TAPE 2, SIDE 3:
Artifacts in Jackson's Museum
Making arrowheads
Why they should be paid for their land
Hard to locate papers
Termination
Plan to build a museum in Canyonville

TAPE 2, SIDE 4: *P17*

Old Indian trail
Drink and fight at the pow wow
use of peyote, not by Cow Creeks
Sweat house

Copy of bill relating to Indian burial sites, 1977.

DOUGLAS COUNTY MUSEUM

Roseburg, Oregon

ORAL HISTORY GIFT AND RELEASE FORM

Chuck Jackson

We appreciate that on April 2, 1979 you granted an interview to Valerie Sonnenberg. A permanent record of the interview consisting of the tape and/or the transcript will be filed in the History Center Library, Douglas County Museum, Roseburg, Oregon. The information you have given, together with that recorded by many other persons, constitutes a body of materials useful to all students of the history of Douglas County.

In order that this record may be made freely available for scholarly research, publication, educational, and related purposes, you are requested to sign this agreement. By doing so you will grant and convey all your rights in the interview to the Douglas County Museum; at the same time you will insure that the information you have given may receive the widest possible use and circulation, particularly for education.

If you wish to place any restrictions on the use of your material specify in the space above your signature.

April 2, 1979
Date

Charles Jackson
Signature

This is an interview with Chuck Jackson and it takes place in his home in Tiller on April 2, 1979. Also present at the interview is Micheal Alexander, the Folk Life Specialist for the Douglas County Museum and Judy Roberts, Oral Historian, and Judy Jackson, Mrs. Chuck Jackson. The tape is for the Douglas County Museum Oral History Program and the interviewer is Valarie Sonnenberg.

Mr. Jackson is a descendant of Susan Nonta Thomason, a full-blooded Umpqua Indian who married a white man, William P. Thomason who took a Donation Land Claim on Susan Nonta's ancestral land. Mr. Jackson gives a family history, placing himself as a descendant of the Umpqua Indians. We talked at length about the white settlers treatment of the Indians and of the Cow Creek Treaty and the bill which is presently before Congress. This bill is asking permission for the Cow Creek band of Umpqua Tribe to file with the U. S. Court of Claims their monies which were not paid to them at the time of the treaty signing. This interview begins at 025 on the digital counter.

Note: Short conversation between Mike Alexander and Chuck Jackson before the interview starts.

Talking of files and statements of family and friends.

Q. Where do you keep those?

A. In an attorney's office in Klamath Falls.

Wife. There are copies of them in Washington D.C. with all of the Senators and Congressmen.

A. There are 14 or 15 or 20 copies of them made so far, the Bureau of Indian Affairs have a copy and things like that.

Mike. You mean that there is an active interest on your side also?

A. Yes.

Q. When did you start that program of research?

Wife. I started researching about 15 years ago.

A. We have a lot of these records and then we are putting them into the books and about four years ago we started putting them into the books.

Q. And who are you specifically concerned with?

A. Myself.

Q. Which people, or how do you limit it?

A. We are the Umpqua Indians and we are in the Cow Creek Treaty so we are the Cow Creek Band of the Umpqua Indians.

Q. So, the Umpqua Indians of this area?

A. Yes, we are the Cow Creek Band of the Umpqua Indians. The only reason we are the Cow Creek Band is because this particular treaty was signed on Cow Creek. We are all Umpqua Indians and as we understand it, years ago our relatives were here when Crater Lake erupted. There are the legends of Crater Lake. Joel Palmer explains it in his early writings when he came out to go to this treaty, they called him the wild Molalla Lowalla Indian, so that was in this area here in the head waters of the Rogue and this part of the Umpqua. Then later they wrote the treaties and then we get a little more involved into it, so they called them all Umpqua Indians. The whole area and then they divided them up into different places and different _____.

Q. What was the text of the treaty?

A. Well, did you ever read it?

Q. No.

A. Well, it is quite long.

Q. These are treaties that the white people made with the natives?

A. With the Indians to get their land, yes. They were to receive the land

through the federal government, which they forgot about paying for and then the Rogue River Wars came and then this split it up. Have you read the articles in the newspaper lately? There has been quite a few articles on it. They did have a temporary reservation and they did have some livestock and some grain and then the Rogue River Wars started out and the Indians had to run for the hills or be killed. The government came in and butchered their livestock and ate it and said it was Indian horses.

Q. Where was the reservation?

A. Over the hill on Cow Creek. We have an article here you can read on it.

Q. Okay.

A. That is what happened to that and then they moved some of them to Grand Round and there is numbers from 17 or 30 and somebody said 60 but I don't believe that there was ever that many. It was not more than 30, I don't think. These Indians that went to Grand Round when they were captured, they went up to that reservation. A lot of them died on the way up and some of them were thrown in wagons and hauled up and they were sick. People told us they put them into wagons like cord wood. You know a lot of them had to march and they kept saying that they weren't prisoners, but if you have to march with someone guarding you with a gun and throwing you in wagons when you get sick and people are dying going up, they were prisoners. Well, my relatives didn't want any of this so they stayed in the hills. You know, they would rather take their chances out here in the hills than go up there. To them it was a sure death and starvation, so they wouldn't want that and so they stayed here. I can't remember the exact number but there was 300 to 400 when the treaty was signed and there was only 17 to 30 that got to the reservation, so the federal government knew. In fact, they have it in their records that they stayed in the hills and we have a bill in now and Governor Hatfield presented our bill to the Senate and Mr. Weaver introduced it to the House. It will give us our day in court and so we can go to the hearings and hear this out and see what becomes of it.

Q. What are you proposing in this bill?

A. It is supposed to have --- the bill is only to have our day in court. So they can hear our side with all of the records that we have and then present it all in court, to show that we are here yet. We have never been paid for 800 square miles of our land. This was in the treaty, the Cow Creek Treaty.

Q. What does this 800 miles encompass? From where to where?

A. We have a map of it. It includes the Tiller area and goes down below Canyonville and back up the other side of Cow Creek and back through. It is a little hard to explain, because it refers to Mountains.

