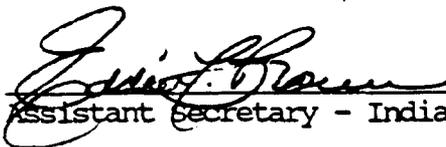


Summary under the Criteria and Evidence for
Proposed Finding against Federal Acknowledgment
of the
The Mohegan Tribe of Indians of the State of Connecticut

Prepared in response to a petition submitted to
the Secretary of the Interior for Federal
acknowledgment that this group exists as an
Indian tribe.

Approved: OCT 30 1989


Assistant Secretary - Indian Affairs

INTRODUCTION

This report has been prepared in response to the petition received by the Assistant Secretary - Indian Affairs from The Mohegan Tribe of Indians of the State of Connecticut seeking Federal acknowledgment as an Indian tribe under Part 83 of Title 25 of the Code of Federal Regulations (25 CFR 83).

Part 83 establishes procedures by which unrecognized Indian groups may seek Federal acknowledgment of an existing government-to-government relationship with the United States. To be entitled to such a political relationship with the United States, the petitioner must submit documentary evidence that the group meets the seven criteria set forth in Section 83.7 of 25 CFR. Failure to meet any one of the seven criteria will result in a determination that the group does not exist as an Indian tribe within the meaning of Federal law.

Publication of the Assistant Secretary's proposed finding in the Federal Register initiates a 120-day response period during which factual and/or legal arguments and evidence to rebut the evidence relied upon are received from the petitioner and any other interested party. Such evidence should be submitted in writing to the Office of the Assistant Secretary - Indian Affairs, 18 & C Streets, N.W., Mail Stop 4627-MIB, Washington, D.C. 20240, Attention: Branch of Acknowledgment and Research.

After consideration of all written arguments and evidence received during the 120-day response period, the Assistant Secretary will make a final determination regarding the petitioner's status, a summary of which will be published in the Federal Register within 60 days of the expiration of the 120-day response period. This determination will become effective 60 days from its date of publication unless the Secretary of the Interior requests the Assistant Secretary to reconsider.

If at the expiration of the 120-day response period this proposed finding is confirmed, the Assistant Secretary will analyze and forward to the petitioner other options, if any, under which the petitioner might make application for services or other benefits.

SUMMARY UNDER THE CRITERIA 83.7(a-g)

Evidence submitted by The Mohegan Tribe of Indians of the State of Connecticut (hereinafter, the petitioner) and obtained through other interested parties and independent research by the Acknowledgment staff demonstrates that the petitioner does not meet all seven criteria required for Federal acknowledgment. Specifically, the petitioner does not meet criteria 25 CFR 83.7(b) and (c). In accordance with the regulations set forth in 25 CFR 83, failure to meet any one of the seven criteria requires a determination that the group does not exist as an Indian tribe within the meaning of Federal law.

This is a proposed finding based on available evidence, and, as such, does not preclude the submission of other evidence to the contrary during the 120-day comment period which follows publication of this finding. Such new evidence may result in a change in the conclusions reached in the proposed finding. The final determination, which will be published separately after the receipt of comments, will be based on both the new evidence submitted in response to the proposed finding and the original evidence used in formulating the proposed finding.

In the summary of evidence which follows, each criterion has been reproduced in boldface type as it appears in the regulations. Summary statements of the evidence relied upon follow the respective criteria.

- 83.7(a)** A statement of facts establishing that the petitioner has been identified from historical times until the present on a substantially continuous basis, as "American Indian," or "aboriginal." A petitioner shall not fail to satisfy any criteria herein merely because of fluctuations of tribal activity during various years.

Documentary sources have clearly and consistently identified a body of Mohegan Indians living in the general vicinity of the petitioner's base village area (encompassing Montville township and the city of Norwich) from 1614, when Dutch traders first explored the region, to the present. The identification of a Mohegan tribal entity was established in the colonial records of the English Colony of Connecticut (1638-1776) and in the judicial records of England (1705-1773), including those of the King's Privy Council. The State of Connecticut has also identified a Mohegan group consistently from 1776 to the present. However, these identifications were less frequent for the period between 1872, the year in which the Mohegans were granted State citizenship, and 1973, when the General Assembly created an Indian Affairs Council with Mohegan as a member.

Mohegan has similarly been identified as an Indian group in certain records of the United States Government beginning in 1822, when the Rev. Jedidiah Morse reported its status to the Secretary of War. President Andrew Jackson mentioned the Mohegan in his annual message of 1829, Congress appropriated "Civilization" funds for the benefit of the "Mohegan Indians" from 1832 until perhaps as late as 1868, and a report of the Commissioner of Indian Affairs referred to the Mohegan in 1853.

A Mohegan group was identified in administrative studies conducted for the Bureau of Indian Affairs by Gladys Tantaquidgeon in 1934 and by Theodore Taylor in 1972. Records of the U.S. District Court relating to the group's pending land suit against the State of Connecticut have also identified a Mohegan entity.

A Mohegan Indian group has likewise been identified in travelers' accounts, including Kendall (1809); local and regional histories, including Holmes (1904), Barber (1838), Hooker (1840), DeForest (1851), Fitch (1906), and Peale (1930); and in biographies, including Love (1899) and Voight (1965). Identifications in the ethnological literature have included Prince and Speck (1903), Mooney (1907), Speck (1909 and 1928), Rouse (1947), Gilbert (1948), Swanton (1952), Schusky (1957), and Simmons (1986). There have also been numerous identifications in magazines and newspapers from 1859 to the present, particularly in the Norwich Bulletin and the New London Day.

The petitioner has been identified as being an American Indian group from historical times until the present on a substantially continuous basis and, therefore, meets criterion 25 CFR 83.7(a).

83.7(b) Evidence that a substantial portion of the petitioning group inhabits a specific area or lives in a community viewed as American Indian and distinct from other populations in the area and that its members are descendants of an Indian tribe which historically inhabited a specific area.

The petitioner is based on land which was traditionally and aboriginally Mohegan. The property on which the Mohegan Church is located, and some nearby plots held by individual members in the village of Mohegan, including the site of the Tantaquidgeon Indian Museum, have been in the possession of Mohegans throughout history.

The Mohegan suffered a drastic population decline during the early period of European contact, perhaps as much as 93 percent by 1650. The resident tribal population was further reduced from approximately 1,000 in 1650 to approximately 135 in 1782. From 1809 to 1902, Mohegan population remained relatively stable, at between 50-69 resident members. In 1902 it was reported that half of the Mohegan no longer resided within the traditional community. Since that time the percentage of non-resident members has increased steadily.

Throughout history, members of the petitioning group have been identified consistently as Mohegan people by others. They have also been viewed as distinct from Pequot and other Indian groups in Connecticut, although at the present they do not appear to be distinct socially from the non-Indian population.

Until the early 1940's, the Mohegan maintained a cohesive, albeit continually declining, Indian community on an ever-dwindling land base, as its resident population was gradually surrounded and interspersed by non-Indian settlers. The 20,000-acre tract of aboriginal land sequestered by Connecticut officials for the use of the Mohegan in 1671 was reduced to just

2,600 acres by 1790 when the first land division was made. At this time Mohegan members were assigned lands, and while they were not held in fee simple, some Mohegans considered them to be individually owned. Some tribal lands remained. The tribal lands were divided in 1861 and the recipients were given title in 1872. The church, the parsonage, and the cemetery lands were not sold and remained as tribal lands. The Mohegan as a group and some of its individual members continue to hold title to small parcels of their historic land base.

After the division of the tribal lands in 1861, some of the ancestors of the present major Mohegan families (Fieldings, Bakers, Storeys) sold their lands and moved to Norwich and New London. The Mohegans who left, principally the Fieldings and the Storeys, maintained family ties with their relatives in Mohegan. Many of these Mohegans and their descendants returned annually to participate in the annual Wigwam, which served as both a fund-raising fair to benefit the Church and a Mohegan homecoming.

The Mohegan Church was built in 1831 on land centrally located in the village of Mohegan and donated by two Mohegans. The church has never had a large Mohegan membership and the membership has always been composed of both Mohegan and non-Mohegan. Nonetheless, until the early 1940's, the church was supported by the Mohegans.

