

Schaghticoke Tribal Nation, Federal Acknowledgment Petition

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March 24, 1998

SUMMARY OF EVIDENCE

I. INTRODUCTION

A. History of Schaghticoke Acknowledgment Research

As a State-recognized tribe adverse to most Federal programs, Schaghticoke was not particularly interested in Federal recognition in the late 1960s. Chief Irving Harris and other leaders felt that continued recognition by Connecticut was sufficient for their tribal goals, provided that they could succeed in persuading State government to reform its Indian policies. Because they so despised being under jurisdiction of the State Welfare Department, Federal programs carried the connotation of welfare handouts in their view. However, once they were able to gain positive results in improving relations between the State and its tribes and witnessed the proliferation of Indian programs in almost every executive branch of Federal government, they began to change their minds. A survey of tribal members in 1977 found that the majority viewed Federal recognition as the primary prerequisite for economic development of the tribe. At about this same time, Paulette Crone (also known as Paulette Crone-Morange after 1987) began to establish a tribal archive of documents related to Schaghticoke history and government.

Despite differences between tribal political factions in the early 1980s one of areas of universal agreement among tribal members was that Federal recognition was the key to their future. Accordingly, the Schaghticoke tribe, while under the leadership of tribal chairman Maurice Lydem in December 1981, notified the Bureau of Indian Affairs (BIA) of its intent to petition for Federal acknowledgment under the provisions of Part 83 of Title 25 of the Code of Federal Regulations (25 CFR 83).

Upon receipt of this letter of intent, the BIA informed the tribe that it had been given priority number 79 on the register of Acknowledgment petitioners. The Lydem council then arranged for Paula Rabkin, an anthropology student from Yale University, to conduct an ethnohistorical study of the tribe. This research was funded through a grant from the Connecticut Humanities Council.

Rabkin collected numerous documents related primarily to the early history of the tribe and conducted interviews with a few tribal elders. However, she never completed her study. After acting chairman Trudie Lamb was voted out of office in 1982 amid great political turmoil, she declined to release Rabkin's files to the new tribal council. Rabkin moved subsequently to Washington to accept a position with the Smithsonian Institution. At the request of Paulette Crone-Morange and anthropologist Lucianne Lavin, Rabkin kindly agreed in 1996 to allow her documents and interview transcripts to be copied. (do I have this right Luci?) These documents are an important part of the materials submitted to the BIA with these supplemental materials.

After Richard Velky became Chief in 1987, Paulette Crone-Morange, who had already been collecting documents for more than a decade, became the official coordinator of the tribal effort for Federal acknowledgment. The Native American Rights Fund (NARF), which then represented the tribe in its land claims, arranged for the assistance of anthropologists Jack Campisi and William Starna. Starna conducted minimal research and allegedly conducted some interviews with tribal elders. He looked at only a small fraction of materials in the tribal archives, even though Paulette Crone-Morange provided him complete access, and he did not review the Rabkin documents. Yet, on the basis of this cursory review, he wrote a letter to NARF attorney Henry Sockbeson stating that the Schaghticoke could never meet the Acknowledgment criteria.

Neither Starna nor NARF have ever provided the tribe with the evidence on which Starna based his conclusion. A short time after Starna wrote his disparaging remarks, Campisi, Sockbeson, and he became employees of the Mashantucket Pequot Tribe in Ledyard, Connecticut. When tribal representatives requested Starna and Campisi to provide copies of their Schaghticoke materials, including recordings or transcripts of the alleged interviews, they claimed that they had turned their files over to NARF. However, neither of the two offices of NARF, in Boulder, Colorado and Washington, D.C., have any record of these documents. NARF claims the materials were returned to the tribe. Starna later stated that there were neither tape recordings or transcripts made of the interviews. As a result, some potentially valuable evidence, particularly if there were interviews of elders, has been lost.

Unhappy with the lack of progress being made in regard to both litigation and the Acknowledgment research, the tribe severed its relationship with NARF in 1993. However, Paulette Crone-Morange continued in her tireless effort to collect documentation, donating endless hours and much of her own money to the cause. In 1994 the Schaghticoke received a grant from the Administration for Native Americans (ANA) of the U.S. Department of Health and Human Services to conduct further research in support of its Acknowledgment petition. In June of that year the tribal council freed Paulette Crone-Morange from her position as

Vice-Chairman so that she could serve full-time as Tribal Administrator for the Federal Acknowledgment effort, including the ANA grant. With the assistance of anthropologists Lucianne Lavin, John Pfeiffer, Lori Chase, and Matt Hobby, Crone-Morange completed the project and the tribe resubmitted the collected documentation with a narrative report to the BIA in December 1994.

On June 5, 1995 the BIA sent the Tribe the results of the Technical Assistance (TA) review of the documented Schaghticoke petition conducted by the Branch of Acknowledgment and Research (BAR). This letter indicated certain deficiencies and omissions in the petition materials that needed to be addressed. After reviewing the TA letter, the Schaghticoke Tribe decided to reorganize and refocus its acknowledgment efforts and obtain the services of additional research professionals. In September 1996 the tribe contracted with Morgan, Angel and Associates, a public policy consulting firm in Washington, D.C. to enhance and supplement the original petition documentation and address the deficiencies and omissions noted in the TA review.

The research team assembled by Morgan Angel included historians Michael Lawson and Robert Autobee, anthropologist Lucianne Lavin, and genealogical consultant Kathleen April. Lawson, a former BAR staff member, served as Morgan Angel's project manager and Autobee as the historical research associate. Lavin, co-director of Archeological Research Specialists in Meriden, Connecticut and visiting professor at the University of Connecticut, had previously worked closely with the tribe in compiling its initial document submission. April, trained as an applied anthropologist and based in Mystic, Connecticut, had conducted genealogical research previously for the Mohegan Tribe of Montville, Connecticut. Kate :Other tribes we should note and/or your teaching??

Chief Richard Velky, Tribal Administrator Paulette Crone-Morange, and Tribal Membership Secretary Linda Manning worked closely with the Morgan Angel research team in preparing the supplemental materials. Historical consultants William and Kristen Keegan of Storrs, Connecticut also provided valuable consultation and documentation regarding Indian-government relations in Connecticut. Linda Manning worked full time with Kathleen April in reviewing membership documents, developing a genealogical database, and conducting research in town records. Velky, Crone-Morange, and Manning reviewed and discussed draft reports at great length and in detail with the research team. The final reports were also reviewed and approved for submission by the Schaghticoke Tribal Council.

The Schaghticoke Tribe's supplemental materials, contained herein, follow the same format utilized by the BAR in its proposed findings. Separate bound reports have been prepared by the historian, anthropologist, and genealogical

consultant. Copies of documents supporting the three reports are contained in three sets of loose leaf binders. The documents include both those cited in the text of the reports and those not cited, but which nevertheless provide further information regarding the background and context of Schaghticoke events and activities.

The conclusions of both the three new reports and the initial petition regarding the tribe's meeting Acknowledgment criteria 83.7(a-g) are summarized below. The new reports and documents are designed to enhance rather than replace the petition materials submitted previously by the tribe. The BIA should continue to review and evaluate all submissions both when considering whether the Schaghticoke petition is ready to be placed on the list of those awaiting active consideration and after it has been placed under active consideration. In the meantime the tribe will continue to pursue other research leads for further documentation. If relevant data is found, it will be presented to the BIA prior to the time that the petition is placed under active consideration.

B. Response to the Technical Assistance Letter

The following paragraphs describe the omissions and deficiencies noted in the BIA's TA letter and summarize how the supplemental materials have addressed these concerns.

1. General Comments

The TA letter stated that the initial submission read "like a history of a piece of land, rather than the history of a group of people" and that it focused "too narrowly on the reservation, rather than tracing the history of the group itself, whether on or off the reservation." While it is impossible to escape the fact that most documents relating to the Schaghticoke people reference the reservation in some way, the supplemental materials demonstrate that the tribal community is and has always been an interactive and cohesive network of members both on the reservation and in sub communities and kin-cluster areas within reasonable traveling distance of the reservation.

Over 85 percent of the present tribal membership continues to live within a 50-mile radius of the reservation. The current residential locations of tribal members also replicates the traditional seasonal rounds of the tribe known from the early contact period of the late 17th century. The majority of tribal members still live along the Housatonic River from the reservation area at Kent south to the river's mouth at Long Island Sound, with enclaves in Cornwall/Sharon, New Milford/Gaylordsville/Danbury, New Haven, and Bridgeport/Milford/Stratford in Connecticut and in Dutchess County, New York. The supplemental documentation shows that beyond just living close enough to maintain tribal relations in theory, relationships between Schaghticoke members have crossed

kinship and tribal political faction lines as easily as they have geographic boundaries.

Another concern of the TA letter was the need for more discussion and better documentation to demonstrate that the Schaghticoke tribe "has existed as a community, within which political influence has been exercised, since the beginning of the twentieth century." The letter stressed that more information "was particularly needed for the present-day period, covering approximately the last 10 ten years up to and including the present." The supplemental reports and documents provide a better explanation and understanding of the nature of the Schaghticoke community and its leadership throughout history in order to develop the context and show the continuity of contemporary political influence and authority. The conclusion reached from an examination of the documents is that the Schaghticoke have always had leaders, both formal and informal and both on the reservation and off. These leaders have exercised political influence and authority with the consent of tribal members. Examples have been added from the last decade that show that leaders mobilize cooperative work groups to maintain the reservation and tribal burial ground. They control access to and resources on the reservation in regard to such things as hunting, housing, timber removal and the right of burial in the cemetery. They have held hearings to examine charges of alleged tribal misconduct and have sanctioned wayward members by withdrawing their voting rights.

The history of tribal politics since 1979 provides ample evidence that there have been internal conflicts over tribal goals, properties, and policies. The intensity of and level of participation in this conflict demonstrates that tribal issues and the actions taken by tribal leaders are of great interest and importance to most tribal members. The ability of the Schaghticoke governing body to resolve disputes between tribal subgroups is shown by the recent reconciliation of political factions.

More detail will be presented in the summary under criterion 83.7(c) that will follow.

2. Documentation

A complaint of the TA letter was that many important documents referenced in the narrative of the initial submission were not included in the accompanying exhibits. The supplemental materials include copies of these documents as well as those cited in the new historical, anthropological, and genealogical reports. They also include other documents providing further information about the background and context of Schaghticoke events and activities that are not cited in the narratives.

The TA letter requested transcripts of the oral history interviews referenced in the initial petition narrative and, if possible, documents collected by

previous researchers. Unfortunately, the tribe has still not been able to gain access to all of materials collected by scholars who worked with the Schaghticoke at various stages of the research effort. However, the supplemental materials do include transcripts of how many? interviews conducted in the early 1980s by anthropologist Paula Rabkin and one? conducted by tribal member Linda Manning in 1994, as well as how many? new interviews conducted by Lucianne Lavin specifically for this second submission. It is also anticipated that more interviews will be conducted and submitted to the BAR prior to the time that the Schaghticoke petition is placed under active consideration.