Q. More of the South Umpqua and its tributaries?

A. Yes, the South Umpqua and Cow Creek and Canyonville and that area, there is 800 miles in there.

Q. Can I get some family history from you?

A. Sure.

Q. For instance, for starters, where were you born?

A. Well, my folks lived right here in this house and I was born in Medford.

Q. When?

A. 1934.

Q. Who was your mother?

A. Her name was Reatha (Clareatha).

Q. What was her maiden name?

A. Lerwill.

Q. And your father?

Round →

- A. Columbus Stephen Jackson.
- Q. When did your parents come to Oregon?
- A. My mother was born here.
- Q. Do you know her parents names?
- A. Her mother was Dolly Clara Thomason. That is where you go into the Thomason Indian line. She was born in Drew.
- Q. That was her maiden name or her married name?
- A. Her maiden name.
- Q. Your grandfather?
- A. Walter Lerwill.
- Q. Was he also born in Oregon?
- A. Yes, he was born in Oregon.
- Q. What about your grandparents on your father's side?
- A. Charles Cleveland Jackson and I'm not sure where he was born. Wife. I think he was born in Ireland.
- A. My grandmother was Union Anne Porter. Her mother was a Doras. Doras, California was named after her.
- Q. It is the Thomasons that you trace your Indian ancestry?
- A. Yes, our Indian lines run through the Thorasons, Susan Nonta Thomason is an Indian name.
- Q. It was your maternal grandmother. Can you tell me anything about her family?
- A. Yes, her mother was Susan Nonta Thomason.
- Q. Is that one word, Susan Nonta?
- A. No, just Susan and Nonta. Nonta was her father's name. There are several ways to spell Nonta. We spell it N o n t a.
- Q. Do you know which date Dolly Thomason was born in Drew?
- A. Yes, she was born on August 30, 1877.
- Q. And her mother was born Susan Nonta Thomason. Her father was?
- A. William P. Thomason.
- Q. Was it Susan Nonta that had this land originally?
- A. Susan Nonta had the land. When Susan Nonta and W.P. Thomason were married, he had to take out the land claim right down the road here, which was her home land but she couldn't claim it because she was an Indian. This treaty had been signed in 1854 so she couldn't claim her land, so he had to take a land claim on it.
- Q. When was Susan Nonta born?
- A. In 1839 in January of '39. It is the last of '38 in some of the records.
- Q. Now her family stayed in one particular area?
- A. Well, her family is from here, but they hunted and fished all over this area and they did travel. They did go to Klamath and all of the different gathering places, they would go to at times and they even went clear into Canada once.
- Wife. She was an interpreter for the Hudson's Bay Company once.
- Q. Susan Nonta was?
- A. Yes. She got married to W.P. Thomason at Colville which was Kettle Falls or Colville, and she was there as an interpreter then.
- Wife. She was well-versed in the use of herbs, and she saved quite a few people's lives right here up in this area.
- A. Yes, she was a doctor. She spoke Indian, French, English and three different dialects of Indian, so it would be Chinook jargon and this Indian here and I don't know what the other one was.
- Q. What did the Umpqua Indians call themselves?

A. We had a folder come out on that to make sure we know what we are saying. We do have a book now and it is written by a Bushman in the 1850's, I believe, and he has the Umpqua language right from the Cow Creek area. It is in old time German and we are having it translated now. It has to be translated to Indian and then we have to have it translated back into English and then we will be more sure of ourselves. When we get this done we will be more accurate. We will be more sure of what they called themselves. The word "Umpqua" is an old word. There were different ways to pronounce it and different spellings.

Q. Do you know the parents of Susan Nonta?

A. No, her mother's name was Katherine (Charlotte) and we have her name also from Catholic records. We have two or three sets of records on her in which her first name was Katherine (Charlotte) and they have all been the same. The only reason that we have her name and Nonta's name is that it was on the baptism of Susan. Now Nonta, we have a record on this too. Nonta came out here and worked for the North West Fur Company first.

Q. Was he Indian?

A. Yes, he was full-blooded Indian but he was Algonquin. He was a full-blooded Algonquin. Susan, by her casting, was a full-blooded Umpqua. He worked for the North West Fur Company. That is how he got out here and then it merged into the Hudson's Bay Company and they trapped for furs right here in this area.

Q. Was Susan Nonta an only child?

A. No, she had a brother. Now we don't have much on her brother, he was older. This is Susan. (Photo)

Q. Fine looking woman. When was this picture taken?

A. Let's see, this one was taken in a studio in Canyonville or Roseburg. She is buried in the cemetery where you were at. Now she had relatives that lived -- you know where our family cemetery is -- on the mountain from the cemetery, her relatives lived there and there is one little chief that is buried there by the side of the creek, Chahill Creek. Now Susan's son, which was my great uncle, Louis Thomason, showed me and my cousin one time where a relative of hers who was one of the last old chiefs, he showed us his grave and there were several graves there along the creek. He said this is a relative of Susan's buried here under this tree with no marker and his favorite possession which was a tomahawk. There was an old lady that lived up there on the overhand of the mountain and she died and W.P. Thomason buried her there.

Q. What was her name?

A. We don't know.

Q. I understand that you have been having trouble with people grave robbing, people digging up grave sites. Is there anything that you can do to protect them?

A. Yes, we have been to Salem and we have been in hearings with the Indian Claims Commission. We went up two or three weeks ago and had to testify at a Senate hearing ourselves. If you want to read my testimony, it would give you a real quick idea of how I stand and how I feel on it, if you want to read it.

Q. Can you say it real briefly so it would be on the tape?

A. I can read it.

Q. That would be okay.

A. Would you read it? There are some pretty good laws to protect the burials but the penalty is not enough. Okay, I will just read the whole thing.

"Members of the committee: It is March the 13th, 1979. My name is Charles Jackson. I am a member and vice-chairman of the Cow Creek Band of Umpqua Indians. On behalf of the council, I would like to thank you for having me here today.

I make the following statement in support of Senate Bill 631 for which these hearings are taking place today." At the time I made this testimony, we had sent the bill in from our tribe what we figured we wanted in the bill. We didn't know that they had chopped the bill up when I made the testimony. We hadn't read the new version of the bill which had just come out. We hadn't got it yet. They chopped the bill up and it was almost identical to the old law, so we have to go through these hearings in about a week or so. We have it revised again. They wanted us in the Senate hearings, they wanted us to put more teeth in this bill and make stronger appearances.