By 1860, the Mohegan Church became a center of community activities. The Wigwam festival was held on the church grounds almost every year between 1860 and 1927. This possible survival of a Mohegan Green Corn Dance was organized and sponsored by the "Ladies" of the Mohegan Sewing Society, an auxiliary of the Mohegan Church. The annual Wigwam festivals and homecomings in the Mohegan community began to decline in the late 1920's. References have been found for only three such community events between 1927 and 1941, when the last successful festival took place. These were in 1935, 1936, and 1938. The 1938 event was the last, apparently, to be sponsored by the Mohegan Sewing Society, and no further reference to this organization could be found after 1941.

A 1941 Wigwam was sponsored by the National American Indian Defense Association (NAIDA) under the leadership of Mohegan member John E. Hamilton. This wigwam was the last Mohegan cooperative endeavor involving all of the group leaders and representatives of the three primary Mohegan families. Even allowing for the disruptive effects of World War II on the Mohegan, little documentary evidence has been found regarding group activities since this event.

Five years after the 1941 Wigwam, the Mohegan Church, which had served as a community center for the Mohegan for over a century, was closed and fell into disrepair. In 1956, a church restoration committee was formed, headed by Courtland E. Fowler, the current chief and chairman of the Tribal Council. While local Mohegans were involved in the restoration and eventual rededication of the church, no evidence has been found that the membership as a whole was involved. Also in 1956, an unsuccessful attempt was made to revive the Wigwam festival.

In 1967, John Hamilton and other Mohegans organized the Council of the Descendants of Mohegan Indians, Inc. For the first time since 1941, this new organization brought together members of the three principal families who

previously had been active in Mohegan issues. They lived not only in Mohegan but also in Norwich and New London. Some of the group's meetings were attended by as many as 50 members. Their principal concerns were the Mohegan land claims and the Fort Shantok cemetery. However, the sale of the tribally-owned parsonage was discussed at some of their meetings. Dissatisfaction with Hamilton's leadership led to the dissolution of the Council of the Descendants in 1970. There is no evidence of the continuation of group meetings following the dissolution. In 1980, a tribal constitution was adopted and a new council was organized.

Of the 1,032 Mohegan on the current membership list, at least 889 live in southeastern Connecticut and 45 percent of these live in the New London-Norwich area. There are 93 members who live in or near the village of Mohegan, their traditional homelands. Another 104 live in Norwich, about four miles north of Mohegan. Eleven percent of the membership do not meet the group's membership requirements. These non-Mohegans began to appear in the Mohegan record in the 1970's and, for the most part, live in the Hartford-East Hartford area or in Groton, Connecticut.

The lack of Mohegan tribal activities during the period between 1941 and 1967 and 1970 and 1979 is corroborated by the statements of 23 group members deposed by the Connecticut attorney general between 1980 and 1983. These depositions were taken from members representing the major families as well as five who were non-Mohegan. Five of the deponents lived in Mohegan. The rest lived elsewhere in Connecticut. These depositions were taken in conjunction with a land suit filed against the State on behalf of the Mohegan in 1977. Even though most of the deponents were more than 50 years of age, they did not specify or recall any tribal social or cultural events other than those described above during these periods. Most stated that they had not attended more than one or two such activities prior to 1979. Some of the deponents of Mohegan ancestry, although listed as members of the petitioning group, indicated that they had had minimal or no social contact with the petitioning group.

Some of the deponents who lived in or near Mohegan and who were of Mohegan ancestry gave evidence that there has been some level of informal cohesiveness within the group, particularly among the Fielding descendants. Yet, even the statements of those members who had been most active in recent group events pointed to the paucity of Mohegan activities and social contacts during the years between the 1941 Wigwam festival and the organization of the Mohegan Tribal Council in 1980. The group members who do not appear to be of Mohegan ancestry indicated that they had interacted socially and politically with members in the base village area, although only one of those deponents claimed any contact prior to the early 1970's.

Although the Mohegans currently have a council, its principal concerns appear to be the land claims and Federal acknowledgment. On occasion, the council discusses the Mohegan burial grounds. There is no evidence of extensive interaction between the council and its members, and it is not known if or how decisions by this body are communicated to the membership. It is not known if or how issues raised by the membership come before the council. There are no business meetings of the membership as a whole.

The Tantaquidgeon Indian Museum in Mohegan was built in 1931 on private property near the Mohegan Church. Although this museum of Mohegan and other Indian artifacts has become an important symbol of the Mohegans' pride in their heritage, it has never been a tribal institution in the sense of being run by the group. Neither has it served, except perhaps on rare occasions, as a political meeting place or social gathering point for the Mohegan.

Not enough evidence has been found regarding group activities following the cessation of the Wigwam festivals in 1941 to conclude that the petitioning group has maintained a distinct cohesive community within which significant social interaction exists since that time. The available documentation shows that since 1941, the Mohegan have had few, if any, community events or political meetings of a tribal nature. No evidence was submitted or found regarding other internal events which might have served to bring a substantial number of group members together, such as funerals, or birthdays, weddings, anniversaries, or other celebrations. There was no evidence of social interaction between either the primary Mohegan families or between these families and the non-Mohegan families in the membership. The only social activity which brings different families together is an annual homecoming which was not started until the late 1970's. In sum, the documentary history of the petitioner since 1941 is not indicative of a cohesive tribal community. We conclude therefore, that the petitioner does not meet criterion 25 CFR 83.7(b).

- 83.7(c) A statement of facts which establishes that the petitioner has maintained tribal political influence or other authority over its members as an autonomous entity throughout history until the present.

Aboriginal Mohegan leadership was provided by a chief sachem who made decisions in consultation with a council consisting of influential tribal members of similar social rank. The sachem and council form of government was continued until 1769, when the Mohegan abandoned the leadership position of sachem.

John Mason, deputy governor of Connecticut colony, assumed the position of "procurator" or guardian of Mohegan interests in the 1650's. This role was continued by other Mason family members for well over the next century, most often without official colonial sanction and, in fact, in opposition to Connecticut in a notorious land claim litigated by the Masons on behalf of the Mohegan between 1705 and 1773.

The General Assembly appointed a special committee to serve as guardians of Mohegan tribal lands beginning in 1719. The Colony worked overtly thereafter to manipulate the internal political structure of the Mohegan by backing those sachems and candidates for the sachemship who disavowed the Masons and endorsed the Colony's positions. This, plus internal dissension over who was the rightful sachem, led eventually to a severe tribal schism which divided rival Mohegan factions into separate villages throughout most of the 18th century. It also led to a growing dissatisfaction with the sachemship, to the extent that by 1736 the colonial-backed chief sachem no longer had majority support and could not function effectively in his role. Following the death of sachem Ben Uncas III in 1769, the Mohegan declined to name a successor.

Connecticut continued to maintain a guardian system over the Mohegan Indians until 1875 (the law phasing it out was passed in 1872). That the Mohegan continued to govern their affairs through some form of council in the years between 1769 and 1903 is evidenced by several documents either submitted to or generated by the Connecticut General Assembly or the New London County Court. Tribal petitions indicate generally that at various times the council may have consisted of all resident adult male members or the "chief men among the Mohegan," although some petitions are signed by both men and women who appear to be aligned with a certain tribal faction.

An observer wrote in 1809 that the Mohegan "have now no Indian practice except that of discussing their affairs in council." A special committee of the Connecticut legislature reported in 1817 that the Mohegan continued to abide by the "rules and principles of the Ancients and Elders of the Tribe" in regard to defining tribal membership and distributing tribal resources. There is also evidence that the tribal group maintained some control over the land redistribution of 1861 and provided the impetus for legislation terminating the guardian system and granting State citizenship to the Mohegan in 1872. In 1903, the group was described for the first time as being governed by a "chief" and an advisory council. Although there are a few 19th century references to a primary leader and certain individuals were consistently the first signers of tribal petitions, this was the first identification of a formal group leader since the dissolution of the sachemship in 1769.

Group representatives did not petition the General Assembly between 1872 and 1899. There is little explicit evidence of political activity during this period. However, the continued existence of a Mohegan community and the continuance of the annual Wigwam festivals during this period indicates that some level of group organization and decision making persisted. The Mohegan Sewing Society remained active, and group members were officers in the Mohegan Church. There is limited evidence of some continuity of leadership as well. Henry Matthews, who had been described as "the best man . . . in the tribe" when he spoke for the Mohegan at a legislative hearing in 1859, was also identified in 1903 by ethnologist Frank Speck as the "chief" of the Mohegan. Speck's identification of a tribal council also suggests the historical continuity of this form of political organization among the Mohegan.