It was pointed out in the TA letter that many of the documents included with the initial submission were not identified adequately. A significant effort has been made to provide full bibliographical information on every document submitted, both initially and with this supplement. However, the author or date or other publication information could not be determined for some materials, such as a few of the newspaper clippings. Some copies of relevant pages of books still lack a title page, but most have, at least, hand-written notes on the initial page listing the author and title.

As with the interviews, it is expected that additional documents will also be collected, interpreted, and submitted to the BAR prior to when the petition is placed under active consideration. However, the fact that there will be additional submissions of material should not in any way be interpreted as meaning that the evidence presented with this supplement is not sufficient to allow the Schaghticoke petition to be placed on the list of those awaiting active consideration.

3. Criterion 83.7 (a)

Documentation evidencing the external identification of the Schaghticoke tribe as an American Indian entity since 1900 was judged in the TA letter to be sufficient to meet the criterion for all except the period between 1941 and the early 1970s. As recommended by the BAR reviewers, the supplementary materials include records that demonstrate how the State Welfare Department specifically identified its responsibility for Schaghticoke during this era. This evidence should be adequate to show the continuity of State recognition of the tribe. In case it is not, however, this supplement also includes an abundance of documents that demonstrate continued identification of the tribe throughout the 20th century by the Federal government, by anthropologists, historians, and other scholars, in newspapers and books, and by other tribes and national, regional, and state Indian organizations.

4. Criterion 83.7 (b)

The TA letter recommended that additional research focus on the modern

social community and then "move backward in time tracing what the group has done decade-by decade." While such a retro-chronological presentation may be a good model in theory it is not very workable in practice. Nevertheless, the supplemental materials do provide more description of the present tribal community. The interviews and additional documents illustrate social and political activities such as tribal meetings, powwows, and reservation "clean-up days" that have taken place within the Schaghticoke community in recent years. They demonstrate that the level of interaction is significant between all of the Schaghticoke sub communities and kin groups and that these inter-relationships have continuity with the documented past. The arguments over tribal issues in recent years, both as they have been described by tribal members and external observers, provide particularly strong evidence that Schaghticoke continues to be a distinct social community.

The TA letter advised in regard to criterion (b) that no more time be spent in describing or documenting the Schaghticoke community of the 18th and 19th centuries. However, it was felt by the tribe and its researchers that more interpretation and documentation of the historical community was necessary in order to both better understand the modern community and the context in which it has evolved and appreciate the continuity it has maintained with the past.

The new evidence makes it clear that there has always been significant interaction between members residing on the reservation and those living in other sub communities. For example, the overseers' reports for the early 19th century indicate off-reservation members frequently came back to the reservation in their declining years or to be buried. This is important for two reasons. One is that it shows that the reservation remained the spiritual and cultural focus of tribal members even when it was no longer their geographic focus. The other is that it demonstrates that the overseer as an agent of the State tacitly recognized and acknowledged the extended Schaghticoke community by permitting off-reservation members to come back and even paying their expenses. The supplementary documentation also shows that the representation of members at such events as funerals and naming ceremonies crossed family, geographic, and political faction lines as well.

More detail will be presented in the summary under criterion 83.7(b) that will follow.

5. Criterion 83.7 (c)

The TA letter stated that the initial petition materials identified tribal leaders but did not provide sufficient evidence of a "bilateral political relationship" in which a significant number of followers are also interested, involved, and influential in the decision making process. The supplemental materials provide numerous examples of Schaghticoke leaders taking action with the support of the membership on issues of importance to members. This includes the pursuit of

claims before the Indian Claims Commission and other Federal and State courts, requests for residential rights on the reservation, and demands for reform of tribal-State relations in Connecticut. The evidence indicates clearly that the basis of Schaghticoke leadership has most often been the consensus of its membership. While there was a brief time in recent history when those who claimed tribal leadership were authorized and supported by a tribal minority, tribal membership has never operated in a vacuum. The minutes of tribal meetings and the oral history interviews document decision-making processes as well as enforcement of decisions. The record shows that there have not only been acknowledged or duly elected leaders such as Gideon Mauwee and Irving Harris who were designated as sachem or chief, but there have also been informal leaders such as Frank Cogswell who served as stewards of the reservation and cultural leaders such as tribal elders Eunice and Rachel Mauwee who were respected for their knowledge of tribal history and traditions.

The supplemental materials provide better evidence of how leadership positions were obtained and the participation of Schaghticoke members in tribal political processes, including the withdrawal of political authority from those found unworthy. As recommended in the TA letter, political conflicts and issues of the last twenty years are examined in detail. Also described are political relationships both between the off-reservation majority that has provided tribal leadership for most of this century and reservation residents, but also between the off-reservation sub communities and kin groups themselves. More detail will be presented in the summary under criterion 83.7(c) that will follow.

6. Criterion 83.7 (d)

To be based on Kate's summary. Will discuss 1995 Constitution and its membership criteria. Will discuss and provide copies of previous governing documents and their membership criteria.

7. Criterion 83.7 (e)

To be based on Kate's summary. Will show that membership criteria was changed to descendance from Gideon Mauwee and/or 1910 Federal census. Will show that this means descent as well from cohorts of Gideon Mauwee. Will show further that the current membership meets this criteria and thus descends from a historical tribe. Will indicate that the membership roll submitted is complete with addresses and maiden names and is certified by the governing body. Will discuss and provide copies of previous membership lists.

8. Criterion 83.7 (f)

The TA letter stated that information provided in the first submission was sufficient to demonstrate that Schaghticoke met the criterion of not having members enrolled in any federally-recognized tribe. Consequently, this criterion

is addressed in the supplemental materials only to the extent that they include the first certified membership list. This list demonstrates that no members are enrolled in other tribes..

9. Criterion 83.7 (g)

The statement provided in the initial petition that neither the Schaghticoke tribe nor its individual members were ever the subject of Congressional legislation terminating or forbidding a Federal relationship was also deemed sufficient to meet criterion (g). This continues to be true.

II. IDENTIFICATION AS AN AMERICAN INDIAN TRIBE

Criterion 83.7 (a): The petitioner has been identified as an American Indian entity on a substantially continuous basis since 1900.

Primary Identification: The State of Connecticut

The Schaghticoke Tribe has been identified by the State of Connecticut as a separate and distinct American Indian tribal entity continually throughout the 20th century. From 1900 to 1925 the Schaghticoke reservation and tribal fund were under jurisdiction of a court of the State judicial system—the Litchfield County Court of Common Pleas. An overseer appointed by the court submitted annual reports that, among other things, identified tribal members residing on the reservation and enumerated those living elsewhere (Historical Report: 83-85). Between 1915 and 1925 the General Assembly, the State legislature of Connecticut, enacted special legislation every other year appropriating funds for the "maintenance, support, care, and education" of the "Schaghticoke tribe of Indians" (Anthropological Report: 124-126).

Connecticut transferred jurisdiction over the Schaghticoke from the Litchfield County Court of Common Pleas to the State Park and Forest Commission in 1925. The Commission published annual reports indicating the names and relationships of tribal members, housing and health conditions, the amount of State expenditures, and other information regarding the Schaghticoke tribe and reservation. In 1925 the General Assembly also began making annual rather than bi-annual appropriations for the benefit of the tribe. These enactments and the reports of the Park and Forest Commission, along with minutes of Commission meetings and the correspondence of its employees, evidence the continued identification by the State of a distinct Schaghticoke tribal entity (Historical Report: 85-90; Anthropological Report: 127-129, 131-135, 160-171). After its review of the original Schaghticoke petition documents, the Bureau of Indian Affairs (BIA) indicated in its Technical Assistance (TA) letter of June 5, 1995 that the State Forest and Park Commission documents submitted

were sufficient to address criterion 83.7(a) during the period (1925-1941) during which the Schaghticoke reservation was under its jurisdiction (BIA TA Letter 6/5/1995: 4).

In 1941 jurisdiction over Connecticut's Indian reservations was again transferred from the Park and Forest Commission to the State Welfare Department, which maintained control until 1973. The BIA's TA letter indicated that the Welfare Department documents submitted were insufficient to address criterion 83.7(a) during the period of the Department's jurisdiction (1941-1973). The BIA suggested that further material be submitted indicating how the Department identified its responsibility for the Schaghticoke. It also requested more specific references such as the dates of destruction of houses on the reservation.

The State of Connecticut continued to recognize the Schaghticoke as a tribal entity throughout the years that reservation jurisdiction was under the Welfare Department. The Department maintained an account in the Chelsea Savings Bank in Norwich, which it named the "Schaghticoke Tribal Fund." On a regular basis between 1941 and 1973 (every other year until 1947 and each fiscal year thereafter) the Department issued public reports accounting for this fund and reservation valuations. After 1958 these reports also enumerated the number of tribal members who lived on the reservation. After the fund was abolished in 1960 the annual reports still reflected population and valuation statistics (Historical Report: 93). In addition to its annual reports, the Welfare Department kept a running ledger of case summaries on reservation families that received State assistance (Historical Report: 94-97).

During the period from 1941 to 1973 officials of the Welfare Department identified Schaghticoke as a tribal entity and provided information regarding the tribe to Indian advocacy organizations, such as the Association of American Indian Affairs, and to interested members of the public, including college and junior high school students. The Department also provided reports, statistics, and other information on the Schaghticoke to the General Assembly, to other State agencies, including the Bureau of Business Administration, the Public Works Department and the Development Commission, and to Federal agencies, including the Federal Housing Administration and the U.S. Justice Department, and to a member of Congress (Historical Report: 93, 100, 110, 112).

The Welfare Department's responsibility toward the Schaghticoke is clearly identified in the agency's documents, and especially in its "Rules and Regulations for Indian Reservations." The documents show that the Department defined its primary responsibilities as providing assistance to needy tribal members who resided on the reservation and maintaining order, safety, and cleanliness on the reservation. They also show that the effect of the agency's

stringent policies was to restrict tribal activities and residency on the reservation and to encourage resident tribal members to move elsewhere, while discouraging non-resident tribal members from moving to the reservation and using its resources. Specific references indicate that the Department:

- denied the request of tribal chief Howard Harris to reside on the reservation in 1950 (Historical Report: 102);
- denied a request to repair the Russell home in 1958 (Historical Report: 104);
- evicted the Kilson family from the reservation in 1957 (Anthropological Report: 205);
- destroyed the Kilson family's home in 1960 (Historical Report: 105), and • discouraged t

The Connecticut General Assembly also continued to recognize Schaghticoke as a tribal entity during 1941 to 1973. It provided for a biennial appropriation to the Welfare Department for Schaghticoke and two other tribes in the state (Historical Report: 94). The legislature also identified the tribe in a 1962 statute that limited residency on the state's Indian reservations to tribal members who had an Indian blood quantum of one-eighth or more (Historical Report: 106).