"Well, the area regarding Indian burials that I'm most familiar with is in Southern Oregon. In the Umpqua, Cow Creek area, many camp sites are being dug by collectors and pot hunters. All of the camp sites in this area contain graves which most are winter graves. When the snow was deep and the ground was frozen, the Indians buried their dead in the houses under the ground floor, which could be dug easily." These were on the inside, not on the outside, in the winter you couldn't dig. "These camp sites are on Forest Service, State and BLM and several areas of private land and are being dug by pot hunters. We are getting very good cooperation from Roseburg Lumber Company. They have allowed me to post No Trespassing signs on camps and burial sites being dug. This has helped, but I believe the penalty should be more severe. I have been told by pot hunters that 'So what if we get caught, we have already taken from graves and camps more than enough to pay for any fine we get, if we get fined at all, we are still able to keep all scrolls, remains and artifacts that we find. The chances of getting caught are very slim because no one but a few Indians seem to care and those Indians can't be in all those places that we, the pot hunters, dig. So there is no fear of being caught.' There are places in the Tiller area where pot hunters use water pumps and hoses to hydraulic the dirt or midden to wooden flumes and into screens to recover artifacts. To me this operation looks like a commercial set up. Our local arrowheads with the long wings or barbs are called the Rogue Points which are bringing a premium price on the market. After such an operation, I have seen bones, human and animal, scattered all over the ground. I feel this bill should be passed, to help prevent the total destruction of Native American remains and history. Thank you." And, "I'm Charles Jackson, vice-chairman of the Cow Creek Band of the Umpqua Indians, director of research of the South Umpqua Historical Society, and co-chairman of the Indian Economic Corp. ...

TAPE 1 SIDE 2

Q. So have you got any results from this?

A. It is going through another set of --- Indian Claims Commission is having another meeting and we will go to work on this bill there. When we have a working bill again, we will present it to the Commission again. The Commission is very favorable to us.

Q. What are you hoping for?

A. Stricter fines. There was a fellow in here yesterday asking me where to go dig. I told him he couldn't dig. There is no place that he could dig and he said, "I don't really dig, all I do is surface it." I said, I'd rather he admitted he was looking for house pits. Someone had drawn him a map of the area when there were house pits in this area. Usually some of these remains that you know go to the museum and this is where they were found.

Judy Jackson. What does the law state concerning digging and finding? I'm not

familiar with it.

A. I have a copy of that, too. It isn't very severe and it is against the law, the State and Federal law. If you have a licensed archaeologist with you or somebody from the University or something, you can make a dig with the notification and presence of somebody from the Indian tribe. This stops just anybody from going in and just digging.

Judy. Is it feasible to go around and collect these graves and put them in one central spot?

A. No, we don't believe in disturbing any of our graves.

Judy. Would it be for the protection of them?

A. It wouldn't be possible because there are several thousand of them. See, this is where the location of a house was back there on the hill. He was just building it and he leveled this front off with a cat and uncovered this. This is the remains that were in that. It is my job through the tribe to do the research on it. When remains are uncovered it is my job to go to the authorities, talk to the people and see if it was accidental or if it was dug on purpose and in this case it was accidental. So we take care of the remains and re-bury it.

Judy. What would you like to see done? What kind of bill would you like to have passed?

A. One is a very severe penalty. When they catch these people, it is just like they told me, they don't really care if they get caught. You know, it is \$100 fine. It can be a Class A misdemeanor. A Class A misdemeanor when you break it down -- They keep the artifacts so they say, "We don't care." The new bill that is proposed, it will be a felony and then this puts a little more scare into this. This makes a difference. A Class A misdemeanor on your first offence -- If there are seven people digging. A guy says "Okay, who did it?" One of them says, "I did." Okay, they go out the next day. Suppose they were caught seven days. You have seven people that are going to say "I did it today." So it would make the circle before it got back to the first guy to be guilty again. In the mean time they just keep on digging.

Judy. Has any of our politicians or people in authority given you a reason why the artifacts are allowed to be kept? Why don't they take the artifacts away from the people and put them in a Museum or put them into graves or give them to the tribe?

A. This is explained in our new bill. We have some of this in our new bill because some of our graves and camps were robbed of the old sacred possessions -- were taken from our huckleberry patches. There was over 2,200 pieces taken out of one place. The only way you're supposed to -- if you are an Indian, you can dig them up and use them. After you use these, you should put something you make, something else with them and re-bury them again because they are to never leave this ground. These were dug up and it was on Forest Service ground, too. The Forest Service has never done anything to reclaim or do anything about it.

Judy. Is there any way that you can hide these graves so the people cannot find them to dig?

A. No, not really. The only way that we do it in some places. Like this week, there is some logging being done right over the top of some graves. It is on private ground and we can't go in and stop the logging on private ground. We can on Forest Service or BLM or State ground. We looked at them yesterday and nobody is even going to know where they are at. So I guess this is the best way to do it then.

Judy. Just to keep quiet about it?

A. Yes. This is the other remains that were dug up just up from Lone Rock Bridge on the North Umpqua. They were putting in the pipe line just along the bridge. This is the Sheriff's Department report, we work with the Sheriff's Department. See, when somebody uncovers a remains, to keep them from covering it up, we would like to know. If you are sitting on a backhoe you don't know if it is Indian or not and this has to be determined. Nobody really knows. Judy. You mean it could be somebody that was murdered?

A. Yes, see there could be a crime committed, so we go through the Sheriff's lab and there is a report made on everything on it. It is Native American and so we reclaim it and this is one that we re-buried. Then we used this law that they put in last year and it is a very good working law for us but the penalties are not strong enough.

Wife. You have the testimonial of a Klamath woman, don't you?

Judy. Am I to understand that the Cow Creek are separate from the Umpqua?

A. No.

Q. They are the same Indians but the people in this area were called Cow Creek because the treaty was signed on Cow Creek. They are the same people but they split them up in different bands.

Wife. There is upper Umpqua and lower Umpqua. The lower Umpqua are on the coast.

Judy. But that is the only difference? Is regional?

A. Yes.

Q. Did they speak a different language?

A. I don't think so. I think they all spoke the same language.

Wife. Tell you the truth, the Indians all ran around with each other unless they were fighting. They all went up to the berry patch, up to the huckleberry patch. Chuck's grandmother did for years. She was with the Klamath and all of them up there. To get really technical, it would be kind of hard to say what kind of Indian you are.

A. Illahee, up North Umpqua, you are talking about?

Wife. No, I'm talking about up here by Crater Lake and on over to Klamath Falls. Chuck's family all went there and huckleberry season they all had their big pow wows together and all of that.