The Mohegan continued to hold a wigwam festival and homecoming on an annual basis through 1927, although only three such community events were held during the period from 1927 to 1941. Between 1896 and the mid to late 1930's, the group made intermittent efforts to maintain some kind of tribal political organization under various leaders and various organizational names. However, there is no evidence of any effort to maintain a functioning tribal governing body and little evidence of individual political leadership between the early 1940's and 1967. A similar documentary gap exists for the period between 1970 and 1979.

Lemuel M. Fielding was identified as a group leader between 1896 and 1902. He was head of the Mohegan Indian Association formed in 1920. In 1896, Emma F. Baker, president of the Mohegan Sewing Society, was elected president of the Mohegan Indian League, an organization formed apparently to pursue certain Mohegan land claims. Speck observed in 1903 that the

tribal group was governed by a chief and an advisory council of three which held meetings, sometimes at the Mohegan Church, dealing with both internal and external matters. In 1909 he also wrote that the council was elected by the membership for a set term.

The Mohegan Indian Association formed in 1920 was led by various Fielding family members who played a very active and visible role in public ceremonies throughout the 1920's. The Mohegans reorganized again sometime prior to 1928, electing a new council and elevating Everett Fielding to the role of chief. A 1933 petition, drafted at a general meeting of the Mohegan at Mohegan Church, was signed by four "officers of [the] Tribal Council," with Julian Harris as chairman.

John E. Hamilton, who had taken over responsibility for pursuing the Mohegan land claims in the 1930's, later claimed that he was confirmed as "Grand Sachem" of the Mohegan at a general tribal meeting in 1933. It has been alleged by Hamilton's supporters that he then became the leader of a separate Mohegan group which met on a regular basis outside of the Montville township area over the next 50 years. However, the existence of such a group has not been verified prior to 1970.

In 1934, Gladys Tantaquidgeon, who has long been the cultural custodian of the group, identified Everett Fielding as chief of the Mohegan. She also reported that tribal meetings were held at least once a year and more often "if necessary." In 1935, the Tribal Social Club was formed in order "to do things that need doing," including organizing another Wigwam festival, adding improvements to the Mohegan Church, and continuing the Mohegan claims. Burrill H. Fielding was elected president of this club. However, no other references to the Tribal Social Club have been found.

Although Burrill Fielding was also identified as a Mohegan leader in documents from 1936, 1941, and 1947, and kept the honorary title of "Chief Matagha" until his death in 1952, the available sources do not offer any explicit examples of his political influence or other authority over group members.

In 1941, 18 Mohegans, with John Hamilton as their representative, petitioned the Connecticut General Assembly for monetary compensation for land allegedly taken by the State. Hamilton also served as president of the National American Indian Defense Association (NAIDA), which sponsored the 1941 Wigwam festival at Mohegan. Except for its avowed purpose of pursuing Mohegan land claims, details regarding the origin, nature, and membership of NAIDA and its relationship, if any, to subsequent tribal organizations headed by Hamilton are not known. As NAIDA president and "grand sachem of the tribe," he appeared before the Judiciary Committee of the General Assembly in 1943 with three other Storey family descendants who resided outside of the base village area (encompassing Montville township and the city of Norwich). Hamilton continued to seek a legislative remedy for the Mohegan land claims until 1951.

Secondary references published in 1965 and 1976 refer to Harold Tantaquidgeon as being selected by the "Mohegan Tribal Council" to be chief in 1952, following the death of Burrill Fielding. These are the only sources between 1933 and 1980 that refer specifically to the existence of a "Mohegan Tribal Council." They are also the only sources

that mention Tantaquidgeon's election. No documentation has been found to show that Tantaquidgeon either presided over or was otherwise involved in a tribal meeting during the years in which he was the designated group leader (1952-1970). Neither have any tribal council members been identified for these years, or for the broader period between 1935 and 1980 (except the officers of the Council of the Descendants which functioned between 1967 and 1970). Although Harold Tantaquidgeon performed certain ceremonial and cultural functions, most often related to the non-Indian community through the 4-H Clubs and Boy Scouts, there is not enough documentary evidence to measure if or to what extent he may have exerted political influence or authority over the Mohegan, or a single example of a decision he made which might have affected the entire tribal group.

Whether or not there was an existing tribal governing body functioning in the base village area in 1967, the Council of the Descendants of the Mohegans Indians, Inc., formed in that year under John Hamilton, attempted to function as a tribal council for the Mohegan. The minutes of this organization's meetings reveal that it discussed and decided issues which might otherwise have been dealt with by a group's governing body. Its primary purpose was to pursue the Mohegan land claims, and it was chartered as a corporation under Connecticut law because it was believed that incorporation was necessary in order to file litigation. However, it also addressed such issues as the sale of tribal property and maintenance of the tribal burial ground at Fort Shantok. Its members met regularly at the Mohegan Church and included some individuals who had previously had leadership roles both within and outside of the base village area. According to its members, the organization was, nonetheless, viewed by Mohegans as being "a separate entity" from the Mohegan tribal group, "because it was a corporation" to which "not all of the Mohegans belonged."

Not enough is known about the Council of the Descendants to measure its level of influence over or support from the Mohegan tribal group. Evidently, it did not generate enough interest to be continued for more than a three year period (1967-1970). Its primary issue, the Mohegan land claims, likewise failed to stimulate further tribal activity until 1977 when litigation was actually filed.

Dissatisfied with Hamilton's leadership and upset by his claim of being the "Grand Sachem" of all the Mohegan, his opponents replaced him as president of the Council of the Descendants in 1970. They also initiated a referendum among the heads of families on the question of whether or not Courtland Fowler should be named as primary leader of the Mohegan. Since there were no negative responses, "all" heads of families were notified to attend a meeting to confirm the nomination. Fowler was endorsed unanimously at this meeting, after Hamilton's supporters walked out.

In reaction to Fowler's confirmation, Hamilton filed papers with the State to dissolve the Council of the Descendants as a corporation. This action was taken without the knowledge of some of its officers. Yet, no effort was made by others to continue the organization after this was discovered. The attempt to maintain a broad-based council at Mohegan thus came to an end after just 34 months of operation.

Within three months of the dissolution, Hamilton formed a new organization called the Confederation of the Mohegan-Pequot American Indian Nation and Affiliated Algonquin Tribes, over which he again asserted his position as Grand Sachem of all the Mohegan. This new body, which met outside of the Montville township on a regular basis until at least 1981, consisted of those Mohegans who supported Hamilton and who, for the most part, did not recognize the leadership of Courtland Fowler. This new body included some who had been involved in the Council of the Descendants and some who may have also been affiliated with other Mohegan organizations under Hamilton's leadership going back to the 1930's or 1940's. Representatives from all three of the primary Mohegan families (Fielding, Baker, and Storey) were claimed to be among the Confederation's "councilors." However, the organization's membership also included some non-Mohegans and some non-Indians. Although the petitioner claimed Hamilton and his supporters of Mohegan descent as members, it has denied any affiliation with the Confederation.

Acting on behalf of all the Mohegan, but without tribal-wide consultation or consent, Hamilton filed certain land claims in the U.S. District Court in 1977 and petitioned the Department of the Interior for Federal acknowledgment of the Mohegan as a tribe in 1978. Although these actions were denounced initially by some of the Mohegans not aligned with Hamilton, particularly those resident in the base village area, they were subsequently endorsed by the new governing body in Mohegan which was established under Courtland Fowler in 1980.

The Mohegans in the base village area who had confirmed Fowler as the primary Mohegan leader were inactive between 1970 and 1979. The Council of the Descendants dissolved shortly after Fowler's election in 1970, and there is no evidence that he presided over or was a part of any other tribal governing body prior to 1980. He stated that his leadership was minimal prior to the drafting of a tribal constitution in 1979. He also stated in 1980 that as tribal spokesman he "didn't have to speak at anything" before then, and that there were no affairs for a Mohegan leader to run. There is reference to only one possible meeting involving Fowler between 1970 and 1979, and his only documented political act during this period was to appoint an individual as the group's representative to the Connecticut Indian Affairs Council.