In 1973 the General Assembly enacted legislation establishing the Connecticut Indian Affairs Council (CIAC) and transferred jurisdiction over the State's Indian affairs from the Welfare Department jointly to the CIAC and the Department of Environmental Protection (DEP). The legislation identified Schaghticoke as a tribal entity recognized by the State and provided for a tribal representative to hold a seat on the CIAC. Two Schaghticoke tribal members, Irving Harris and Paulette Crone-Morange, have subsequently chaired the CIAC (Historical Report: 116-117, 136).

Both the CIAC and the DEP have continued to identify Schaghticoke as a tribal entity up to the present. The CIAC has reviewed and made decisions regarding issues involving the tribe, including membership (Historical Report: 122), residency on the reservation (Historical Report: 124), representation on the CIAC (Historical Report: 129), and tribal leadership (Historical Report: 129, 131, 133). The DEP also identified the tribe in issues involving use of reservation resources (Historical Report: 132-33) and law enforcement on the reservation (Historical Report: 138).

Governor William A. O'Neill identified the tribe in 1982 when he requested the DEP Commissioner to mediate a tribal dispute (Historical Report: 129) and in 1988 when he proclaimed an "Indian Day" in the state, indicating that Schaghticoke was one of the tribes recognized officially by the State (Historical Report: 137). The General Assembly again identified the tribe in 1987 when it enacted legislation creating a Task Force on Indian Affairs to investigate native issues within the state and appointed three Schaghticoke leaders to serve on the Task Force (Historical Report: 135).

In 1989 the Connecticut Superior Court for the District of Litchfield provided the State's strongest identification ever of the Schaghticoke as a sovereign tribal entity in its decision in the case of Schaghticoke Indians of Kent v. Potter. It ruled that the Schaghticoke reservation was considered "Indian Country" as that term is understood in Federal law and that the State court thus lacked jurisdiction over tribal claims against tribal members for activities on tribal lands (Historical Report: 137). Since 1989 the State has continued to acknowledge the autonomy of Schaghticoke as a sovereign tribal entity. Its status as a non-stock corporation has also been identified by the Connecticut Secretary of State (Historical Report: 143). The State Historical Commission identified the tribe in a book it published in 1996 on the history and architecture of the Western Uplands region of Connecticut (Anthropological Report: 271). In November 1996 Governor John G. Rowland acknowledged the self-governing status of Schaghticoke in a proclamation designating Native American Month in Connecticut (Anthropological Report: 271).

The continued identification of the Schaghticoke Tribe by the State of Connecticut throughout this century should be sufficient by itself to meet criterion 83.7(a). However, the tribe has also been identified as a tribal entity by the Federal government, by anthropologists, historians, and other scholars, in newspapers and books, and by other Indian tribes and national, regional, and state Indian organizations. These identifications are summarized briefly in the following paragraphs.

Secondary Identification: The Federal Government

The Schaghticoke Tribe has been identified as an American Indian entity in this century by agencies of the Federal government. The following is a sample of these identifications:

The Department of the Interior, Office of Indians Affairs in 1935 (Anthropological Report: 160).

The Library of Congress in 1947 (Historical Report: 97).

The Smithsonian Institution in 1948 (Historical Report: 97).

The Indian Claims Commission in 1951 and thereafter (Historical Report: 99).

The U.S. District Court of the District of Connecticut in 1975 and thereafter (Historical Report: 120, 142).

The Department of Housing and Urban Development in 1980 and thereafter (Historical Report: 126).

The Department of Labor in 1981 and thereafter (Historical Report: 126).

The Department of Justice in 1993 (Historical Report: 141).

The Department of Health and Human Services in 1994 and thereafter (Historical Report: 144).

Secondary Identification: Scholars

The Schaghticoke Tribe has been identified as an American Indian entity in this century by scholars in various disciplines. The following is a sample of these identifications:

The ethnologist Frank Speck in 1903 and after (Historical Report: 79-82).

The linguist J. Dyneley Prince in 1903 and 1905 (Historical Bibliography: 35).

The ethnologist Frederick Hodge in 1910 (Historical Report: 83).

The historian Mathias Spiess in 1933 (Historical Bibliography: 47).

The ethnologist Gladys Tantaquidgeon in 1935 (Historical Report: 90).

The anthropologist William Harlen Gilbert in 1947 and 1948 (Historical Report: 97).

The ethnologist Eva Butler in 1947 (Historical Bibliography: 6).

The ethnologist John R. Swanton in 1952 (Historical Bibliography: 7)

The historian John Wilbur in 1966 (Historical Report: 113).

The anthropologists Laura E. Conkey , Ethel Boissevain, and Ives Goddard in 1978

(Historical Bibliography: 7).

The ethnohistorian Mary Guilette Soulsby in 1979 and after (Historical Bibliography: 47).

The anthropologist Paula Rabkin in 1982 (Historical Bibliography: 36)

The linguist Carl Masthay in 1991 (Historical Report: 80).

The archaeologist Russell G. Handsman in 1995 (Historical Bibliography: 21).

Secondary Identification: Newspapers and Books

The Schaghticoke Tribe has been identified as an American Indian entity in this century by numerous newspapers and books. The following is a sample of these identifications:

Newspapers

Bridgeport Herald

1923 (Historical Bibliography: 5).

Bridgeport Post

1939 (Historical Bibliography: 30).

1967 (Historical Bibliography: 5).

1979 (Historical Bibliography: 5).

1985 (Historical Bibliography: 29)

1988 (Historical Bibliography: 47).

Bridgeport Telegram

1968 (Historical Bibliography: 5, 20).

1985 (Historical Bibliography: 29).

Bridgeport-Waterbury Herald

1909 (Historical Bibliography: 5).

Connecticut Post

1994 (Historical Bibliography: 17).

Connecticut Sunday Herald

1972 (Historical Bibliography: 37)

Danbury News-Times

1974 (Historical Bibliography: 17).

1979 (Historical Bibliography: 20).

1980 (Anthropological Report: 240).

1982 (Historical Bibliography: 19).

1990 (Historical Bibliography: 29).

1993 (Historical Bibliography: 19).

Danbury Times

1986 (Historical Bibliography: 46).

Hartford Post

1905 (Historical Bibliography: 23).

Hartford Courant

1961 (Historical Bibliography: 35).
 1969 (Historical Bibliography: 4).
 1973 (Historical Bibliography: 1).
 1977 (Historical Bibliography: 31, 51).
 1980 (Historical Bibliography: 20;
 Anthropological Report: 241).
 1983 (Historical Bibliography: 24).
 1985 (Historical Bibliography: 23).
 1986 (Historical Bibliography: 23, 54).
 1992 (Historical Bibliography: 29).
 1994 (Historical Bibliography: 49, 51).

Kent Good Times Dispatch

1961 (Historical Bibliography: 26).
 1972 (Historical Bibliography: 26).
 1982 (Historical Bibliography: 26) .
 1986 (Historical Bibliography: 26).
 1990 (Historical Bibliography: 19).
 1992 (Historical Bibliography: 20, 26).

Kent Weathervane

1988 (Historical Bibliography: 26).

Lakeville Journal

1968 (Historical Bibliography: 4, 27).
 1971 (Historical Bibliography: 27).
 1980 (Historical Bibliography: 30).
 1983, 1990, 1991 (Historical Bibliography: 27).
 1996 (Historical Bibliography: 37).

Litchfield County Times

1982 (Historical Bibliography: 30, 53).
 1986 (Historical Bibliography: 29).
 1987 (Historical Bibliography: 4).
 1990 (Historical Bibliography: 45, 50).
 1991 (Historical Bibliography: 50).
 1993 (Historical Bibliography: 50).

Litchfield Enquirer

1994 (Historical Bibliography: 26).

Monroe Reporter

1988 (Historical Bibliography: 31).

- New Britain Herald
1973 (Historical Bibliography: 33).
- New Haven Register
1976, 1977 (Historical Bibliography: 28).
- New Bedford Sunday Standard Times
1961 (Anthropological Report: 221).
- New London Day
1981 (Historical Bibliography: 29).
- New Milford Times
1985 (Historical Bibliography: 24-25).
1997 (Historical Bibliography: 29).
- New York Times
1977 (Historical Bibliography: 33).
1982 (Historical Bibliography: 20).
1992 (Historical Bibliography: 29).
- Newtown Bee
1973 (Historical Bibliography: 33).
1974 (Historical Bibliography: 33).
- Pawling News Chronicle
1985 (Historical Bibliography: 35-37).
- Preview
1969 (Historical Bibliography: 35).
- Torrington Register
1969 (Historical Bibliography: 49).
- Torrington Register Citizenn
1992 (Historical Bibliography: 36).
1996 (Historical Bibliography: 49).
- Waterbury Republican
1953 (Historical Bibliography: 53).
1972 (Historical Bibliography: 4).
1973 (Historical Bibliography: 6, 35).
1979 (Historical Bibliography: 35).
1982 (Historical Bibliography: 35-36).

1985 (Historical Bibliography: 53).
 1987, 1990 (Historical Bibliography: 31).
 1994 (Historical Bibliography: 18).

Waterbury Republican-American

1990 (Historical Bibliography: 53).

Waterbury Sunday Herald

c. 1950s (Historical Bibliography: 34).

Books and Articles (other than by scholars listed above).

1903: Edward O. Dyer, Gnadensee: The Lake of Grace: A Moravian
 Picture in a Connecticut Frame. (Historical Bibliography: 18).

1903: T.S. Gold, Fostering the Habit of Industry in Connecticut Magazine.
 (Historical Bibliography: 21).

1904: Conway W. Curtis, The Basketry of the Pautatucks and Scatacooks
 in Southern Workman. (Historical Bibliography: 17).

1906: Charles Burr Todd, The History of Redding, Connecticut (Historical
 Bibliography: 49).

1909: Frank Hasbrouck (ed.). The History of Dutchess County New York. (H

1926: Edward C. Starr, A History of Cornwall, Connecticut: A Typical New
 England Town (Historical Bibliography: 48).

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- 1982: Town of Dover Historical Society, Inc., A History of Dover Township. (Historical Bibliography: 49).
- 1987 Richard G. Carlson (ed.), Rooted Like the Ash Trees: New England Indians and the Land (Historical Bibliography: 6).
- 1994: Mary B. Davis, (ed.), Native America in the Twentieth Century: An E
- 1995: Peter R. Schmidt and Thomas C. Patterson (eds.). Making Alternative Histories: The Practice of Archaeology and History in Non-Western Settings. (Historical Bibliography: 21).

Secondary Identification: Tribes and Tribal Organizations

The Schaghticoke Tribe has been identified as an American Indian entity in this century in relationships with other Indian tribes and with national, regional, and state Indian organizations. The following is a sample of these identifications:

- Indian Association of America in 1939 and after (Anthropological Report: 153).
- Eastern Algonquian Indian Association in 1939 and after (Historical Report: 91).
- Federated Eastern Indian League in 1941 (Anthropological Report: 198).