A. They had their gambling, their horse racing.

Wife. Like his folks used to go over there and live with the Klamaths for a while. Maybe some of them came over here to live. Actually they are all intermingled if you want to get technical. You know it is like us, we are all intermingled.

Q. Can you tell something about this article, "Cow Creek Umpqua Claim Treaty ignored," and the bill that was introduced? Can you talk about that?

A. This is the one that we were talking about, the one that Hatfield introduced, right? This is the one that gives us our day in court.

Q. It says that the tribe is not looking for land or hunting or fishing rights? They are looking for land payment?

A. That is right. The land was never paid for.

Q. Was there any hunting or fishing rights in the original treaty?

A. Yes. The treaty doesn't mention it one way or the other.

Q. When will you hear something about this?

A. We will probably go back in June, to testify. Go back to Washington D.C. and testify in the hearing.

Q. You grew up on this piece of land here? Did you have brothers and sisters?

A. I have two brothers, one brother is dead and one is still living.

Q. What's your brothers' names?

A. The oldest one is Roy and the next one was Lester and he is the one that is dead. He is also buried in the Camas Cemetery.

Q. He was in the war?

A. Yes.

Q. Which war?

A. World War II. He was in the Navy.

Q. Where did you go to school?

A. Went to school in this schoolhouse right out here, when it was up the creek about two and a half miles. When I started to school it it, it was the Tyson School.

Q. The Tyson School?

A. Yes, I started the 1st grade in it. Then I went there until they consolidated with --- They called this the upper Drew and they consolidated with the lower Drew. I don't know what grade I was in, probably the 3rd or 4th. Then we had to go to the lower Drew, which was down below Drew, down here that is now Drew. I had to walk from here down to there and then they consolidated with Tiller. In the meantime, when they consolidated with Tiller, they sent the 7th grade to Days Creek. I went to Days Creek in the 7th grade and I came back to lower Drew for the 8th grade. They had the graduation ceremony in Tiller, because they were the same school at that time. Then I went to high school at Days Creek. Then the B.A. put me in the automotive and body and fender. Then I went to Oakland Junior College Division of Learning Trade. That was through the Bureau of Indian Affairs.

Q. In your upbringing, did your family teach you any of your Indian cultural ways?

A. Mostly my grandmother. Of course, we lived several of these ways. The first shoes I ever had were hand-tanned buckskin moccasins. We lived a lot of it. We hunted and fished in the same way and cured our meat. We still have our smokehouse and still cure our meat and fish. We have always hunted and fished when the fish run and when the deer are fat and good to eat is when you hunt, so we have always maintained this.

Q. Did you feel prejudice against you or any other Indian people when you were growing up? Did you feel inclined to remain separate and maintain your identity as an Indian or try to assimilate into the white culture?

A. Well, when we went to school, we were supposed to be the same as anybody else but it always came up that we were Indian.

Wife. Your mother said she never told anyone that she was Indian because the other kids always make fun of her.

A. Yes. If they knew you were Indian they would make fun of you in school and pick on you in school because I can remember in Days Creek, it was "You dirty Indians." If you were an Indian, you were "a dirty Indian." You always had to live with something like that.

Q. When you say you have volumes of documented history, for instance, this article talking about the Cow Creek Indians. Who are the Cow Creek Indians? How many are there?

A. I think we have 400 and some of them on the rolls and there will be some more, probably around 700.

Q. These are the descendants of those that did not go onto the reservation?

A. No, these are the direct descendants of these immediate families that were the Cow Creek Indians.

Q. So all the inter-marrying --- There has been a lot of intermarriage with

whites. How do you determine? I mean, at what point so you --- if you've had Indian ancestry at all, do you qualify?

A. As far as we are concerned, like the treaty, it has been rewrote. We have found older copies of the treaty. It's descendants of this treaty, so it you are a direct descendant.

Q. Are there any full-blooded Indians of this tribe?

A. No, not of our tribe.

Q. Are there many older people who remember any of the older ways or who speak the language?

A. The ones that --- there are some of the older ones who speak the words but you can't hardly get them to tell you. My mother is one that was taught --- when she went to school she went to a Catholic school, they were told not to speak any. My grandmother also went to Catholic school and she was not allowed to speak it. They had to change their customs and their ways to go to school. They tried to get them completely away from the Indian ways.

Judy. So many of the customs and stories have been lost because of this, I imagine?

A. Yes, because they didn't let them do it. So naturally, when these people go to school and they are told you can't do this, you can't do this. Then when they have their children, they will say "if you want to get along in this society today, you can't do this because we couldn't do this" and you grow up, you can't do this or that.

Wife. His grandmother, when she would come up, she would sit and hold my baby and she would sing to him in Indian, a Ki Yi. I didn't realize that until we went over to some Indian pow-wows, what she was doing. I thought it was really strange. Because she would sit there and make these high pitched Ki Yi sounds and it would kind of get on your nerves after all day. She would sit and rock the baby and then he wouldn't want to sleep at night. So she did that quite a bit, but I didn't realize what she was doing.

A. Emmeline Young (Tiller) does that still. She doesn't want it on the recorder, she doesn't like it to be taped. She can still sing the songs that they sing to the babies and we are going to try and get her to tape this or at least try to teach someone else, but we are really concerned about getting it onto tape.

Q. Do you think she would be willing to be interviewed by me?

A. I don't think so, I kind of doubt it. She is kind of touchy about this. We talked to her son about this last week and he already asked her. I don't know. He said she is kind of funny about it but he is trying to get her to get it on tape.

Q. Just to talk, not to sing?

A. Oh, yes, she will talk to you. I don't know if she will sing for you. She'll talk to you because she talked to you here.

Q. Yes, we did talk about the possibility and I was wondering if she would.

Wife. If you do get it on tape, we want a copy.

A. Yes, she is my aunt. She grew up with this same as everybody else did.

Q. She lived right in this area?

A. I don't remember where she was born. She lived here at Tiller and her grandfather and her great-grandfather lived here.

Q. Where does the word Tiller come from?

A. It comes from a family that settled in here and named after then.

Q. What was this area called before it was called Tiller?

A. They are referring to it as the Badlands in the courthouse. Do not come up here.

Wife. My family came out here in 1853 and they wrote back not to settle in the Badlands. They settled in Oakland, Oregon.

A. This is the reason why the government troops never came in and took these people out of the hills to the Grand Round Reservation. There were too many people in here but they were too scattered in the mountains. They couldn't get to them. But they got along with the settlers that came in and the early white people that came into here.