The petitioning group approved a constitution and elected a tribal council under its provisions in 1980. Under the chairmanship of Courtland Fowler, this governing body has assumed a more active role in directing Mohegan affairs. However, there is evidence from the depositions taken between 1980 and 1983 by the attorney general's office that the membership of the new tribal organization, as determined by its governing body, has included the names of a few individuals, such as John Hamilton and others, who did not recognize the authority of Fowler and the Tribal Council. It also has included the names of several other persons of Mohegan descent who have had minimal or no social or political contact with the new tribal organization, and/or who have not previously maintained tribal relations with the Mohegan. Three of the persons who have been elected to the Tribal Council and two of its appointed representatives to the Connecticut Indian Affairs Council do not appear to have any Mohegan ancestry and therefore do not meet the group's membership requirements.

While the petitioner now has a formalized political structure, the available evidence is not sufficient to determine the extent of the Tribal Council's political influence or other authority over the Mohegan membership. For example, there is no evidence to indicate that the membership considers the limited political issues (e.g., their land claim and Federal acknowledgment) focused on by the Tribal Council to be important. The extent to which the elected leadership has been involved in the preparation and production of such community activities as the annual homecomings is also unknown. There is little or no evidence that group members who are not actively involved in the recent revival of Mohegan activities have ever maintained a tribal relationship with the petitioning organization.

The available documentation indicates that for most of the period since 1941 the petitioning group has not had demonstrable political leadership or other political process. We conclude, therefore, that the petitioner has not maintained tribal political influence or other authority over its members throughout history and, therefore, does not meet the criterion established in 25 CFR 83.7(c).

83.7(d) A copy of the group's present governing document, or in the absence of a written document, a statement describing in full the membership criteria and the procedures through which the group currently governs its affairs and its members.

The petitioner's constitution was formulated in 1979 and approved by ballot vote in January 1980. The constitution defined the organization and the powers of the Mohegan Tribal Council, removal from office, the process of election, the process of initiative and referendum, and the process of amending the constitution. Although the petitioner submitted a copy of bylaws, the bylaws have not been adopted and are not in effect.

The constitution included a membership provision defining the criteria for membership. The membership provision stated that any person who descends from an ancestor who appears on a "Mohegan tribal roll as of or prior to 1861" is eligible for membership, and that every child born to a member of the group shall be entitled to membership at birth.

The membership criteria were amended by vote taken in November 1985. As amended, the membership criteria stated that the membership consisted of those living persons who appeared on the membership lists submitted on April 15, 1985, to the Department of the Interior as part of the documented petition for Federal acknowledgment. The amended criteria also stated that membership would be granted to any other person who could establish descent from an ancestor on a "Mohegan tribal roll as of or prior to 1861" provided that the ancestors back to such lists have maintained continuous tribal relations. Membership would also be granted to every descendant of any member provided that the ancestors have maintained continuous tribal relations. Neither the amended criteria, nor the petition, define what is meant by tribal relations in the context of the membership criteria.

The petitioner has provided a copy of its present governing document and the criteria it uses for determining membership. We conclude that the petitioner meets criterion 83.7(d).

83.7(e) A list of all known current members of the group and a copy of each available former list of members based on the tribe's own defined criteria. The membership must consist of individuals who have established, using evidence acceptable to the Secretary, descendency from a tribe which existed historically or from historical tribes which combined and functioned as a single autonomous entity.

The total number of members being considered for acknowledgment purposes is 1,032. This total is the number of members living as of November 3, 1987, the date when the petition was placed on active consideration. The members appear on one of four lists submitted by the petitioner as part of its petition for Federal acknowledgment. Two of the four lists were submitted as part of the documented petition. The other two lists were submitted during the active consideration period in response to requests made by the Branch of Acknowledgment and Research.

The petitioner submitted copies of three lists prepared in (about) 1979, 1981 and 1982. According to the petition, these lists, as well as a list prepared about 1977 which was not submitted, were used to compile the membership lists submitted for acknowledgment purposes. A copy of a list prepared in 1983, which was not referred to by the petitioner, was submitted by the Connecticut attorney general in response to the petition. The petitioner also submitted copies of four lists identifying Mohegans living in 1934. Other than the 1934 lists, no comprehensive lists of Mohegans prepared between 1861 and 1977 are known to exist.

Both the constitution's original and revised membership criteria require descent from an ancestor who appears on a list of Mohegans as of or prior to 1861. Copies of lists of Mohegan Indians prepared in about 1766, 1782, 1790, 1799 and 1861 were submitted. Also referred to as earlier lists are the reports made to the county court by the court-appointed Overseers of the Mohegan Indians. Copies of four of these reports, called Overseer's Accounts, dated 1837, 1838, 1839 and 1849, were submitted. Other lists of Mohegans known to exist, but not submitted by the petitioner, include three lists made in 1774 and a list made in 1827. The 1861 list, prepared for the division of tribal lands, is the primary list used by the petitioner in determining descent.

Of the 1,032 members considered for acknowledgment purposes, 381 members (85% of the membership) can demonstrate that their ancestors appear on the 1861 or earlier lists of Mohegans. Evidence of this descent is based on the applications made by Mohegan Indians in 1901 to share in the monetary judgment award in the New York Indians' Court of Claims suit, and a manuscript genealogy of the Mohegan Indians prepared in 1861 by a Mohegan. Other Federal, State, and local records, such as Federal population census schedules, 19th century petitions to the State and County made by Mohegans, probate records, and vital records, corroborate this descent.

Descent from the historical tribe could not be documented for 151 members (15% of the membership). The descent claimed by 118 members can be disproved by the evidence available to the Branch of Acknowledgment and Research. For the remaining 33 members, there was insufficient information to determine whether they descend from the historical tribe.

The original membership provision did not make any reference to requiring tribal relations. This requirement was included in the 1985 amended membership provision of the constitution. The petitioner does not define what is meant by continuous tribal relations, and there is no evidence that the petitioner actually determines that a member meets this criterion.

The petitioner has submitted lists that show all known current members of the group, as well as available former lists of members. Approximately 85 percent of the membership can demonstrate that they meet the group's membership requirement which is descent from an individual on a list of Mohegan Indians prepared in or before 1861. Documentary evidence acceptable to the Secretary exists establishing their ancestry back to such lists. Therefore, we conclude that the petitioner meets criterion 83.7(e).

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

There is no evidence that any of the petitioner's members are enrolled in a federally recognized tribe. We, therefore, conclude that the petitioner meets criterion 83.7(f).

83.7(g) The petitioner is not, nor are its members, the subject of congressional legislation which has expressly terminated or forbidden the Federal relationship.

No congressional legislation is known to exist which has terminated or forbidden a Federal relationship with the petitioner or its members. We, therefore, conclude that the petitioner meets criterion 83.7(g).

ANTHROPOLOGICAL REPORT
ON
THE MOHEGAN TRIBE OF INDIANS OF THE STATE OF CONNECTICUT

SUMMARY

Since the earliest contacts with Western Europeans, the Mohegan Indians have lived in southeastern New England. Currently, their membership is clustered in various towns in southeastern Connecticut, including a village known as Mohegan just four miles south of Norwich, Connecticut. This village is part of their traditional homeland. Some lands in this village are still owned by the Mohegan and other lands have descended to current Mohegan members.

In early historic times, 1614-1700, the Mohegan were similar to other southern New England groups. They lived in villages which were surrounded by stockades. Fort Shantok, in Mohegan, was a palisaded village with an associated cemetery which the Mohegan still use. The Mohegan relied on fishing, hunting and gardening for their food. The village was the basic sociopolitical unit and it was governed by a village chief or sachem and his councilors. The sachem was the spokesman for the tribe. Uncas, a prominent Mohegan sachem, was a friend of the English colonists and joined with them in their battles with other Indian groups. During Uncas' life, John Mason, deputy governor, was considered the guardian and friend of the Mohegan. Uncas, in various land transactions, deeded large portions of Mohegan lands to Mason. Some of these early land transactions created legal problems for the Mohegan, Mason and the Colony.

In 1640, Uncas allegedly deeded the tribe's lands to John Mason. This and later land transactions became the subject of extended litigation which lasted about 70 years. The final decision was not rendered until 1773. In 1671, Mason reconveyed a 20,000-acre tract to Uncas with the intent that the land would be inalienable. This tract became known as the "Sequestered Lands". Owaneco, Uncas' son, deeded his right to these lands to the Mohegan and these lands are the traditional Mohegan homeland.

In the early 1700's, the Colony passed laws which made contracting with Indians invalid. Guardians or overseers were appointed for the Indians to manage the sale and leasing of tribal lands. Any funds earned were to be turned over to the sachem for disbursement.