- Mashpee Wampanoag Tribe of Massachusetts in 1961 (Anthropological Report: 221).
- Connecticut Indian Affairs Council and it's Member Tribes in 1973 and after, including the Mohegan Tribe, the Mashantucket Pequot Tribe, the Paucatuck Eastern Pequot Tribe; and the Golden Hill Paugussett Tribe (Historical Report: 116 ff.).
- Boston Indian Council in 1973 (Anthropological Report: 228).
- Coalition of Eastern Native Americans (CENA) in 1974 and after (Anthropological Report: 228-29).
- American Indians for Development (AID) in 1974 and after (Anthropological Report: 231).
- Native American Rights Fund (NARF) in 1984 and after (Historical Report: 132 ff.).

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V. GOVERNING DOCUMENT INCLUDING MEMBERSHIP CRITERIA

Criterion 83.7 (d): A copy of the group's present governing document including its membership criteria. In the absence of a written document, the petitioner must provide a statement describing in full its membership criteria and current governing procedures.

The Articles of Constitution of the Schaghticoke Tribal Nation of Kent, Connecticut, Inc., is submitted. The governing document of the Tribe includes the following membership criteria. Any person requesting recognition by the Tribe as a tribal member must submit a request and provide evidence to the Tribal Council that they are direct matrilineal or patrilineal descendants of either Sachem Gideon Mauwee, first recorded Chief of the Tribe, or any person identified as a Schaghticoke Indian on the 1910 Federal Census.

VI. DESCENT FROM A HISTORICAL INDIAN TRIBE

Criterion 83.7 (e): The petitioner's membership consists of individuals who descend from a historical Indian tribe or from historical Indian tribes which combined and functioned as a single autonomous political entity.

For Acknowledgment purposes the membership of the Schaghticoke Tribal Nation of Kent, Connecticut, Inc., consists of _____ members. There are _____ members who appear to meet genealogical criteria but have not met tribal constitutional requirements and will be added to the membership list as accepted by the Tribal Council. The estimated total number is based on tribal members living as of _____.

The membership roll submitted with these supplementary materials has been acknowledged by the Schaghticoke Tribal Council under provisions of the 1995 Revised Articles of Constitution, Article IV: Schaghticoke Indian Recognition Procedure. Accepted members have met the Schaghticoke constitutional descendancy criteria. Their ancestors were identified as belonging to the Schaghticoke Tribe of Kent living on land sequestered by the Colony of Connecticut in 1736 and who continued this geographical political relationship to modern times with the State of Connecticut as a single autonomous entity. The Schaghticoke Tribe defers to the exclusive authority of its Tribal Council and does not recognize any other authority, including the Connecticut Indian Affairs Council, in the area of membership determination. Several members and relatives on the Reservation at the time of the 1910 Federal Indian Census of the Schaghticoke Indian Reservation, Town of Kent, Litchfield County, Connecticut.

The current documented membership roll correlates directly with the research conducted to establish the Schaghticoke genealogy. The roster contains Names, Lineage, Addresses and Date of Birth. Over 1,400 names of individuals were drawn from the Schaghticoke Tribal records, archives, public records, and interviews. These names and their ancestral relationships with citations were entered in the Family Tree Maker Program 3.1 (FTW) as the organizing format or pedigree for Schaghticoke genealogy. NAME OF DISK contains a compressed backup file for downloading into a compatible FTW application. Two Notebooks containing paper copies of Family Group, Ancestry Charts, Facts, and Notes for the modern membership are also submitted. Reference Notebooks were assembled to facilitate cross verification of the ancestral lines and the primary documents used. The Bibliography of the Historical Report also serves for the Genealogical Report.

The Introduction to the Genealogical Report provides an explanation of the

presentation of evidence and the methodology used. The Genealogical Report has deviated from the Anthropological and Historical Reports in that references are footnoted on the page for enhanced understanding of the nature of the documents used for substantiation of evidence. The Bibliography of the Historical Report and the FTW database citations (i.e, of Town Hall Records) are to be used in conjunction with each other. A brief history of Pishgachticok, the Algonquin place name for Schaghticoke, precedes the discussion of genealogical evidence as an introduction to the historical Indians of western Connecticut who became known as the Schaghticoke Tribal Nation of Kent, Connecticut, Inc. This will serve as the framework to illustrate the recognition of the Schaghticoke Tribe by the colonial and state governments of Connecticut and by other Indian tribes in the region since 1699.

The Genealogical, Anthropological, and the Historical Reports demonstrate that Schaghticoke was a combined Tribe from colonial times that has functioned politically as the Schaghticoke Tribal Nation of Kent.

VII. MEMBERSHIP NOT COMPOSED PRINCIPALLY OF MEMBERS OF ANY ACKNOW

Criterion 83.7 (f): The membership of the petitioning group is composed principally of persons who are not members of any acknowledged North American Indian tribe.

The Schaghticoke Tribal Nation meets this criterion. None of its members are members of any other acknowledged North American Indian Tribe.

VIII. PETITIONER NOT SUBJECT TO CONGRESSIONAL LEGISLATION TERMINATING THE FEDERAL RELATIONSHIP

Criterion 83.7 (g): Neither the petitioner nor its members are the subject of congressional legislation that has expressly terminated or forbidden the Federal relationship.

The Schaghticoke Tribal Nation meets this criterion. Neither the Tribe nor its individual members have ever been the subject of congressional legislation that has terminated or forbidden the Federal relationship expressly.

A hard copy of the Historical database and chronology is also included as an Appendix to the Historical Report. Anthropological document binders contain only documents Anthropological Report. The Historical Report's bibliography and the Historical document binders also serve for general works cited in the Genealogical Report. They include both documents cited in those reports as well as Documents more specific to the Tribe's genealogy are included in the Genealogical document binders. There is some duplication of records in the separate Anthropological and Historical document sets. Tribe Tribe Tribe Reservation Reservation Reservation Reservation Tribe Reservation Tribe Reservatio n Reservation Reservation Tribeone Tribe Tribe Tribe Reservation Tribe Reservation Reservation Reservation Reservation Reservation Reservation Reservation Reservation Reservation Reservation Tribe Res ervation TF, designated for all tribal members, Reservation. Tribe. members of Tribe its Reservation Tribe Reservation. --this time Reservation Reservation, for expenditures related to the Schaghticoke Reservation. Reservation Reservation Department continued to making of the Reservation Reservation Tribe.

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Tribe Tribe (and again in 1989) Reservation Thus the State judiciary explicitly deferred to tribal jurisdiction.

In 1992 the Tribe was identified and recognized as a sovereign entity in an independent review of Connecticut's statutes relative to "Indians." conducted for the State Attorney General by Dale White, a Mohawk tribal member and expert on Federal and State Indian Law. Tribe Tribe (see A
DISTINCT COMMUNITY FROM HISTORICAL TIMES UNTIL THE
PRESENT

Criterion 83.7 (b): A predominant proportion of the petitioning group comprises a distinct community and has existed as a community from historical times until the present.

A. The Modern Schaghticoke Community

The present community of Schaghticoke is an incorporated Tribe to which some 300 individuals claim membership. Membership is based on patrilineal or matrilineal descendency from the earliest recorded Schaghticoke sachem, Gideon Mauwee, or any person identified on the 1910 Federal Indian Census as a Schaghticoke Indian. The membership derives from four ancient family

lineages: Harris, Cogswell, Kilson and Bradley.

The historical and spiritual base of the Schaghticoke Tribe is the Schaghticoke Reservation in the Town of Kent, Connecticut. At present only four families reside on the reservation, which consists mostly of mountainous, rocky terrain with only a strip of flatland along the flood plain of the Housatonic River. The remainder of the Tribe lives off the reservation because there is not enough room to construct housing for them. Also, any additional housing on reservation lands would greatly restrict its various recreational usage by tribal members. The Tribe has imposed a moratorium on housing construction on the reservation until a plan can be developed that will allow every tribal member who wishes to do so to live on the reservation.

The residential patterns of off-reservation tribal members replicate the geographical location of the traditional Schaghticoke inland-coastal seasonal round first documented in the 18th century. The great majority of Schaghticoke live in towns situated along the Housatonic River from the Kent area south to the river's mouth at Stratford, within a 60 mile radius of the Schaghticoke Reservation. The residential pattern parallels the Berkshire Path, the old Indian Trail traditionally followed by tribal members to reach their summer shell fishing camps at Long Island Sound, where the path connected to the coastal Oronoko Trail. Most of these enclaves, such as those at New Milford, Orange/New Haven, and Bridgeport/Milford/Stratford have been documented as early Schaghticoke sub-communities since the 18th century. They are associated also with Schaghticoke burying grounds. These enclaves each contain members from several of the ancient Schaghticoke lineages; that is, the sub-communities cross family lines.

The present formal government of the Tribe is a nine-member Tribal Council consisting of a Chief, Vice Chairperson, Secretary, Treasurer, and five other council members. The Council is elected by the tribal membership every two years at the Annual Tribal Meeting that is held on the Schaghticoke Reservation. The members of the Tribal Council then elect its officers among themselves with the exception of the Chief. The Chief is elected for life by the entire tribal membership. The Tribe meets at least once a year and special tribal meetings are held when necessary. Tribal Council meetings are held monthly and scheduled otherwise as needed and are often held within one of the Schaghticoke sub-communities, since that is more convenient to its members, most of whom live off-reservation. The Schaghticoke Tribal Office is located presently in Monroe, Connecticut.

In addition to the formal tribal government, informal political authority is also vested in tribal elders, many of whom are knowledgeable in the ancient Schaghticoke traditions of herbal lore, snake lore and traditional crafts. Tribal members continue to practice tribal traditions first documented in the 18th

century. These include rattlesnake handling, herbal medicinal practices, and various native crafts, including beadwork, shellwork, woodcarving, silverwork and traditional work in other media. Virtually all of current practitioners of these tribal traditions, with the exception of the snake handling, are Schaghticoke women. This characterizes a tradition of matriarchal care-givers and culture-bearers or culture-keepers. Women elders also organize and direct tribal welfare projects for members, such as food drives, raffles and candy sales.

The Schaghticoke community not only continues to have hands-on experiences foraging for rattlesnakes and herbs for medicines, but members also retell mythologies about the latter's origins, pass down stories about snake hunts and plant procurements, and profess a spiritual connection with both. The Tribe takes action to protect the natural resources on which its traditions are based, even to the extent of taking the Federal Government to Court over proposed expansion of the Appalachian Trail, which runs through tribal lands close to the snake den.

Besides interacting at formal meetings, Schaghticoke community members engage in numerous informal meetings and get-togethers. These include tribal picnics and venison roasts at the Schaghticoke Reservation campgrounds. Various families also come together and casually mingle at individual picnics, swimming and fishing outings, and campouts on the reservation grounds, where an informal Schaghticoke hunting club manages the deer population.