Wife. There is supposed to be one uprising up by Tiller somewhere. I think Albert told us about it, remember?

Q. Do you know Albert Pelland?

A. Yes.

Q. Is he Umpqua?

A. No, the Pellands are Chinook, but some of them did live up here.

Q. Do you think your people are actively working to preserve what heritage remains at this point?

A. No, they are not. Some of us are, but most of them aren't. This is some thing --- my pipes, I do the pipes. My grandmother told me about the pipes and I used to live near the pipes and I used to ask questions about them. They were made out of the stone and she wouldn't give me any of the stone. She told me, "If you are really interested you will go find it yourself. You have to show the interest and work for it." So she told me where to go. You stand in this spot and she said it is not very far from this spot. "Not too far" for an Indian could be two or three miles. It was over a mile from there and she didn't say any direction except this one spot and that is your point, you go to there and you look. This is it. If you want to find it, you will go look. It isn't just handed to you.

Mike. You mentioned something to me about what you do.

A. Yes, it is buried in the ground and you bring it up and you don't take any more than what you are going to use. Then you bury it back and if you take what you need and bury it, it will always be there. If you pull it up and take a whole load out, pretty soon you would be out of it. This way it is safe.

Q. So you remember the pipes from your grandmother.

A. And the figures and animals.

Q. Were the pipes used in the way of the plains people at the council and such?

A. Years ago the pipe was used like a friendship. You used one of the pipes with the long stems on it and you did pass it around at meeting, you did pass it around like at a pow wow. It was a sign of friendship and the tobacco that they used here is not a tobacco. It is an herb and it grows wild all over. You use the herb mixed with a little wild mint leaf.

Q. What is the herb?

A. I can't think of the name of it, but we just call it Indian Tobacco, but that isn't the name of it. It grows about so high and it dries out to be a red and it has all of the seeds on top. I don't know the name of it but it is an herb. I did read on it in an herb book.

Mike. It's wild all around?

A. Yes, and that is what they used for tobacco. They mix a little wild mint with it so it had a good odor.

Mike. Maybe a little milder?

A. Yes. It is very mild anyway.

Judy. Did your grandmother ever tell you of any of the beliefs or superstitions that the Indians of Cow Creek had?

A. We have always heard these. They are passed down to you.

Judy. What are some of these?

A. Oh, gee, I don't know. Hard to think unless you just happen to think of something at the time. I know a story on the little people. I won't make any comments on it, but I do have a person that will give me a document on it directly through the Thomason family. She is still living and I will have to go over it with her to back it up and everything that I was told on it. It was a bunch of small people here with the Indians. They were a little bad in themselves. It is very interesting but they have never found any remains of these little people.

Mike. Therefore it caused quite a superstition?

A. No, like today they haven't found any remains, but some day I will do that.

Q. You have children?

A. Yes, two.

Q. Two. A daughter?

A. Yes, and a son in the army in Germany.

Q. Was it your daughter that was working on the baskets last year?

A. Yes, that is Linda. She is the one that does the art work.

Q. Where did she learn to do the baskets?

A. She just has become interested in it and it just starting to pick the basket weaving up. You see, I used to do baskets when I was a kid. She looked at these and decided she would start doing some and is helping people to do the basket work.

Q. Where did you learn to do the basket work?

A. My mother did it and my grandmother did it. I have two of my great-grandmother's baskets. When we were in school in the Tyson School in the 1st grade, the teacher that taught us in the 1st grade was an Indian and she said, "The students that want to, we will show them how we make baskets." I wanted to learn, so ---

Q. Do you remember her name?

A. Yes, it was Mrs. Shefshik. I don't think that was an Indian name.

(Break.)

A. They used several things. They used fern root and grass root and a type of bear grass and they would go over to Klamath and get some of their supplies. It is better material.

Mike. I heard you could dry out metals and use the fibers off of the metals?

A. Yes, used a lot of things.

TAPE 2 SIDE 1

... given to kids all over the country for toys.

Wife. In that book I was reading last night it said Umpquas didn't make any pots or anything.

Judy. As much natural clay as there is in this area -- ?

A. Yes, but if they find them... .. University... .. several different pieces of Umpqua clay work. She made the toys and gave them all out and we tried to locate some of these toys awhile back. A lot of people remember the toys and their children playing with them but we can't find any of them.

Q. Which grandmother? Was that Valerie Thomason?

A. Yes.

Wife. She also carved portraits and things out of soap stone. You have some at the museum. We had some hand-made gloves when we were married.

A. Some buckskin gloves my grandmother's sister hand-beaded.

Q. What kind of work did your father do?

A. He was from Klamath and he worked on ranches and when he lived here he worked for the Forest Service.

Wife. This is a microwave cake, it didn't raise too well. I think I had it too thick. It should have been a little thinner.

A. A book over at the Museum by Lavola Bakken. There is a story on Crater Lake in there by my cousin, Nellie Crispin, and some of the old legends of Crater Lake and the animals.

Q. The book is the "Land of the Umpquas." Have you read Beckham's book, "Indians of Western Oregon"?

Wife. I just started reading it myself. That is the one I just read last night that said the Umpquas never made clay pots, I think they said clay.

Judy. Were they a nomadic tribe or did they have a permanent residence?

A. They had what you'd call a home base. Like the ones that were here, this was their home but they would travel with the fish, the deer, the huckleberries, and then they would trade and then come back home.

Wife. That is another thing the book said, they make their houses out of bark. What puzzles me is that years ago when we got married, there were a lot of teepee rings down here and they were about that deep. How did they get that deep if they didn't have teepees? But in that book it claims that ---

A. They did have teepees because when Susan was at Klamath Falls and she came back home --- well, the people went to the Rogue River War and the teepees were rotting in the ground. There were some places up the North Umpqua where they had a rock overhang, they would put the bark up along the rock and everything.

Judy. They weren't farmers, they didn't grow squash and beans and this type of thing as a rule?

A. Not that we know of. We hear that they had corn, but we don't know how far back. If they did at this time, we don't know. In this area you would have to find it in a cave or something and in this area we haven't found any. There are some cave hangings up the North Umpqua but don't think there has been enough research in this area. I don't think the colleges or anyone has done a thorough search of anything on them, just the pot hunters have gone up and stripped them. Which they are still doing.

Q. Where does the term "pot hunter" come from?

A. This is a term that an archaeologist told me to use. It distinguishes someone who is doing a dig. It is a professional term. A pot hunter is some one who goes out and digs holes out there and they strip the whole area, so when you hear the word pot hunter, it means he is a nonprofessional who is out to strip.