In 1715, at the death of their sachem Owaneco, Uncas' son and successor, a controversy arose within the Mohegans regarding who was the proper successor. This was the beginning of a controversy which lasted until the death of Ben Uncas III in 1769. Because of the internal disagreements, colonial interference, and the pending Mohegan land claim suit, the Mohegan decided not to elect another sachem. Many of the sachem's duties were assumed by the overseer, since there was no obvious leader. Although there was no formal leader, judging from various petitions submitted by the tribe, some men were recognized as spokesmen for the tribe.

Until 1769, a sachemship was in existence. The sachem had an appointed council which was approved by the tribe. After the Mohegan refused to elect a sachem in 1769, the council system of government became less structured. Factional disputes make it difficult to determine the exact nature of the Mohegan political system. A council existed, but it is not known how representative it was nor how it was selected. The council operated in 1790 when the land apportionment was made. This body determined who were members and who was eligible to have lands assigned.

Not only was the Mohegan political system changing but other aspects of their lives were too. The English colonists were acquiring former Mohegan lands and the Mohegan's ability to roam while hunting and gathering was becoming restricted. The Mohegan were more confined and more dependent on their land and local resources to make a living. Some Mohegan men joined the Colonial military service, and in 1704 approximately 100 were in service. During the Revolutionary War, 17 or 18 died in service.

There were early missionary attempts at Christianizing the Mohegan, but never was a praying town established among them. Uncas, their sachem, was opposed to Christianity and the missionaries made few conversions until the Mohegan sachem, Ben Uncas II, converted in 1736. During the latter part of the 1700's, Christianity became more widely accepted. Some Mohegan were educated by Eleazar Wheelock, a Christian educator who established "Moor's Charity School" near Lebanon, Connecticut. Wheelock's most famous pupil was Samson Occom, a Mohegan. Occom became a missionary to various Indian tribes and was a political leader among the Mohegan. He and other Christian Indians founded Brotherton, a Christian Indian community on Oneida tribal lands in New York. Occom encouraged various southern New England groups to move there. Some Mohegan moved to Brotherton and some who moved there later moved back to Mohegan.

With ever diminishing resources, land and access to land became important to the Mohegan. In 1790, the State made a partial division of the Sequestered Lands. At this time, 2073 acres were apportioned. While technically these were still tribal lands, some of the Mohegan felt that the parcels should not revert to the tribe in case the individual to whom they were assigned should die without issue. The overseer received rents from these apportioned lands and he maintained separate accounting for the individual and the tribe.

During the 1800's, the Mohegan had a church and school built for them. In 1827, Sarah Huntington, a missionary/teacher from Norwich began work among the Mohegan. Through her and her friends' efforts, funds were requested from the Federal government to build a school for the Mohegans. They also requested that the Congregational Church build a church. The Federal government provided \$500 for the construction of the school and provided \$400 a year for salaries and expenses of the teacher. The Congregational Church assisted in building the Mohegan church which was situated in the heart of Mohegan on land donated by two Mohegan.

The church is still in use today, although it has been remodeled and restored several times. Although its membership has never been large nor exclusively Indian, it became important in Mohegan tribal activities. It served as a meeting house for the tribe. Also members of the church started a Mohegan tradition known as the "wigwam". The wigwam is a church

fair and Mohegan homecoming which appears in the records in 1842. It is not known if the wigwam was ever given again between 1842 to 1860. It was revived in 1860 by the Mohegan Sewing Society, a church auxiliary composed largely of Mohegan ladies. The church-sponsored wigwam was annual, although there were some years it was not held. The last church related one was in 1938.

The wigwam raised funds for the church and although many Mohegan were not members of the church, they worked in its preparation and production. A large brush arbor had to be built for the wigwam. The arbor's construction required time and skill on the part of the Mohegan men. The women prepared food. They also manned the tables or booths for the sale of various items, including Indian types of food and Mohegan handicrafts. Funds from the fair were used to maintain the church. In the 1860's, some tribal funds were used in painting and repairing the building.

At varying times from 1790 to 1870, the Mohegan submitted petitions to the State or the New London County Court. Some of the petitions were concerned with the appointment of overseers, but most related to the sale of individual or tribally-owned lands. In other petitions, the Mohegan were requesting aid in preventing trespassers who were cutting Mohegan wood without permission. One petitioner requested that the overseer be instructed to allocate land to him since he had none.

It is from these petitions that there is some indication of tribal government. Some men are referred to as "the Ancients and Elders" or "chief headman". While it is not known how these individuals became the spokesmen for the Mohegan, they apparently represented the Mohegan in their dealing with the government. It is not known if they had any other role.

In 1859, Martha Uncas died leaving a will dividing her real and personal property. When the will was challenged in court, it was declared invalid so far as it related to the real estate since she could not bequeath tribal lands. This unsettled the claims of those Mohegan who had held the lands under the conditions of the 1790 apportionment. The tribe petitioned for a distribution of the common lands and in 1861, the General Assembly passed an act for that purpose.

A commission was appointed and the lands were surveyed and assigned to Mohegans whom the group considered to be members. The present Mohegan use the 1861 list of Mohegan which was prepared for the land division in their membership criteria. Lands not divided were the cemetery at Fort Shantok, the church and parsonage lands, as well as a large parcel called "Fort Hill Farm." Even with this division, the Mohegan still had an overseer who had to approve the sale of their lands and who collected the rents for the tribe from the Fort Hill Farm. The Mohegan petitioned to be free of the guardianship of the State and requested that they be able to hold title to their lands. In 1872, the State passed an act giving the Mohegan their request and citizenship. The act did specify that the church, parsonage and Fort Shantok cemetery remain as tribally-owned lands.

Following the division of the lands in 1861 and the receipt of title in fee simple, some of the Mohegan families sold their lands and moved to neighboring towns. Their descendants are on the acknowledgment roll.

Based on the number of descendants, there are three principal families--the Fieldings, the Storeys, and the Bakers who trace to the 1861 list of members prepared for the division of the common lands. The Baker descendants, after the death of Emma Baker, became more or less socially isolated from the rest of the Mohegan descendants. The Fielding and Storey descendants maintained some social contact and some would return annually to participate in the wigwam ceremonies.

Little is known about the Mohegan from 1872 to the late 1890's. In 1897 the Mohegan were claimants in the settlement in the New York Indians claim's case for lands promised but not given in the Treaty of Buffalo Creek. The Mohegan felt that they were entitled because some of their members were instrumental in the founding of Brotherton and some had moved there and joined with the Brotherton. While the Brotherton were legitimate claimants, the Mohegan were not. Emma Baker, president of the Mohegan Sewing Society, was elected president of the tribal council and was the tribal representative pursuing these claims with their attorney, Francis Morrison. Most of the Mohegan claimants were denied since their ancestors were not members of Brotherton at the time of the treaty.

When Frank Speck, an anthropologist, visited the Mohegan in the early 1900's, he stated that the Mohegan had a chief, Henry Matthews, and a council of three men who were elected for set terms. The chief was largely honorary. Speck did not provide any details on how these people were elected to their positions. He did not provide names of any of the council members nor discuss their duties. Today, the chief is still considered to have an honorary role.

At least from the 1890's, the Mohegan have had individuals that have been designated as "chief" but the individual with this role did not initiate any actions on behalf of the tribe. At various times, ad hoc leaders have emerged to press for Mohegan issues. In 1897, Emma Baker was elected to president of the Mohegan tribal council. According to Frank Speck, Henry Matthews was the chief at this time. There is no evidence that Matthews promoted action on any issue relevant to the Mohegan, but Emma Baker was listed as tribal representative in the New York Indians lands claims case. The honorary nature of the chief did not call for the person in this role to take an active role in initiating political activities.

One of the most prominent ad hoc leaders was John E. Hamilton, a Storey descendant. John Hamilton became involved in Mohegan land claim issues in the 1930's when he was researching the group's history for his aunt who had brought a land claims suit for the recovery of the "Royal Burial Grounds" in Norwich, Connecticut. The suit died but Hamilton continued to pursue the land claims issues and broadened them to include all those lands that the Mohegan felt were unlawfully taken. In his endeavors, he was supported by the Mohegan. In 1941, under Hamilton's sponsorship, the Mohegan produced another wigwam which was successful with over 3000 people attending. This was the last large cooperative endeavor of the Mohegan.