Tribal members also interact significantly at various family ceremonies, such as weddings, christenings, funerals and burials, most of which are held off the reservation within the tribal sub-communities. They visit each other frequently and these visitations not only include off-reservation members visiting residents on the reservation, but also those among off-reservation members within the various tribal sub-communities. Tribal members also continue to interact in cooperative work groups, which are called together by the Chief to maintain common tribal grounds on the Schaghticoke Reservation. Cooperative work group activities include land clearing in the area of the campgrounds and pavilion, maintaining the tribal cemetery, and removing dead and fallen timber from the camp area. The tribal cemetery is a major focus for the Tribe; it has been used and maintained continuously from the 18th century to the present.

Significantly, these many community interactions involve members of various family lineages -- Harrises interacting with Kilsons, Bradleys and Cogswells, for example -- not just relations within a family. Such inter-lineal relationships are consistently documented in newspaper articles, tribal correspondence and minutes, and oral history interviews. Even during heated factional disputes, members of lineages join together at meetings and

ceremonies, such as naming ceremonies, which are often organized and directed by the Chief from one lineage with named participants representing members of the other lineages. The continuing physical and spiritual commitment of the Schaghticoke community to both their aboriginal land base and their ancient traditions is graphically illustrated in the Tribe's logo, which embellishes tribal stationery as well as T-shirts. It includes a rattlesnake and a wood splint basket on a backdrop of Schaghticoke Mountain.

B. The Historical Schaghticoke Community

In regard to the continued existence of the Schaghticoke Tribe as a distinct community, a number of data demonstrate that tribal members have comprised a viable, interacting Native American community since historical times. These include: (1) Formal tribal and council meetings held both on the reservation and off the reservation within the Schaghticoke sub communities; (2) Informal get togethers among members of the several family lineages; (3) Tribal newsletters and written announcements of tribal events; (4) Continuing tribal traditions in rattlesnake lore, herbal medicine lore, basket making and other crafts; naming ceremonies, cooperative work groups, and powwows; (5) Continuous use and maintenance of the tribal burying grounds; (6) Present residential patterns, which replicate those of traditional sub-communities formed along the Housatonic River and old Berkshire Path, which connected to the coastal Oronoko Trail, the two major transportation routes linking the various settlements of the traditional Schaghticoke seasonal round; (7) Exclusive treatment of the Schaghticoke by the Connecticut government; (8) Social distinction by non-members and social discrimination in certain social situations; and (9) Schaghticoke genealogy, which shows that the Tribe consists of a biologically distinct group of people who descend from four major lineages linked by intermarriages and other social relationships from the 18th century through the present.

The Schaghticoke community continues to exist in spite of the restrictive overseership of the State Park and Forest Commission and the State Welfare Department from 1925 to 1972, and the fact that the majority of tribal members live off-reservation. During this period the State agencies followed a policy of detribalization and termination. Their restrictions made it difficult for tribal members to live and congregate on the reservation. Tribal members on the reservation were encouraged to leave while those who wished to return to the reservation were discouraged, if not refused outright. Moreover, reservation residents were threatened with eviction if State regulations were violated. Except for farming, no business could be transacted on the reservation and no buildings or other improvements could be added without the written consent of State officials. Connecticut's anti-tribal policies are highlighted by the fact that no public powwows were held on the reservation between 1941 and 1972. Tribal

members recall that the reservation was “a difficult place to live and survive” during this era.

In spite of the State's detribalization policies, tribal members continued to meet on and off the reservation as needed. Newspaper articles, photographs, and oral history interviews provide evidence that members of the Tribe continued to socialize at ceremonies such as private powwows, weddings, baptisms and funerals. After 1973, when the reservation was no longer under jurisdiction of the State Welfare Department and the Schaghticoke Tribe was formally incorporated, tribal gatherings increased in frequency.

One of the factors demonstrating that the Schaghticoke Tribe represents a discrete community from historical times to the present is the continued practice of a number of cultural traditions by its members. These include rattlesnake lore; herbal lore; native crafts such as basketry and bead making; native ceremonies such as powwows and naming ceremonies; and cooperative work groups.

Rattlesnake lore and herbalogy have been important items of Schaghticoke culture since first documentation of the Tribe. A New York newspaper clipping on file at the Kent Historical Society relates an early Schaghticoke folktale concerning the origin of the rattlesnake. The Moravian documents (1740-1770) depict Gideon Mauwee, Schaghticoke's first recorded sachem, as a well-known "healer" of both tribal members and non-Indians who was especially renowned for his ability to cure snakebites. Indeed, his granddaughter Eunice Mauwee was also known in the 19th century as a healer to whom both whites and Indians went for her services. The Jonah Coshire (Jonas Cocksure) family, who owned a farm in La Grange, New York from the late 18th century through the late 19th century, were also known for their snakebite antidote. Like Eunice Mauwee, Hannah Coshire was a well-known healer.

Evidence for the long and continual tradition of rattlesnake lore within the Schaghticoke community is found in documents from the Moravian Archives (1740-1770), published historical accounts, newspaper articles, photographs, and oral history interviews. These records demonstrate that formal and informal snake hunts continued to take place on the Schaghticoke Reservation throughout the 19th and 20th centuries. Formal, public rattlesnake hunts were conducted annually by the tribal-led Schaghticoke Rattlesnake Club from the mid-19th century through the first quarter of the 20th century. Noted Schaghticoke hunters led hunts and sold snakes to zoos and/or milked them for venom that was sold to pharmaceutical companies. They included: George Cogswell and his sons Frank Cogswell and William Cogswell; Chief James (“Jim Pan”) Harris and his son Chief Howard Harris; and Bertha Kilson, her son Earl Kilson, his son Russell Kilson, and Russ's sons David and Neil Kilson, who continue the tradition today.

Snakes were also kept caged in Schaghticoke yards and houses for medicinal purposes.

A snakebite medicine was passed down through the centuries through Gideon Mauwee's descendants, as 19th century Schaghticoke taught the members of the Rattlesnake Club how to brew "sag-wa," the tribal drink for the prevention of the most severe effects of snakebites. Contemporary Schaghticoke members are proud of their rattlesnake den, the only official den in the State of Connecticut. Over the last decade they have entered litigation in Federal court to protect the den from infringements by the Appalachian Trail, and they have made a video of activities at the den. Significantly, a rattlesnake forms part of the Tribe's official logo.

The continued application of traditional herbal lore by Schaghticoke tribal members, mainly women, is documented by local histories, newspaper articles and oral history interviews. The newspaper articles and informant interviews also show that Indians from other tribes as well as the Schaghticoke community collected plant medicines from Schaghticoke Mountain.

The Moravian documents (1740-1770) indicate that the Schaghticoke Tribe sustained itself with a mixed economy of gardening, fishing and hunting. The economy consisted of maize agriculture, small home gardens (of beans, cucumbers, pumpkins), raising of chickens, goats and pigs, hunting of wild game, and fishing of finfish and eels. The Schaghticoke supplemented this with a cash economy based on the manufacture and sale of wood splint baskets, brooms, wooden utensils and tinware, and hiring out as labor to neighboring farmers.

On-reservation members continued to practice horticulture, fishing and hunting throughout the historical period up until the mid-20th century, as did many Schaghticoke living off of the reservation. By the first quarter of the 20th century, however, many of the Schaghticoke living off-reservation were employed in the State's industrialized sectors. Schaghticoke members both on and off-reservation continued to supplement their income through the manufacture and sale of baskets, wooden utensils and tinware, and as seasonal labor to neighboring farmers. Although the failure of many farms during the early 1900s brought the basketry trade to a close, Schaghticoke members continued the craft for home-use. The continuance of these cultural traditions are confirmed in documents from the Moravian Archives, State public records, including overseers' reports, censuses, publications by historians and anthropologists, newspaper articles, photographs, and oral history interviews.

Schaghticoke ceremonies called "powwows" have been held since the early historical period. Powwows, or tribal get-togethers, were reported to have been held at Cline Farm in the Ten Mile River Valley in the late 18th century.

The Schaghticoke continued to hold private powwows on the reservation. In the 20th century, a number of these ceremonial events were opened to the public. The public powwows, such as those held on the reservation in 1939 and 1941, were well-publicized in the regional press.

The Schaghticoke powwows included Native American dancing, foods, crafts, games (hoop and spear, canoeing, archery), and religious events such as naming ceremonies. Newspaper accounts have often been accompanied by photographs of tribal elders in ceremonial regalia. Oral history evidence indicates that tribal powwows were held regularly in Kent until 1941, when the State Welfare Department took over jurisdiction as the Schaghticoke overseer. After that department's restrictive control of Indian affairs ended in 1973 powwows again became a frequent occurrence.

The 1972 Schaghticoke powwow generated a brochure with photographs of Schaghticoke Chief Irving "Ernie" Harris hosting the event in ceremonial dress. Twentieth century Schaghticoke have held numerous public and nonpublic powwows, as documented in newspaper articles, photographs, and oral history interviews. Many were held on the Schaghticoke Reservation and some were held within other Schaghticoke sub-communities. Various naming ceremonies are also documented.

The Moravian diaries (1740-1770) substantiate the early employment of cooperative work groups among the Schaghticoke, which at that time was usually based on a sexual division of labor, for collecting firewood, hoeing and weeding activities, collecting wood for baskets, and group hunting. Such voluntary work groups are a tradition with the Tribe. They have been utilized for various community endeavors throughout the centuries and are employed on the reservation today for various maintenance and cleanup activities. Evidence of this has been found in the Moravian documents, newspaper articles, oral history, and tribal correspondence.

Other significant evidence that demonstrates that Schaghticoke is a viable community is the reservation burial ground. The Schaghticoke cemetery has been continuously used and maintained by the community, as demonstrated by the Kent sexton's report, overseers' reports, local historical and anthropology reports, newspaper articles, photographs, and oral history interviews. The earliest carved stone bearing a date is that of Alexander Kilson, who died in 1844. However, there are several smaller, crude unmarked fieldstone markers that are remarkably similar to those from 17th and 18th century Mohegan and Pequot cemeteries in southeastern Connecticut. These probably represent Schaghticoke burials from the early 19th century, as documented in the overseers' reports, or perhaps even earlier.

Additional evidence of a distinct Schaghticoke community is that meetings

among members have always been frequent and continual. They have included both formal meetings and informal meetings such as weddings, funerals, nonpublic powwows, deer hunts, venison roasts, camping activities, and visits to kin and friends. Tribal members describe family picnics and weekend to weeks-long camping on the Schaghticoke Reservation. Some families have camped there for the past 35 to 40 years. At times, up to 30 persons camp on the reservation, primarily for social and recreational purposes. The Schaghticoke Tribe occasionally holds a pig roast on the reservation. The Schaghticoke hunting club hosts picnics featuring venison roasts. A large fire pit located at the Schaghticoke campgrounds is used for such occasions. These informal meetings are evidenced in oral history interviews, newspaper articles, and through photographs.