Mike. Did you know Buckskin Slim Shaffer or who he was? Was he an Umpqua?

A. No, he wasn't any Indian to my knowledge. I went to school with his children.

Mike. Alan Knudtson, he was telling me that he learned most of his skills from Slim Shaffer.

A. Slim did live with the Indians when he was younger, but I believe it was with Eastern Indians, I forgot what tribe it was with.

Mike. Is Sue Shaffer any relation to him?

A. No, no relation at all. Sue is my cousin. The article in the book I was telling you about, by Nellie Crispin, that is her mother.

Mike. I have been trying to contact her.

A. She said you had. She told me this, and she said she had to get back to you, she has been busy. She is in Roseburg today doing some work.

Mike. How about Allen Sherman and Bill Smith?

A. ...I don't know. What year did we move that?

Wife. I don't remember.

A. It was after we came back from the store.

Wife. It was after '68.

A. Probably '69.

Mike. So it has been about ten years. That is quite a collection you have there.

A. There has been a lot of stuff pulled out of there. I'm about half afraid to put it back in.

Mike. Because of thievery?

A. Yes.

Q. Where have you gotten most of your Indian artifacts for the Museum?

A. Most of them are local, a lot of them are right from our family.

Q. How did you learn to make Indian arrowheads?

A. Mostly I didn't have anybody to show me, they just told me. Told me how to chip them and my brother, he is good at it and has made some beautiful arrowheads, which we don't have any. They got stolen. Then I was talking to an Indian one time and Smoky, I don't know what tribe he is, but I know how to chip the arrowheads but I don't know how to chip the big long flakes see. I said, "Do you know how to chip those big long flakes?" "Yes, it is real easy." I said, "Come on, I know it is not real easy." He said, "Oh, yes. There is nothing to it." I happened to have a good piece of obsidian there. It is what you call "fresh" rock. It is one that just comes out of the ground and hasn't been exposed to the sunlight. If they're exposed to sunlight, they are brittle. You have to use a fresh rock. He went and got a deer horn that he had with him and he showed me how to chip the long chips. We had a store and he was on... ... they didn't want the space taken up with it so we went up to the cemetery, the Rondeau Cemetery, which Verna Larmo says he is in charge of. This is Emmeline Young's brother and he didn't want them up there. First he said there isn't room, which was a lie. Sue and I were talking about it and and they keep a very close eye on us and they say they don't, but they will come by and say they just dropped by.

Q. This question of the treaty not being settled, has this been going on for some time?

A. My great-grandfather, W. P. Thomason, introduced a bill over 100 years ago and the bill went into the House and they kicked it out there.

Mike. I read some place that at one time it passed both Houses and then it was vetoed by Hoover.

A. Yes, it was vetoed by Hoover. This was over 100 years ago. (Note: President Herbert Hoover, 1929 - 1933.)

Q. What was passed?

A. This bill. They wanted to set aside this ground for the Indians to live on, it went that far. So we have fought this all of our lives. We grew up with it and we have spent thousands of dollars of our own money going here and going there and nobody pays us, we do it ourselves.

Q. Is there any local opposition?

A. No, I don't know of any opposition. There are people who are jealous of us, we don't know why. We are the poorest people that live in this area. No, we have met people that have said, "Why should the government pay you any money?" I say, "Why, I don't understand what are you talking about?" They say, "Well, this happened such a long time ago." I say, "Well, you sell your

house and die, your kids wouldn't get the money?" They said, "That's different." I said, "You will have to explain it because I can't understand why it is different." They'd say, "Well, it doesn't matter. Things that happened that long ago should be forgotten.

Wife. But the thing that was upsetting them is that they thought that the Indians would ask for the land back. You see that is what is upsetting them because they all own land up here. That would be the dumbest thing for the Indians to ever do, to ask for their land back, because you would get opposition then.

A. Like they told me, they said, "Why should the government pay you for this land after this long?" You know it comes out of our money, the tax payers' money." I said, "Gee, this has been explained to me. Tax payers have to pay this. They are buying our land for 23¢ an acre, full of timber. Gosh, hundreds and billions of dollars in timber. I think that the tax payers made a pretty good investment. If I could buy land and timber that cheap and turn around and sell it." They just sold some the other day for \$500 a thousand. I said, "Gee, I think you guys are making money." I said, "We have the same feeling. Why should we go on all through these years and give to the Federal government? They are not giving to us. We're giving to them."

Wife. What really grips me is that we put billions of dollars in other countries and the tax payers don't have anything to say about that. Why can't they pay the people they took the land from, they really did take something from them, instead of just giving?

Mike. It has become an injustice, for sure.

Q. Do you think there are any people that actually question your actual descendency from the Cow Creek tribe?

A. No, the Bureau of Indian Affairs has been in complete agreement because we have such a thorough set of records. Bureau of Indian Affairs in Washington D.C. has our records and they have their own records which they held from us and refused to give us our own records until the Freedom of Information Act passed in 1972, I think. When the Freedom of Information Act passed is when we went into the government files and said, "Here is all of our records that have been burnt, destroyed and lost." We have been in offices that have had no records, absolutely no references to them, impossible to get, but when the Freedom of Information Act passed, they just opened the drawer and they were all there.

Wife. Yes, they have given me the runaround quite a few times. I went up to Portland and everything.

A. Every government office we went in to they gave us the runaround. Up to two or three years ago, I'd go into an office, had an appointment two months ahead, phoned, got it verified, walked in to the BIA office and said here we are.

Wife. All they gave us was the terminated papers and I said, "There is more records than that in here because my husband was sent to school. Where are those records at?" Well, they must be in Colorado," and they just gave me the biggest runaround. I was talking to an Indian lady there and I said I would like the records of my husband's uncle when he went to Chemawa up here, this Indian school. She said, I will get them for you," and she did, but the rest of them gave me a complete runaround.