Hamilton left Connecticut sometime in the early 1950's and returned in the late 1960's. In 1967, he and other Mohegan descendants from the major families formed an organization called the Council of the Descendants of the Mohegan Indians, Inc. While this organization was considered to be

separate from the tribe, the members discussed and voted on issues relating to the group. For example, the members discussed the sale of the tribally-owned parsonage. They were principally concerned with the pursuit of the Mohegan land claims

Hamilton's leadership was questioned by the Mohegan and his public actions brought embarrassment to them. In 1970, the members decided that he no longer should be president and Courtland Fowler, a Fielding, became their leader. There is no evidence that Fowler initiated any action in behalf of the Mohegan. He did appoint a representative to the Connecticut Indian Affairs Council in 1973. The replacement of Hamilton with Fowler did not deter Hamilton. He had the corporation dissolved without all of the officers of record knowing and he created another organization. In 1977, Hamilton had a land claims suit filed on behalf of the Mohegan which clouded land titles and created land transaction problems in Mohegan. At that time the Mohegan in Mohegan opposed the suit. In 1978, Hamilton had filed a petition for Federal acknowledgment as an Indian tribe and again some Mohegan in Mohegan and elsewhere opposed this action.

The Mohegan in Mohegan organized and elected a tribal council and adopted a constitution in 1980. Eventually they voted to join in the land claims suit filed by Hamilton and supported the petition for Federal acknowledgment.

The Mohegan have yet another kind of leadership which has been called the sociocultural leader. Those individuals occupying this role are recognized by the Mohegan and others as people who have extensive knowledge of Mohegan cultural traditions. In one case when there were some conflicting views between the chief and sociocultural leader concerning the rights of a Mohegan member, the sociocultural leader pointed out the traditional beliefs and that view prevailed.

The evidence of a council prior to the 1980 elections is scant. After the mention of a tribal council by Frank Speck in the early 1900's, the term does not appear again until the 1930's. Later a tribal council is mentioned in reference to Harold Tantaquidgeon's election as chief in 1952, but these are from secondary references. The Mohegan today say that the council has all the power. In the 1980's, the term "elders" is used in reference to a body of Mohegan who are concerned with the affairs of the group. This may refer to a council.

Since the 1890's, after the Mohegan received citizenship, the Mohegan have had an interrelated political system consisting of a chief, who acted as a spokesman, a body which served as a "council", ad hoc leaders, and a sociocultural leader. Detailed information on each of these facets of the political system and how they interacted is not available.

An analysis of the membership rolls indicates that 11 percent of the 1032 members do not meet the membership requirements. These non-Mohegan first appear in Mohegan records in 1973 when one of them was appointed to be the Mohegan representative to the newly enacted Connecticut Indian Affairs Council. In the past, three non-Mohegans have been elected to the Mohegan council and one currently holds a seat on the council.

The act creating the Connecticut Indian Affairs Council (CIAC) gave it broad powers over the Indians of Connecticut. The act, for example, established the commission as a membership appeals board. One case has come before the board regarding a person who applied for membership in the Mohegan group and they were refused membership. This person appealed to the CIAC but the group's decision was upheld. The Mohegan adamantly declare that only the "tribe" can determine who is a member.

In the early 1980's, the Mohegan elected a nine member tribal council and adopted a constitution. They formulated bylaws which were never submitted to the membership for ratification. The council is elected for a set number of years, but elections have not been held recently to replace those who have resigned. The principal issues discussed by the council are the land claims, acknowledgment and the Mohegan cemeteries. The cemeteries in Mohegan, include the Ashpo cemetery, a small family cemetery, and the cemetery at Fort Shantok, now owned by the State. The membership has voted to join the land claims suit and they are participating in the acknowledgment process.

While the State owns the Fort Shantok cemetery in Fort Shantok State Park and controls access to the grounds, the Mohegan, through a cooperative arrangement with the State, controls who can be buried in the cemetery. Only Mohegan and their spouses are entitled to be buried there. The Mohegan have a cemetery committee which is notified when someone plans to bury a deceased member and the committee notifies the Park superintendent that a funeral is to take place. Earlier formal arrangements did not exist, but no non-Mohegan were ever buried there.

Communication within the group appears to be limited. There is no annual business meeting. They have a homecoming which started in 1977, but this is largely a social occasion. No evidence was presented to show that tribal business was discussed, except perhaps informally, at these gatherings. It was reported that communication of group-related issues went to "heads of families" who were to relay the information to the rest of the family. While there is evidence of communication within families and relatively close kin groups, there was no indication that extensive cross communication or social interaction occurred between different families. Also, it is not known if or how the membership communicates its concerns to the council. The petitioner's documentation indicates that the communication is one way---from the council to the membership.

In the heart of Mohegan and near the Mohegan Church is the Tantaquidgeon Indian Museum built in the 1930's. This museum was built by and is located on lands owned by the Tantaquidgeon family. It houses Mohegan and other Indian artifacts. It is open to the public and, in the 1950's, museum education programs instructed young people in the history and arts and crafts of the Mohegan. The museum has been family-operated since it first opened its doors.

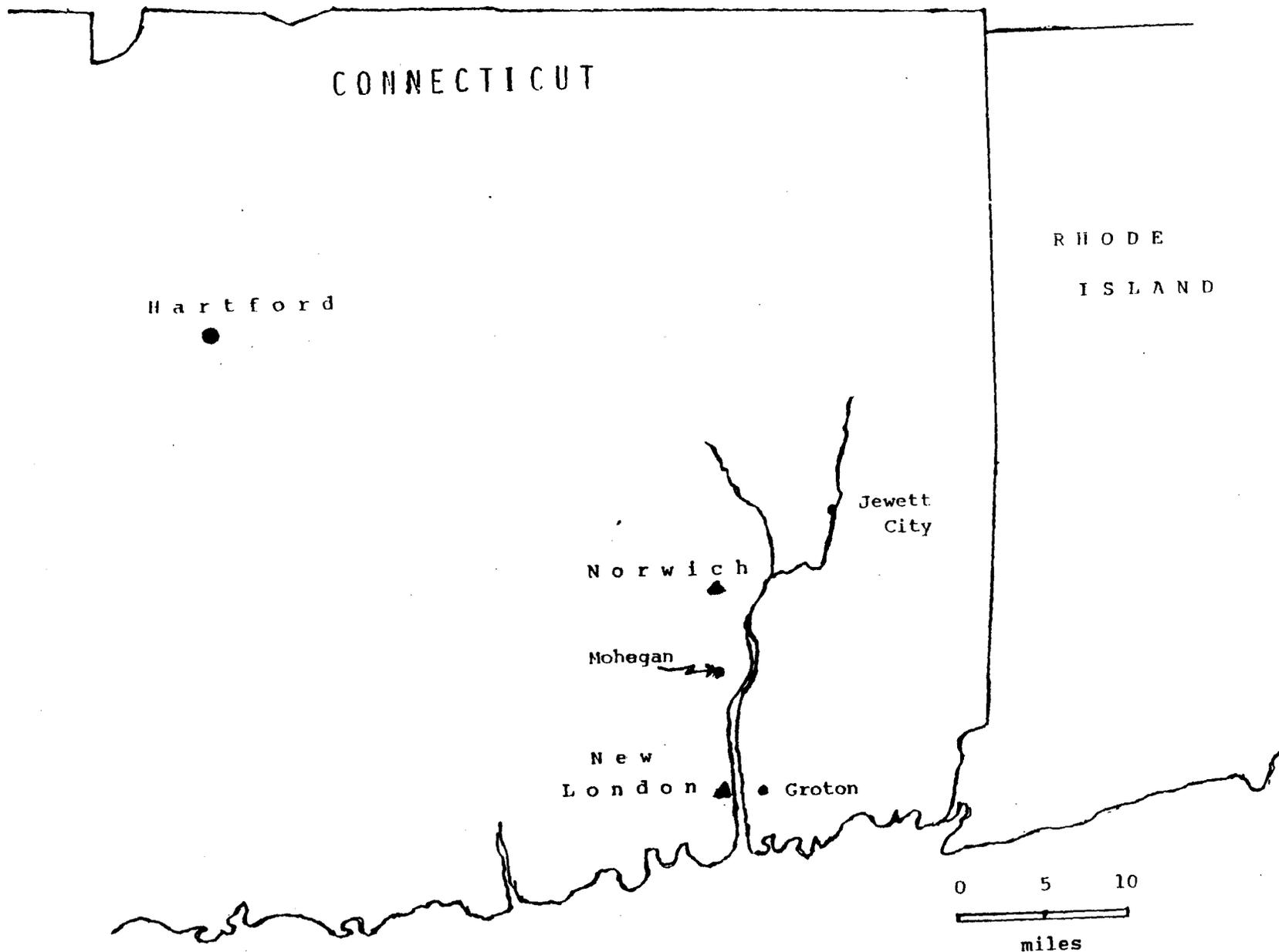
ANTHROPOLOGICAL REPORT ON THE MOHEGAN PETITION

Since earliest contacts with Western Europeans, the Mohegan Indians have lived in southern New England. Today their membership is clustered in various towns in southeastern Connecticut, including an area known as Mohegan just four miles south of Norwich, Connecticut (Map 1). Mohegan is the traditional Mohegan homeland. The Thames River formed the eastern boundary of their lands and provided a route to the south and Long Island Sound. According to Salwen, an anthropologist and specialist in northeastern Indians, across the river to the east were the Pequot who were related to the Mohegan but who were traditional enemies. Several other Indian groups lived in southeastern Connecticut and southwestern Rhode Island namely the Mohegan, Pequot, Narragansett, and Eastern and Western Niantic. The Montauk and Shinnecock lived on Long Island (Salwen 1978, 161).