The more formal method by which tribal members have maintained communication with each other is through tribal and council meetings. Prior to the 1960s, these were held as needed. For example, a tribal council business meeting was held July 10, 1949 to formulate the first Schaghticoke land suit (Docket 112 before the Indian Claims Commission). Tribal business meetings became more frequent in the 1960s under the leadership of Chief Irving Harris, in part to protest the policies of the Welfare Department and to achieve greater tribal control of the community's land and resources. The first of these took place in the early 1960s and was held in Stamford. In 1973 the Tribe voted to incorporate itself. Its constitution and by-laws call for at least one annual tribal meeting and monthly council meetings. These meetings have continued to the present. Copies of the numerous minutes kept of such meetings attest to their occurrence, as does various tribal correspondence and announcements and oral history interviews. Additionally, a Tribal Newsletter has been circulated to members since 1973.

Significantly, the present residential locations of tribal members replicate the geographical pattern of the traditional seasonal round along which Schaghticoke enclaves had formed earlier. The great majority of the Schaghticoke live in towns situated along the Housatonic River from the greater Kent area south to the river's mouth, with enclaves in Dutchess County in New York and in Cornwall/Sharon, New Milford/Gaylordsville/Danbury, New Haven, and Bridgeport/Milford/Stratford in Connecticut.

The residential locations of the Schaghticoke parallel that of the Housatonic River and the Berkshire Path, transportation routes traditionally used by tribal members on their historical itineraries. Moravian documents mention tribal members canoeing upriver to their summer encampments, visiting kin and friends in Stockbridge, Massachusetts and Gaylordsville, New Milford, Newtown, Darby (Seymour), and Turkey Hill (Derby-Orange). The Moravian diaries as well as overseers' reports, censuses and local histories document Schaghticoke

members working as itinerant laborers and peddlers in Stockbridge, Salisbury, Sharon, Cornwall, Warren, Sherman, New Milford, Newtown, and Bridgeport. State public records and anthropology reports mention Schaghticoke fishing at the Great Falls in New Milford. Seasonal treks were also made to shellfishing camps on Long Island Sound.

Early 18th and 19th century Schaghticoke sub-communities have been documented in Sharon/Cornwall/Goshen, New Haven/Orange, New Milford/Gaylordsville/Danbury and in Bridgeport/Milford/Trumbull. Each sub-community is associated with a local cemetery where Schaghticoke dead are buried. An unnamed burying ground on water company property in Orange is associated with the Schaghticoke sub-community in that area. Center Cemetery in New Milford is the burying place for Schaghticoke in that town; most of the Cogswell lineage are buried there, including those who had moved to New York and other areas. Cogswells and Kilsons are also buried in Bridgeport.

Twentieth century Schaghticoke members continued to dwell within and near these ancestral enclaves, as documented in tribal genealogical records, newspaper articles, and oral history interviews. Tribal and council meetings have often been held at locations within these sub-communities. Meeting announcements, minutes and informant interviews show many formal tribal meetings were held in Bridgeport, Stratford and Litchfield as well as on the Schaghticoke Reservation at Kent. Because so few of the community live on the reservation, and because there is little shelter, meetings on the reservation have normally been limited to tribal meetings during fair weather. Council meetings have normally been held at a tribal member's home in one of the sub-communities. Numerous inter-family get-togethers have also been held within each sub-community.

The Connecticut government's official treatment of the Schaghticoke Tribe clearly demonstrates that it believed it was dealing with a discrete tribal entity. The frequent references to Schaghticoke as an "Indian Tribe" in documents of the Connecticut Colony and State, and the appointment of overseers on a continual basis from 1757 to 1971 who sold tribal lands on behalf of the Tribe, and controlled and maintained the Schaghticoke Tribal Fund demonstrates the existence of an American Indian community. The fact that until the Indian Reorganization Act of 1934 Schaghticoke members were never taxed, never required to provide probate inventories, never impressed into military service, and never included in State censuses, except when mandated by an act of Congress, all show that they were never considered to be citizens of the town of Kent or the Colony and State of Connecticut until the second quarter of the 20th century. At present there is no legal consensus as to who has authority to police the Schaghticoke Reservation. Town police have no authority but it is uncertain whether State police have jurisdiction over the reservation at Kent. Unless a

Federal offense is committed, when the Federal Bureau of Investigation (FBI) must be called in, Schaghticoke members must police their reservation and deal with civil and criminal acts committed within its confines.

Additionally, in official Colonial and State documents it is clearly noted that Schaghticoke members did not own their houses on the reserve, that they were not allowed to transfer or sell land, nor were they able to make contracts. The General Assembly reserved the Schaghticoke lands and maintained it for them. Tribal members were not allowed to control the Tribal Fund. The overseers reports demonstrate that State-appointed overseers maintained control of the Fund, lending money out as mortgages to non-Indian citizens. Through the overseers, the General Assembly used the Schaghticoke Tribal Fund to buy staples for the Schaghticoke community and pay medical expenses. Tribal members were never on the Town of Kent welfare lists. Town records indicate that the town always received reimbursement from the State for any aid given to Schaghticoke tribal members by the Town of Kent.

Schaghticoke tribal members were also considered to be socially distinct by non-members and were discriminated against in certain social situations. For example, children from the reservation attended local public schools at Bull's Bridge and in Kent. Other families in the school district reportedly disdained the Schaghticoke students and did not consider them friends. An informant recalls that discrimination made attending school difficult because children from the reservation were subjected to harassment and called names.

Lastly and quite importantly, the genealogy of Schaghticoke tribal members demonstrates that they are composed of four major family groups -- Harris, Cogswell, Kilson, and Bradley -- all of whom are descended from either the tribe's first recorded sachem, Gideon Mauwee, or the first recorded Schaghticoke tribal members of the 18th century. Descendants of these ancient lineages were mainly endogamous until the terminal 19th/early 20th century when economic factors caused many Schaghticoke to leave the reservation for work in the larger industrialized cities. Even so, intensive social relationships between and among the lineages, both on and off the reservation have continued throughout the 20th century despite restrictive State policies. These have included the formal meetings discussed above, visits, participation in weddings, funerals, powwows, naming ceremonies, snake hunts, and other interactions described above. Endogamous marriage occurred as late as the second quarter of the 20th century, when Lillian (Kilson) Riley married Harrison (Kilson) Johnson. In effect, the genealogical evidence proves a biologically distinct community as well as a culturally distinct one.

IV. POLITICAL INFLUENCE OR AUTHORITY FROM HISTORICAL

TIMES UNTIL THE PRESENT

Criterion 83.7 (c): The petitioner has maintained political influence or authority over its members as an autonomous entity from historical times until the present.

A. Modern Political Influence or Authority

The present formal government of the Tribe is a nine-member Tribal Council consisting of a Chief, Vice Chairperson, Secretary, Treasurer, and five other council members. The Council is elected by the tribal membership every two years at the Annual Tribal Meeting that is held on the Schaghticoke Reservation. The members of the Tribal Council then elect its officers among themselves with the exception of the Chief. The Chief is elected for life by the entire tribal membership. The Tribe meets at least once a year and special tribal meetings are held when necessary. Tribal Council meetings are held monthly and scheduled otherwise as needed and are often held within one of the Schaghticoke sub-communities, since that is more convenient to its members, most of whom live off-reservation. The Schaghticoke Tribal Office is located presently in Monroe, Connecticut.

The present Council consists of Chief Richard Velky, Vice-Chairperson Michael Pane, Treasurer Joseph C. Velky, Jr., Secretary Elizabeth Kaladish, and council members Catherine Velky, Toni Hoffmann, Anthony Crone, Dean Pomeroy, and Erin Lamb. The Council's role is to provide guidance to and to take political action on behalf of the Tribe. This includes enforcing rules of behavior on the reservation; initiating and directing lawsuits; authorizing work groups; directing the drive towards Federal recognition; organizing, and overseeing tribal land use, including economic development and a housing plan for members. As a member of the Council, the Chief's role is to call meetings, to keep them organized, to share all issues that are being addressed, to act on behalf of the Tribe on all matters concerning land claims and litigation and other duties as required. He also has the authority, under State statute, to designate members of the tribal Housing Authority.

Other duties of the Chief include representing the Tribe in its interactions with external agencies, and at funerals and other ceremonies, and granting permission for burial in the tribal cemetery. Ultimately, however, the Tribe as a unified entity is the major decision-maker; tribal members vote on all major issues and direct tribal leaders regarding what actions should be taken:

Informal political authority is vested in tribal elders, many of whom are knowledgeable in the ancient Schaghticoke traditions of herbal lore, snake lore and traditional crafts. Elders are the nucleus of the Schaghticoke Tribe. They

are consulted regarding everything the Tribe does.

B. Historical Political Influence or Authority

It is evident from the documentary record that there have always been political and cultural leaders within the extended Schaghticoke community who have guided tribal decision-making, mobilized tribal members to take action, resolved conflicts, and represented the Tribe to outsiders. Prior to the latter half of the present century, however, no one, including European colonists, Moravian missionaries, scholarly observers, or the Schaghticoke themselves, has ever described the political organization of the Tribe in detail.

Despite the paucity of information about the internal political workings of the Tribe for many historical periods, the extant record of actions taken demonstrates the continuity of tribal leadership by showing the various political strategies leaders employed to protect tribal interests. Leadership continued to be exercised within the extended tribal community despite the Connecticut government's efforts to destroy tribal government through the appointment of overseers who attempted to usurp the traditional responsibilities of the Sachem and his council, and through the State policy of dealing directly with individuals in a one-on-one relationship rather than with tribal leaders. These obvious efforts at detribalization are clearly illustrated in the overseers' reports and in correspondence between tribal members and State officials. The various political strategies utilized by Schaghticoke tribal leaders through the centuries have included the following:

(1) Land transactions, petitions of concern, and memorials by Schaghticoke leaders on behalf of the Tribe to the Connecticut General Assembly and executive branch agencies of State government. By peacefully selling their lands to settlers and going through legal channels of the dominant society to protest non-Indian encroachment, 18th and 19th century tribal leaders opted to protect tribal resources and members without subjecting the community to potential physical danger through the use of more hostile tactics;

(2) Land claims and other lawsuits. Like their predecessors, 20th century Schaghticoke leaders have attempted to reclaim tribal properties illegally taken from the Tribe through litigation;

(3) Organization and direction of socio-religious ceremonies. Leaders have organized and overseen events such as powwows and naming ceremonies to better integrate members into the Schaghticoke community -- to strengthen the group's sense of belonging -- the "Them versus Us" feeling-- and thereby consolidate the bonds among members of the four major lineages into one Schaghticoke community;

(4) Organization and direction of various economic activities. Leaders have directed economic activities such as land clearing, cemetery maintenance, and construction of Tribal pavilion and office to enhance the physical base of the Tribe. They have also enforced certain rules of behavior on the Schaghticoke Reservation. These have included requiring weekly garbage cleanup by residents; limiting the number of dogs one could own; requiring that dogs be penned or chained and licensed with the Tribal Council; restricting use of the reservation to tribal members and friends; overseeing hunting activities on the reservation; suspending the storage of trailers on the reservation; and mandating a moratorium on building activities on the reservation;

Political authority within the Schaghticoke Tribe is also documented through the various 20th century factional disagreements over the past three decades. Significantly, the goals of each faction were always the same -- economic development of the reservation, housing for tribal members and employment on the reservation. The disagreements arose as to how the Tribe should go about achieving these goals, and who should direct the operations. In essence, certain individuals were fighting for control of the tribal membership through control and use of Schaghticoke tribal lands and resources. That the leaders of these factions had followers who influenced them has been demonstrated by the rise and fall of particular leaders in tribal elections. If a particular leader could persuade the Schaghticoke membership that their strategy would improve the lot of the Tribe, they were elected. However, if they failed to attain their goal in the time and manner expected by their followers, or if they were suspected of wrong-doing, they were voted out of office

The Schaghticoke electoral process has certainly allowed followers to influence their leaders. Followers also influence leadership through petitions. Schaghticoke tribal members have petitioned for special meetings of the community from time to time to air grievances they have had with certain leadership decisions.