A. We have statements from the BIA, different offices that said these records are not available. we have no record of them. They have been lost or they have been burned. We had them already and showed them to them and it was all a lie. So they send me to offices, like we went to Portland. We went to see this man and I told Sue before we got there, "He won't be there. We'll never

get to see this man." The appointment had been made for two months and verified, everything, see. She said, "Oh, yes, they won't do that with us anymore." We walked into the office and they said, "Who are you and what do you want?" These are Indians that are working there. We told them who we were and they looked at each other and looked real funny. They said, "Who do you want to see?" We told them and they said, "Oh, we are very sorry, he had to go home sick." I said, "Isn't that too bad, he just left too, didn't he?" She said, "Yes, he did, he couldn't make the appointment." I said, "Now a Mr. Smith will talk to us who knows absolutely nothing about them, has no records, and has no way of finding them." They all looked real funny and in stepped Mr. Smith, that was his name, so help me that is his real name. He didn't know anything about anything, could not find the records. They went through all of their files and only found one little deal, where I went to school and had my name on it. He said, "I'll give you some information. The best thing for you to do is go home and forget about it. As far as I'm concerned it was already been settled years ago." Now that was two years ago.

Mike. As far as he was concerned, it was settled years ago?

A. Yes. So then our researcher that had just called me on the phone. He went to the same office with a little card from the attorneys stating the Freedom of Information Act and he had told him that there was no records there, they weren't available, they couldn't find anything. He tore the card up. I said, "Just a minute, Mr. Bushman," and I went over and pulled them right out of the file. We still get this but without the Freedom of Information Act we could never have got these records. I was told when I was 19 years old that they had all of these records and that we would never see them, a BIA man told me that.

Wife. They have been talking about this ever since I met the family, you know. I met Chuck's cousin first and all he talked about was the Indian rights. So I have heard about the Indian rights for the last 25 years.

Q. It seems mythical, doesn't it?

A. It sure did all those years. It seems a little closer now. At least they have done something.

A. What ever happens, they will probably make some kind of settlement with us. I don't look for a great deal of money from anything, but I look for — people have been terminated without notification or just cause. In other words, when you are in the White House you have the power to terminate people by signing your name and they said that this would never happen in the United States. I can show you the papers where I'm a terminated person.

Wife. Which is like "extermination".

A. As far as they are concerned you don't exist anymore. You don't have a tribe anymore. They have taken your tribe away from you. You don't exist. They just signed it off. They said that there were about 30,000 Indians on the West Coast in 1954. Termination.

Wife. They terminated him while he was in school and he didn't even know it.

A. While I was going to school at the BIA, I was terminated.

Wife. We didn't even know that he was terminated.

Mike. So you have turned into a ghost.

Q. That is to alleviate any further financial responsibility.

A. They think when they terminate you that you don't exist. Then they don't have to pay you for your land or your timber. If you are nonexistant, they can ignore you.

Wife. In a lot of tribes, for all these years, they didn't get it together to

fight back, so they were nonexistent.

A. You can't fight back because they won't give you your own records.

Wife. They won't do nothing. They just say that you are terminated and they can just use that all along.

A. So we hire attorneys and they take our money and they don't do anything. So now we hire an attorney, they have opened up some Freedom of Information and they can pull all of their records out and set them down and they all go together. They have them all. All the old rolls, everything. They had a fire at Swan Island one time, I don't know what caught on fire, whether it was an outhouse or what, but it destroyed all Indian records.

Wife. That is what they told us.

A. Every record that we ever wanted was destroyed by fire.

Wife. It is a wonder why they weren't. If they had destroyed them it would have ----

A. Oh, they have copies in Portland, Oregon and copies in Colorado and they have copies in the National Archives in Washington, D.C. We don't know what burned. I would like to see a picture of what actually burned there. It had to be a massive place to have burned up all of these records.

Q. It is interesting that they really have kept the records.

Wife. That is what I said. It is a wonder that they didn't burn them. That would have kept them from having to worry about anything.

A. See, the treaty that we came up with on the Cow Creek Treaty, we run some more checking on the treaty and we found the treaty that it was wrote off of another treaty, and it varies. The actual treaty, the original, was destroyed or something happened to it at that time and they rewrote it. Then for the Indians, they rewrote it again and the re-writing of it differs. Later on, in the year of 1954, they couldn't get by with it so they did it all on paper. They called it the termination act.

Q. What does that state?

A. It is pretty long and you would have to read it.

Q. Does it basically say we have paid our debts and now?

A. No, it states that you are no longer recognized by the Federal government as being an Indian or a tribe or part of a tribe or anything. You are all through.

Q. How do they justify it?

A. They don't.

Q. Who was in office then?

A. Well, it was in 1954.

Q. It was Eisenhower.

Wife. ...I said, "What are all of these signs up here?" The main drag of Mexico City was lined with them. They said the French president was here and they said Carter was here and none of us like him. I said, "Well, don't worry about that, we don't either." We would see signs all over that kids or whoever had wrote on buildings and stuff that Carter is like Hitler. You know, it was a whole different feeling there than it was when we'd been the other places. Those people down there, if their president doesn't like someone, then no one likes him.

A. whatever he says. Because Carter was after the gas and oil. We said, "Well, what did the French want?" They said, "Oh, our gas and oil," but they were okay. wife. I could kind of tell it there that they weren't onto tourists like the rest of the places were.

A. I have a copy of that law. It is in there in my files somewhere and it goes in every seven years. It comes up and they vote it in automatically, that

the Indian cannot sue the Federal government for any trespass. Anybody else can sue the Federal government, but it states in there that no Indian, any kind of an Indian. Whatever they do, you cannot sue them for trespass.

Q. They are not talking about reservation or ---?

A. It doesn't say. I have a copy of it.

Q. Do you have a place for your archives and all your paperwork?

A. Well, yes. It is in the attorney's office now but we have a full set of them in the Douglas County Museum and someday we'll have a museum in Canyonville and have a board of directors with the South Umpqua Historical Society.

Q. An Indian museum or a historical one?

A. It would probably be part Indian and part historical. We are working on that now. For a museum that is being built or an existing museum, it needs Indian culture and history. We have the stuff and all they have to do it start to build it.

TAPE 2 SIDE 2

It could be under construction because the plans are already drawn On this end of town across the freeway. They have been working on this for several years. Down the road here where the cemetery is, you look down the road and up, you see that rock bluff and on top of that bluff you can stand and look at this whole valley. And on this bluff there is a trail,this trail is still visible, it's about so wide and a couple of inches deep. It is an old Indian trail. You could go to Crater Lake, Fort Klamath, Diamond Lake, you could go right over on the North Umpqua, to the North Umpqua hot springs. You could go through and go clear to Canada.