At contact times in the 1600's, the geographical diversity of the region provided a variety of natural resources including those from the coastal, riverine, and upland environments. A variety of foods were consumed. In the wooded uplands, gardens were made in clearings for the growing of some foods including corn, beans and squash. The uplands also provided some wild foods. Protein requirements were provided largely by deer, but other mammals were consumed. Water resources included a variety of fish and shell fish (Salwen 1978, 162). The forests provided timber and other wood and plant resources for the construction of shelters and the manufacture of various utilitarian objects such as baskets, wooden mortars, spoons, tc. Dug out canoes may have been used.

The Indians lived in villages but in the summer, the group dispersed and lived in or near their farmlands in small, bent-sapling dwellings, 14 to 16 feet in diameter. These were large enough to hold one or two families (Salwen 1978, 164). For the winter, they would return to the village where they lived in larger and longer structures housing 40 to 50 people. The villages claimed use-rights to certain areas such as wild-plant collecting areas, deer hunting territories, and fishing stations. In pre-contact times these villages were situated in wooded areas to afford protection from winter storms but it appears that with European settlement and increased hostilities that the villages were located and constructed for defense. Palisaded villages may have become more common (Salwen 1978, 166).

The village was the basic sociopolitical unit of the southern New England Indians (Salwen 1978, 166). The village was governed by a village chief or sachem and decisions were arrived at in consultation with the "great men" of the village who were probably the sachem's council (Salwen 1978, 167). The villages were allied with others and Salwen citing Brassler (1971, 65-70) suggests that precontact sociopolitical units were quite small, consisting of a number of extended families living in a village. The later and larger sociopolitical alliances, based on intermarriages of members of leading families from neighboring groups, developed in response



Map 1. Eastern Connecticut showing some towns with Mohegan inhabitants.

to new needs that arose in the 1600's and 1700's with the fur trade and European settlement (Salwen 1978, 168).

While the early documents do not make it clear, it appears that the Indians in southern New England including the Mohegan were governed by a village chief, or sachem, and a council (Salwen 1978, 167). The documents mention leaders, e.g. chiefs/sachems, and to some early observers these leaders were described as "monarchical" (Salwen 1978, 167). This was perhaps an inappropriate interpretation of the role of these individuals.

The description of specific events clearly indicate that sachems had very limited coercive power... Important decisions were always arrived at in consultation with the 'great men' of the village who may have comprised a more or less formal sachems' council (Salwen 1978, 167)

The sachem acted as the spokesperson for the council and the tribe.

The New England Indian sachems generally came from recognized "chiefly" lineages. Marriages appear to have been arranged along class lines and "among leading families...they were some times polygynous" (Salwen 1978, 167). There was a tendency toward patrilocal residence among the chiefly lineages. For the ordinary village members who could easily change village affiliation these residential rules were not rigid and may have been more ambilocal (Salwen 1978, 167).

In Mohegan, in what is now Fort Shantock State Park, there once was a late seventeenth-century palisaded Mohegan village. It was situated on a bluff on the east side of the Thames River and it may have been home to Uncas, a Mohegan sachem (Salwen 1979, 166). Evidence was found during two different excavation seasons (Salwen 1984) showing that the site was occupied at least two different times. The earliest occupation was from ca. 1635/1640 to ca. 1680/1685 and the latest was in the early 18th-century (Salwen 1984). Evidence uncovered at the site indicated that during the earlier occupation, wampum manufacture was important and the inhabitants were using some non-Indian trade goods including domesticated animals (Salwen 1984). Adjacent to the village is a Mohegan cemetery which is in use today solely for Mohegan Indians.

MOHEGAN: CONTACT TO 1740's

Intergroup Hostilities

The interaction of the various Indian groups among themselves and with the colony was not always friendly. The Pequot were known to the Dutch in 1614 as "enemies to the Wapanoos" (Salwen 1978, 172) who lived on the Connecticut coast. In the 1630's the Pequot "held dominion...over part of Long Island" (Salwen 1978, 172). The hostile feelings between the groups was known to the English and they were able to capitalize on these in creating alliances which supported British interests. A strong Pequot nation was not in the interest of the British.

One of the groups the British allied with was the Mohegan who had broken from the Pequot. In 1631 or 1632, the Dutch, in a trade dispute, killed the Pequot sachem, Woopigwooit. After Woopigwooit's death, his son Sassacus became sachem. Uncas who had married the daughter of Saccacus before he became sachem, challenged Saccacus for the sachemship on the death of Woopigwooit (H. Baker 1896, 5). Uncas lost this political maneuver and was banned. He was joined by some other groups and established his territory west of the Thames River (H. Baker 1896, 6). Uncas was friendly to the English colonists and in 1637, combined forces of English, Narragansett, and Mohegan attacked a Pequot village at Mystic killing at least 300 men, women and children and soundly defeating the Pequot (Salwen 1978, 173). Following this battle, the history of the Mohegan is closely tied to the English colony and subsequently the state of Connecticut.

Political Organization

During the early colonial period, the Mohegan political system apparently was based on a sachem and council like that described by Salwen (1976) for the southern New England tribes. The Mohegan sachem was Uncas who was widely recognized as a prominent Indian leader and it is not known what role a council may have had, if any, under so powerful a leader. After the death of Uncas in 1682-3 (DeForest 1851, 296) and during the tenure of the succeeding sachems, men serving as councilors are mentioned.

The making and implementation of decisions by the Mohegan was complicated by the colonial involvement in Indian affairs. During the time of Uncas, John Mason, deputy governor, was considered as guardian of the Indians both by themselves and the English authorities (DeForest 1851, 293). Land transactions were negotiated by Mason and in 1671, he set aside a tract which was known as the "Sequestered Lands" (DeForest 1851, 294) for the Mohegan.

In the early 1700's, because of laws which made contracting with Indians invalid, (DeForest 1851, 318) overseers were appointed for the Mohegan. The overseers were empowered by the Colony to handle certain aspects of Mohegan affairs. The overseers managed the leasing of tribal lands and turned the proceeds over to the sachem for use and distribution.

Events in the early 1700's indicated that the Colony of Connecticut was involved in Mohegan internal political affairs. Following the death of the Mohegan sachem Caesar Uncas in 1723, a dispute regarding the proper successor which first arose in 1715 was renewed (Chart 1).

This dispute first arose at the death of Oweneco (1683-1715). When Oweneco died, his two eldest sons, Josiah and Mahomet, had died earlier. Before Mahomet's death, he had a son, whose name was also Mahomet. The young Mahomet would have been the legitimate claimant to the position (Chart 1). Because of his young age, the elder Mahomet's brother, and the young Mahomet's uncle, Caesar Uncas, assumed the sachemship (DeForest 1851, 314-5). At Caesar Uncas' death the controversy was renewed since some of the Mohegan felt Caesar Uncas was not the proper successor and that Mahomet had legitimate claim. Major Ben Uncas I became a competitor

to Mahomet's claim to the sachemship (DeForest 1851, 318). The Colonial Assembly declared itself in favor of Ben Uncas.

John Mason, the deputy governor, to prevent a quarrel between the Mohegan and the colony also supported Ben Uncas. Facing the opposition of the colonial government and the death threat by Ben Uncas, Mahomet withdrew his claim (DeForest 1851, 318). Major Ben Uncas I, Uncas's son by his wife with less status than his other wife, took the office in the Mohegan fashion in 1723 (DeForest 1851, 321). He was ratified by the colonial court. This produced a leadership favorable to the colony but left internal dissension among the Mohegan.