Additionally, tribal authority has traditionally been exerted in the organization and direction of cooperative work groups to maintain the Schaghticoke community. During the 20th century, work groups have been organized by the Chief who would contact family elders, first in person or by mail and later, after it became more common in tribal households, by telephone. Elders, in turn, relayed the information to other family members. Evidence for these various political activities are derived from Connecticut's public records and other State documents, newspaper articles, court documents, tribal meeting minutes, tribal correspondence, and oral history interviews.

Another distinct form of leadership within the Tribe are the elders,

especially the women culture-bearers or culture-keepers. The long list of women healers and herbalists from the 18th century to the present bear witness to the fact that certain Schaghticoke matriarchs were the caretakers of specific tribal cultural traditions. Additionally, tribal social welfare projects such as food drives for needed community members, and candy sales and raffles to provide funds for office supplies, legal fees, the reservation playground, and other tribal projects were also organized and directed by women elders.

1. Political Influence and Authority in the 18th Century

Despite a lack of information regarding political organization of the Schaghticoke Tribe during the early contact period there is reasonable evidence, based on what is known about other tribal units in southern New England in the 17th and 18th centuries, to assume that the Schaghticoke Tribe was organized similarly .

What is clear from the early historical record is that the political structure of the Schaghticoke was based on leadership by a sachem. The role and authority of the sachem varied within the various tribes of southern New England from that of being an absolute monarch to being merely a respected advisor. The Moravian diaries indicate Sachem Gideon Mauwee, the Tribe's first recorded leader, held considerable influence over the Schaghticoke but was not a dictator. Subordinate sachems, who headed villages or other smaller units within the tribes, were called sagamores, and this is the role that Schaghticoke leaders such as Samuel Cocksure provided in relationship to Gideon Mauwee and his descendants. The sachemship was usually hereditary, descending most often to males through the mother and sometimes to the offspring of the sachem's sister, and this appears to have been the case within the Mauwee line. While the position was inherited, the influence of the sachem was the product of their individual character and ability. Those subordinate to the sachem within a tribal unit were commonly grouped into three classes: those of the sachem's blood line and/or those of superior achievement; commoners; and those without tribal status (captives and others who lacked legal rights).

Because the success of tribal leaders depended on community consensus, they seldom exercised authority without consulting a council of members of the tribe, chosen on the basis of their ability, wisdom, and experience. This criteria favored elders, who were honored and respected in tribal society generally, and there is good evidence of elder leadership of the Schaghticoke up to the present. Depending on the importance of the issue, decision-making could involve consultation with any combination of sagamores, tribal elders, all of the higher quality tribal members, or the entire tribe. This probably accounts for the variation of Schaghticoke signatories to land conveyances and petitions within the same time span.

The decision-making process attempted to arrive at either unanimity or a least tacit approval. As a result, the process was often lengthy. Tribal custom and decisions had the effect of law and were enforced by community sanctions. Political authority within the tribe today continues to be dependent upon maintaining the consent of the people. Those who violate or ignore tribal decisions are still subject to sanctions such as losing their tribal voting rights.

The Connecticut colonial system recognized tribal leadership and the corporate ownership of Indian land to the extent that it made certain that deeds of conveyance were negotiated with, and signed by, the individual considered by the English to be the head chief or sachem of the tribal entity, as a minimum requirement, and often by other leaders of the Tribe as well. Consequently, the petitions and deeds of title for land conveyances by the Schaghticoke in the 18th and 19th centuries are important primary sources documenting the history of the Tribe's political authority. The signatures of the petitioners or grantors demonstrate who was considered to be the tribal leaders.

The Schaghticoke Tribe as a political entity sent selected emissaries of the people, namely the Sachem and counselors, to colonial authorities on behalf of the interests of tribal families. Between the first recorded document signed by Sachem Mauwee in 1716 and his death in 1760, Schaghticoke leaders signed a number of legal documents. The names that appear most consistently on these records are male members of the Mauwee and Cocksure (later changed to Cogswell) families (no women signed the early documents). Descendants in the Mauwee line continued to serve as the primary tribal leaders for more than two centuries, and members of both family lines are represented among the Schaghticoke leadership today.

Between 1743 and 1770 the Schaghticoke came under the influence of Moravian missionaries who established a Christian mission at the main tribal settlement. The diaries kept by the Moravians provide a better view of Schaghticoke community life than is available during any subsequent period prior to the second half of this century. However, they do not provide much detail regarding political organization.

The Moravian diaries clearly identify the leadership role of Gideon Mauwee as "captain" and Samuel Cocksure as his "lieutenant" and document tribal meetings indicating that political decisions in the community were arrived at by consensus of the Tribe. When the Moravians were pushing for selection of a certain site for winter encampment, for example, Gideon Mauwee deferred the decision until "all could speak his or her mind" in close assembly.

The Moravian documents show that four tribal members were elected to

the position of "tithing men,," whose duties included representing the community to outside authorities and overseeing the fences. They indicated further that Schaghticoke leaders mobilized tribal members into cooperative work groups to clear, partition, plant, and harvest the land and to produce utilitarian household objects such as wood-splint baskets, brooms, and wooden bowls for sale or barter.

The Moravian diaries demonstrate further that in addition to being recognized as the community Sachem, Gideon Mauwee was also a spiritual leader, a healer, and a maker of fine baskets. By design, the Schaghticoke under his leadership and those who followed after him consistently sought peaceful and diplomatic relations with the Connecticut government in resolving tribal land disputes and issues and their own political subjugation. Gideon Mauwee as Sachem sought solutions for the Tribe's political predicaments, such as shrinking access to previous territories and resources, and developed strategies for survival based on hopes for the Tribe's future as Indians.

In 1757 the Schaghticoke petitioned the Connecticut General Assembly to appoint Jabez Swift as their overseer. This petition is important because it indicates that the Tribe wanted to select for themselves the non-Indian who would serve as their agent, hired to protect and serve them. The legislature responded favorably to their request.

The role of the overseer was to assist the Tribe with respect to the management and accounting of its lands and resources in relation to non-Indians. The overseer was not accorded any statutory authority over the internal social and political activities of the Tribe. Neither did the Schaghticoke request that overseers have that power. However, as time passed, overseers came to exert more control over tribal affairs, usurping the traditional role of tribal leaders.

As Gideon Mauwee aged, his son Josua and trusted sagamore Samuel Cocksure took over more leadership duties by the 1750s. In the years following the death of Gideon in 1760, the Tribe continued to be led by members of the Mauwee family, including sons Josua and Joseph and grandsons Peter, Daniel and Elihu. Samuel and Jerimiah Cocksure also continued to have important political roles.

In the years following the departure of the Moravians from Schaghticoke in 1770 the best evidence of a continuing tribal political entity is found in the government records of Connecticut. Schaghticoke leaders continued to petition the General Assembly to express grievances or request action or nominate a candidate for overseer. It is evident from the names on the petitions that a group of tribal members (perhaps comprising a council) consistently took action on behalf of the Tribe at large. The recurrence of family names on six petitions filed

between 1771 and 1799 indicate that kinship ties continued to play an important role in the exercise of tribal political authority and influence. For example, Josua Mauwee and Samuel Cocksure represented the group to outsiders in 1760 and Daniel Mauwee was the first signer of petitions filed in 1772 and 1773. The petition documents also demonstrate that in regard to both political and social interaction, tribal membership and reservation residence was not coterminous. For example, Joseph Mauwee lived in Derby and Peter Mauwee in Cornwall during these years.

In the period between the American Revolution and the beginning of the 19th century, Schaghticoke petitions to the General Assembly in 1786 and 1799 were signed by Joseph, Elihu, and Peter Mauwee, and Jonas Cocksure. In 1789 an observer of tribal affairs identified Cornwall resident Peter Mauwee as "King" of the Schaghticoques and his wife Eliza, the daughter of Chickens Warrups, as the "Queen."

2. Political Influence or Authority in the 19th Century

It is difficult to identify specific Schaghticoke leaders during the first half of the 19th century because there is no record of tribal petitions to the General Assembly. Neither are leaders specified in the reports of overseer Abel Beach or noted by visitors such as Timothy Dwight. However, it is apparent from the evidence that the Schaghticoke community remained intact during the period, with a core population of between 40 and 50 members on the reservation and sub-communities and kin-cluster areas in such places as Cornwall, Derby, Bridgeport, Litchfield, and Amenia. Furthermore, leaders who had signed earlier petitions were still part of the community. These men included Peter Mauwee, identified as the tribal sachem in 1789, who lived until 1822, Elihu Mauwee, the son of sachem Joseph (Chuse) Mauwee, and Abraham Konkapot, signer of a 1799 petition, who lived until 1831.

The most documented Schaghticoke leader between 1836 and 1860 was Eunice Mauwee (see below), the daughter of Sachem Joseph (Chuse) Mauwee and granddaughter of Sachem Gideon Mauwee. She represented the Tribe to outsiders and was accorded royal status because of her ancestry. Within the tribal community, however, she also played an important role as one in a line of many matriarchal culture-keepers who helped preserve Schaghticoke language, history, and traditions such as basket making and herbal medicines. Her descendants Abigail Mauwee Harris, Lavinia Mauwee Carter, and Rachel Mauwee continued the tradition of this leadership role within the Tribe into the 20th century.

Although he was not a Schaghticoke by birth, Abigail Mauwee's husband Henry Harris became a leader on the reservation during the latter 19th century.

He was a reservation resident who organized basket making activities. Another important resident leader during this period was George Cogswell, who organized snake hunts. Harris and Cogswell were among those who signed a petition to the General Assembly requesting a new overseer in 1876. This petition was also signed by Nathan Cogswell, a well-regarded resident of Cornwall, and by tribal culture-keeper Abigail Mauwee Harris. A similar petition, filed in 1884, was signed by George Cogswell, Henry Harris and his son James, who by then may have been considered chief of the Tribe, as well as by other tribal members from both on and off the reservation. George Cogswell and Chief James Harris also organized and guided the public snake hunts known as the Schaghticoke Rattlesnake Club. In the tradition of Gideon Mauwee, Chief James Harris was also a preacher.