Q. Can you still?

A. No, they have logged it. You can't follow the trail. You could go all over. We used to when I was a kid, take our horse on it and just turn the horse loose and he'd follow on that trail. You could go back into the high mountains or the lakes or anywhere you wanted to go.

Q. Did it have a name?

A. You could go to Medford, Jacksonville, wherever because it connected with all Indian trails.

Wife. I know who you could interview --- Albert Hall.

A. His trail was put in later but the other was a thousand years old. Some day if you are here and it is clear, I will take you up there and show it to you.

Wife. He knew everyone up here and he really likes to talk.

A. You will have to give them his address. Can you go to Canby?

Q. It is in Portland, isn't it?

A. Yes. He is retired. We will have a pow wow over at Devil's Flat again this year.

Wife. It is the last week in July.

A. Do you know where Devil's Flat is? It is right over here on Cow Creek. You go up to Azalea and up that way, up over the hill there. We had our pow wow over there last year.

Q. Is it restricted?

A. No, all of the public can come. What do we do? We fight and drink and quarrel.

Wife. Last year Annabell from over on the coast brought some Indian dances from about a hundred miles south of Mexico City and their dances are fantastic.

... (Too many people talking) ...changed plans for place at the last minute and no one knew where to go and Annabelle says, "I know a place we can go... . . . have loads of food and everything there. You know, we were trying to revive old things.

Q. Anybody that shows, would they be welcome?

A. Yes, anybody. It is really nice and it is restricted to drinking. You know a lot of people, you can't stop them and the only problem that we had was one of the young council members that was supposed to patrol and watch on things was running around drinking and we found one guy taking the wheels off of a car and we stopped him right now. And explained to him that we were letting him leave, not just leaving but we were going to let him leave. You can't come back and they didn't. It was no problem and lots of good food.

Q. Do you feel any connection to the tribes in eastern Oregon or go to their pow wows?

A. Just to the Klamath ones and we go to their rodeos and pow wows. We are not a real small tribe but our activities in our tribe are very limited. I do speak at schools and stuff, and show them how to make knives. I get out a lot more than others do. Sometimes when you are around other Indians, you get a good feeling and sometimes you get a bad feeling, like they sense that you are an outsider. Especially if they are drinking, this is very bad. If I was drinking and fighting, it might be all right, but I don't. Another problem that we have is some of our members have gone back and brought the peyote ceremonies and peyote dances and they want to introduce it to the members of our tribe. It never has been in our tribe and never will be and the only thing that we have ever smoked is this herb out here. So we won't allow that and it doesn't go. They wanted to have peyote burial for two days and two nights and just lay down and smoke peyote all this time. It is supposed to be closed to the public, no _____ because it is against the law.

Mike. Is that for religious purposes?

A. It is not in our religion.

Judy. The Southwest Indians used it, not as a religious thing but they have used it for hundreds and hundreds of years.

There are only two southwest tribes that the government recognizes and all others will be busted for dope. That is what it amounts to. They have been trying to get it into the tribe. It's not a big problem, it's only one guy. If we go to a different place and they will want to have a peyote _____ but it has not been in this tribe and it never will be. I can't go along with it.

Q. Do you know if there were any rituals like fastings or sweats?

A. They had sweats and there is still a sweats intact and it won't be long because it is on Forest Service land. If the weather ever clears up, they will have signs up. The building is not there but the rocks are there and the trails are there and you can see where the houses were.

Mike. Is it by the river?

A. A creek. This is the only sweat that I know of. There are the mineral baths, they will go clear through the ground on the North Umpqua, at Toketee.

END OF TAPES.

Chuck Jackson

Suwananta

mother: Reatha (Clareatha) Lerwill

born in Drew

father: Columbus Stephen Jackson

aug 30 1877

mat grandmother: Dally Clara Thomason (born in Drew)

grandfather: ~~William~~ Lerwill (born in Ore)

pat. grandm: Union Anne Porter

grandfather: Charles Cleveland Jackson

born: Medford

where: 1934

School

brothers + sisters

her mother: Susan Nanta + Thomason

her father: William P Thomason
Donation Land Claim

born 1839 Jan.

took ↑ 1857 on her ancestral

(interpreter for Hudson Bay Co.

see land married ↑ at Colerville

white man

also herbalist

healer)

Spoke Indian (3) Chinook jargon dialects

French, Eng.

Bushman wrote a book 1850's Umpqua language (in old German)

Kiy'

her mother: ~~Catherine~~ Charlotte Walla Walla (Umpqua) Nanta (Algonquin) full blood

father worked for NW Fur Co. then worked for Hudson Bay Co.

also had a son

Susan Nanta buried in family cemetery

S 668 A bill to permit the Cow Creek Band of the Umpqua tribe of Indians to file with US Court of Claims any claim such band could have filed with the Indians Claims Comm. under act of Aug 13, 1946 (to the committee of Interior + Insular Affairs) + to select committee on Indian Affairs

Chucks

Brothers: Roy, Lester (died in ww.2)

up Elk Creek to Tyson School consolidated with Lower Drew Indian teacher

Mrs Shephard taught baskets

B.I.A. ¶

grandmother kept to old ways ←

←

OREGON LEGISLATIVE ASSEMBLY—1977 Regular Session

Enrolled
House Bill 2626

Sponsored by Representative MYERS, Senator M. ROBERTS,
Representative SIMPSON

CHAPTER647.....

AN ACT

Relating to Indian burial sites.

Be It Enacted by the People of the State of Oregon:

SECTION 1. For the purposes of this Act, "professional archaeologist" means a person who has extensive formal training and experience in systematic, scientific archaeology.

SECTION 2. No person shall wilfully remove, mutilate, deface, injure or destroy any cairn or grave of any native Indian. Persons disturbing native Indian graves through inadvertance, including by construction, mining, logging or agricultural activity, shall reinter the human remains at their own expense under the supervision of an appropriate Indian organization.

SECTION 3. Notwithstanding the provisions of section 2 of this Act, but subject to the permit provisions of ORS 273.705, if applicable, and upon prior written notification to the State Historic Preservation Office and to an appropriate Indian organization in the vicinity of his intended action, a professional archaeologist may study and excavate a native Indian cairn or grave and remove material objects and human remains if they are destined for scientific study with subsequent reinterment at the archaeologist's expense under the supervision of an appropriate Indian organization.

SECTION 4. Violation of section 2 of this Act is a Class A misdemeanor.

Approved by the Governor July 22, 1977.

Filed in the office of Secretary of State July 22, 1977.