3. Political Influence or Authority in the 20th Century

Mauwee descendant James (“Jim Pan”) Harris served as chief of the Tribe until his death in 1909. His heir apparent, son Howard Harris, was only a boy at the time and did not become tribal chief until after his service in World War I, at which time he was denied the right to move back into his family home on the reservation. By then the reservation was under jurisdiction of the State Park and Forest Commission. Considering the anti-tribal attitude and policies of the Commission during this era, it is not surprising that the State did not allow the leader of the Tribe to live at Schaghticoke. Since the tribal chief could not reside there, responsibilities regarding the daily affairs of the reservation fell to resident tribal leaders. For example, elder residents on the reservation supervised who would use the reservation resources and hold meetings, events, and powwows.

Stewardship of the Schaghticoke Reservation has been seen as a tribal duty of reservation residents in conjunction with the politically designated leadership, especially when the primary tribal leader was not a resident. This tradition goes back to the late 19th century when leaders such as Joseph and Peter Mauwee resided off reservation in other kin-cluster areas. In the early 20th century tribal elder and Civil War veteran George Cogswell continued to serve as steward or resident leader of the reservation until his death in 1923. He was succeeded in this role by Frank Cogswell, who continued in this capacity into the 1940s. This preserved the Cogswell tradition of leadership linking back to tribal sagamores or sub-chiefs in the 18th century. Today, the Cogswell line is represented on the reservation by modern culture-keeper Trudie Lamb Richmond. Reservation stewards in the Kilson line included Charles (in the 1910s and 1920s), Earl (1938 and after) and Robert (1940 and after). Earl’s son Russell Kilson now represents that family on the reservation.

Oral history evidence for the period that Howard Harris was chief of the

Tribe (from the 1920s until his death in 1967, indicates that the Schaghticoke continued to hold tribal meetings either on the reservation, at the home of Chief Harris in Bridgeport, or in other of the Schaghticoke sub-communities throughout the region. Powwows, picnics and other informal gatherings were held on the reservation on weekends. Cooperative work groups were organized by tribal leaders to maintain the tribal cemetery and other common grounds. Communication from and to tribal leaders was maintained through a network of family elders. Elders also continued to serve as culture keepers of the extended community, imparting tribal traditions, lore, and knowledge to future generations of tribal members.

Before 1940 tribal members believed that their lands and tribal interests were being reasonably protected by the benign neglect of the State. The need for more political presence in the public eye did not escalate until the 1950s. The responsibilities of tribal leadership and its relationship to the State of Connecticut became more complex after 1941 when the State Department of Welfare took over jurisdiction of the reservation and its assets and imposed a restrictive management program aimed toward the goal of termination of the both the reservation and State relations with the Tribe.

In 1949 the Schaghticoke Tribe, with the encouragement of Pan-Indian leader Franklin Bearce, voted to pursue a claim for lost lands before the U.S. Indian Claims Commission (ICC). Documentation of the meeting at which this action was initiated is significant for a number of reasons. It shows the continued interest and involvement of the tribal community in an issue of long standing, the loss of their land and resources through unlawful seizure and questionable conveyances. It also demonstrates the existence of a tribal business council and ongoing political processes within the Schaghticoke community. Surnames on documents generated at the meeting show the genealogical continuity of the participants to the four main tribal lineages represented on tribal political documents of the 18th and 19th centuries. The minutes of the meeting represent the earliest extant document evidencing formal tribal meetings in this century and corroborate evidence of such events from oral history interviews. Unfortunately, other political documents from this era were lost to the Tribe when the tribal office on the reservation was vandalized in the 1980s.

In a 1954 meeting related to the ICC claim, the Schaghticoke elected Chief Howard Harris tribal chairman and six other members to a tribal committee. This first record of a formal election of Schaghticoke tribal leaders indicates that the members present represented the major lines and geographic concentrations of Schaghticoke families.

The decade of the 1960s witnessed the efforts of Schaghticoke tribal members to return as residents to the reservation, to have the State conduct a

survey of the reservation, and to urge reform of the Welfare Department's restrictions on the use of reservation land and resources. These efforts were led by Chiefs Howard and Irving Harris. At the urging of Chief Howard Harris, tribal members made repeated efforts to gain State approval to reside on the reservation.

After more than 40 years service as the primary Schaghticoke tribal leader, Chief Howard Harris died in 1967. In the tribal tradition of the chieftainship being inherited through the Mauwee/Harris line, his son Irving Harris became the new Schaghticoke chief.

In June 1968 seventy tribal members, under the leadership of Chief Irving Harris, gathered on the reservation to strategize how they should air their grievances over the State's Indian policies. They decided to launch a letter writing campaign requesting a land survey to determine the reservation's exact boundaries. In August 1969 the Tribe elected Chief Irving Harris to the office of tribal chairman.

Chief Harris and the Schaghticoke Tribal Council focused on a number of important issues during the early 1970s. Among them was incorporation of the Tribe, development of a tribal census, identification and improvement of the tribal cemetery, construction of a tribal pavilion by volunteer tribal members, and holding an annual powwow. External issues included protesting Welfare Department policies, demanding creation of an autonomous State Indian Affairs Commission, gaining Federal recognition, filing land suits, and countering the claims of Necia Hopkins to Schaghticoke membership. The Tribe's handling of the Hopkins challenge and other false claims to tribal membership over the years demonstrated that it maintained sufficient genealogical knowledge and political authority to determine its membership. Membership in the Schaghticoke Tribe and use of its reservation was attractive to many people for a number of reasons. However, the Tribe was cohesive enough to reject people who were not known to be Schaghticoke.

During the early 1970s, Chief Irving Harris successfully led a movement throughout Connecticut to transfer the State's jurisdiction over Indian affairs from the Welfare Department to an Indian Affairs Council. As a tribute to his efforts in drafting the legislation and getting it enacted in 1973 he was elected to serve as first chairman of the Connecticut Indian Affairs Council (CIAC). While serving in this capacity, Chief Harris and the Schaghticoke Tribe also took action in regard to many other tribal initiatives, including incorporating the Tribe with a new constitution and bylaws in 1973, filing the Kent School land claim in U.S. District Court in 1975, and establishing a tribal Housing Authority in 1978.

A political split developed among the Schaghticoke in the late 1970s over how best to exercise sovereignty and utilize the resources of the reservation. The political incumbents, led by Chief Irving Harris, wanted to preserve the

reservation and protect the cemetery where tribal ancestors were buried. Chief Harris had long been seeking the resettlement of tribal members on the reservation, but felt that elders should have the first opportunity to live there. Because of their strong anti-welfare attitude, born of their struggle to gain freedom from the stringent control of the State Welfare Department, Chief Harris and his supporters viewed most Federal assistance programs with disdain. In contrast, a developing political faction of the Tribe, led initially by Maurice "Butch" Lydem and Trudie Lamb, wanted to develop the reservation as a profit-making enterprise and take advantage of the proliferation of Federal grants available for housing and economic development, while also preserving tribal traditions on the land.

The pro-development or progressive faction unseated the incumbent Tribal Council in the 1979 tribal election. On the surface the power struggle appeared to be a political feud between Harris and Cogswell family members. However, the faction fight was more complex than that. As the new council proceeded with its political agenda and debate became more heated, individual tribal members transcended family allegiances and realigned their support based on their views on specific issues. The intensity of disagreement and widespread participation of tribal members in the arguments demonstrated that there was a controversy over tribal goals, properties, and decisions and that the actions taken by tribal leaders in regard to these issues were of key importance to the tribal membership.

Within a few months of taking office, the Lydem administration obtained a number of Federal and State grants for various development projects on the reservation and drafted a new constitution. Exasperated by the direction in which the Lydem administration was taking the Tribe, after observing it for two years, the anti-development or conservative faction under Chief Irving Harris decided to establish its own separate council in December 1981. The two councils then continued to compete for control over the Tribe until July 1984 when the tribal membership voted to restore power to Chief Irving Harris and elect a Tribal Council that was representative of both factions.

Despite differences between the political factions, one area of universal agreement among tribal members by 1981 was that Federal recognition would be the key to their future. Accordingly, the Schaghticoke Tribe, in December 1981 notified the Bureau of Indian Affairs (BIA) of its intent to petition for Federal acknowledgment. Reconciliation of the political factions began in March 1982 when Butch Lydem resigned as chairman of the progressive council because of his concern over the way it was conducting business and asked Chief Irving Harris to take over. However, the progressive council elected Trudie Lamb in 1982 to serve the rest of Lydem's term and then chose Alan Russell as its chairman in June 1983.

The progressive faction changed the tribal constitution to allow decision making by a majority of the council rather than a majority of the Tribe. It also lifted the moratorium on home construction on the reservation and entered a formal agreement with a local contractor to allow logging on the reserve.

The logging controversy swung the balance of tribal political support back to the supporters of Chief Irving Harris in 1984. The majority of tribal members were upset about the depletion of reservation resources and the lack of measurable results by projects funded with Federal and State grants.

The new council under Chief Harris imposed sanctions on Alan Russell and Trudie Lamb, conducted an investigation of logging operations and grant expenditures, and amended the tribal constitution to again require a majority of the Tribe and not just the council for decision making.

Chief Irving Harris resigned the tribal chairmanship and vice-chairman Chief Richard Velky, a grandson of Chief Howard Harris, was appointed by the Tribe and council to serve as chairman. Chief Velky has served in that capacity since that time.

The Schaghticoke Tribe under Chief Velky's leadership brought suit in State court against Alan Russell and the logging firm he contracted with. It voted to evict tribal members who built homes on the reservation without authorization from the tribal majority and revoked the voting privileges of the members of those families. It also voted to reinstate the moratorium on building on the reservation.

The result of the litigation over the logging controversy resulted in a court ruling (the Potter decision) that the Schaghticoke Reservation was considered by the State to be "Indian Country" as that term has been interpreted in Federal law. This meant not only that the State therefore lacked jurisdiction to resolve this intra-tribal dispute but also that after more than two centuries of oppressive and paternalistic treatment by the government of Connecticut, the State finally acknowledged the full sovereignty of the Schaghticoke Tribe to conduct its own affairs and to govern and manage the Schaghticoke Reservation.

In the years since the Potter decision, the Schaghticoke Tribe, under the administration of Chief Richard Velky, has made great strides in its goals of protecting and expanding the reservation land base and obtaining Federal recognition. The Tribe continues its challenge in Federal court to prevent expansion of the Appalachian Trail in the reservation area that would impact the rattlesnake den. It has also taken a number of steps in the 1990s to regulate activity on the reservation.

In September 1991 the Schaghticoke Tribal Council held a hearing to examine the charges of libel, slander and malicious acts by members of the progressive faction against the conservative faction. After deliberation, the council found the claims to be without merit. Since that time the Schaghticoke Tribe has restored voting rights to those from whom it was withdrawn during the factional struggle and all of the political factions have cooperated and participated in the supplementary Federal acknowledgment effort. Schaghticoke is once again a united tribe whose leaders and followers have demonstrated that they have the political influence and authority to settle disputes between tribal factions.