This internal dissension continued for many years. John Mason, the grandson of the deputy governor who had the same name, was overseer and school teacher to the Mohegan in the 1720s. During this time, he was attempting to recover lands and money his grandfather had lost in court costs in an unfavorable decision by the colony. Mason, capitalizing on his family name and the Mohegan factions (Love 1899, 122), was able to recruit a majority of the tribe to his side (DeForest 1851, 322). This further solidified intra-tribal dissension.

Ben Uncas II, who succeeded his father in 1726, being upset with John Mason's position on lands and Mohegan internal affairs, asked the court to remove Mason by appointing new overseers, which it did in 1726. At the same time the court took the opportunity and reconfirmed Ben Uncas II as sachem (DeForest 1851, 322). However, not all of the tribe agreed that Ben Uncas II was the rightful sachem and at a dance they voted unanimously in favor of Mahomet (DeForest 1851, 324). Unfortunately Mahomet died on a trip with John Mason to England in 1736 during which a petition was being presented to the Crown to have him declared sachem (DeForest 1851, 323). After Mahomet's death, the Mason faction then supported John Uncas for sachem. John Uncas was a cousin of Ben and son of Oweneco's next oldest brother John (DeForest 1851, 324).

Eventually the two sides submitted memorials to the government complaining of actions taken by the opposing side. In June 1737, England intervened and appointed commissioners to investigate the land and other internal problems with the Mohegan. The English government appointed commissioners, some from other colonies, and a series of hearings were held. The hearings became quite controversial, leading to vigorous dissent within the commission and eventually the walking out of some of the commissioners (DeForest 1851, 325-32). While Ben Uncas II, a leader favorable to the colony, continued as the recognized Mohegan sachem after these hearings, the issue of the legitimate leader continued among the Mohegans.

During the sachem controversy, the Ben Uncas faction, in April 1736, outlined the process of electing their sachems. They argued that they followed certain rules and principles. In this document, they were protesting John Mason's transporting Mahomet to the "Court of Great Brittain" to have Mahomet named as sachem of the Mohegan. The Mohegan council states that although their predecessors had elected their sachem from certain families, they never felt obliged to elect the next male heir of the deceased sachem. The Mohegan would choose the most worthy and promising branch of the family (Baneage et al. 1736). The sachem would be voted on and the majority ruled. Once a new sachem had been selected and

the news spread, the neighboring tribes would send a present (Baneage et al. 1736). These "rules and principles" were presented in a petition by the Ben Uncas party. Had these rules been widely accepted by the Mohegan, there would not have been a controversy.

Ben Uncas II did not always consult with his council on important issues and this contributed to the dissension. In 1745, a complaint was filed with the Connecticut General Assembly pointing out that Uncas had leased Mohegan lands with the permission of the overseers but without consulting the tribe (B. Uncas Jr., et al. 1745). In all 14 names appear on the complaint and the first signature on this document was Benjamin Uncas, Jr. who became sachem after his father's death. Signatures of council members included Joshua and John Uncas.

Economic Conditions

The Mohegan, from the time of contact to the conversion of their sachem to Christianity, changed from a group who could freely move about to obtain food and supplies to one largely confined to a limited area and subject to the laws of the Colony. Although they had lands, they were poor. Even the sachems who were given the rents were poverty stricken. Oweneco who died in 1715 at about 70 to 75 years of age supported, to some degree, himself and his wife by wandering about the nearby settlements begging food (DeForest 1851, 314). Ben Uncas I, who received rents from the tribal lands, was poor. According to Deforest, one of the overseers was ordered to provide Ben Uncas with "...suitable clothing to appear before the commissioners" (DeForest 1851, 327). DeForest speculates from this "...that the sachem was ordinarily somewhat ragged and dirty in his equipments..." (DeForest 1851, 327). Some families had small gardens and they could hunt and gather. In 1704 approximately 100 were in military service of the Colony (DeForest 1851, 316).

Missionary Activities and Conversion

Early missionary activity among the Mohegan was ineffective until ca. 1740. While other southern New England Indian groups felt the early inroads of missionary activity, the Mohegan through the "skillful manipulations by their chief" were able to retain their traditional way of life (Brasser 1971, 79). Praying towns, communities of converted Indians, were established for various New England groups and by 1674 (Brasser 1971, 79) fourteen such towns existed. None of these were established among the Mohegan. This early phase of missionary activity in New England which saw approximately 4,000 converts by 1674 (Brasser 1971, 79) was brought to an end by King Philip's War which started in June 1675 and lasted until the fall of 1676 (Brasser 1971, 79; Conkey, et al. 1978, 185).

Several early missionaries labored among the Mohegan. In the later 1600's and early 1700's, there was James Fitch, Eliphalet Adams, David Jewett, and Jonathan Barber (McCallum 1932, 13). It was Barber who is said to be the most effective because it was during his mission that Ben Uncas II, sachem of the Mohegan, publicly accepted Christianity in 1736 (DeForest 1851, 345).

Fitch lived in Norwich in 1660 but it was not until 1671 that he began preaching among the Mohegan (DeForest 1851, 274). By 1674 about 30 men, women and children had been converted. This group was supported by a missionary organization based in England and Fitch, who gave them 300 acres as long as they remained Christians (DeForest 1851, 275-6). King Phillips War (1675-1676) "cooled the religious interest which existed in the little band" (DeForest 1851, 277) but Uncas, the Mohegan sachem at the time, may also have been instrumental in the damping of the group's interest in Christianity. Fitch accused him, among other things, of being a "liar" and a "great opposer of godliness among his own people" (DeForest 1851, 277).

Christianity may have been given a boost in the summer of 1676 when a severe drought hit the area and Uncas went to Fitch to seek help since the "powwows" or Indian medicine men (rain-makers) had been unsuccessful in their ceremonies to produce rain. Fitch outlined a regimen of prayers and fasting but required that Uncas publicly announce that if it should rain afterwards that it was the result of prayers to the Christian God. The next day the rains came and the river rose two feet (DeForest 1851, 278).

Jonathan Barber began missionary activities among the Mohegan in 1733 but found rum and cider so abundantly available that he probably convinced Ben Uncas to petition the assembly for stronger legislation to reduce the trade and consumption of spirits among the Mohegan. Such legislation was enacted (DeForest 1851, 345). Ben Uncas II publicly embraced Christianity in early 1736 (DeForest 1851, 345-6) and for this he was given a hat and coat; his wife received a gown.

The rest of the Mohegan did not convert to Christianity overnight. After Ben Uncas II, it became more acceptable to convert but, as will be seen, even with Samson Occom and Joshua Johnson, both Mohegan Indians and trained missionaries working in Mohegan, many Mohegan retained their aboriginal beliefs and ways.

Mohegan Lands

The history of Mohegan involvement in the English land system is quite complex but it began in September 1640 when Uncas allegedly "deeded" the tribe's lands to Major John Mason who was the deputy governor of Connecticut (Bowen 1882). The authenticity of this transaction was later challenged by some Mohegan (Smith 1950, 423). Uncas continued to deed various portions of Mohegan land and in June 1659, Uncas and his sons Owaneco and Attawanhood deeded a nine square mile tract north of Shantok and this subsequently became the town of Norwich (Barber 1836, 290-91; Crofut 1937, 717).

In 1659, Major John Mason, still the deputy governor of the Colony, received all of the remaining Mohegan lands (Uncas & Wawugray 1659) and the transaction stipulated that no future conveyance could be made without the consent of Mason. This transaction was confirmed by deeds in 1661 and 1665 (Commissioners of Review 1769, Chrony, 2).

In 1671, John Mason reconveyed a 20,000 acre tract between the settlements at Norwich and New London to Uncas. This tract became known as the "Sequestered Lands" and the intent was that they would be inalienable (Commissioners of Review 1769). After Uncas's death, his son Oweneco, deeded his right to the sequestered lands to the Mohegan (Commissioners of Review 1769, 28, Chrony, 5; Williams 1972, 25).

Due to various interpretations and claims based on various Mohegan land transactions, the tribe was involved in extended litigation with the Masons and the Colony. These disputes were heard before various crown-appointed commissions in 1705, 1738, 1743 and final judgment was not rendered until 1773, shortly before the Revolutionary War (Haughton 1801).

In 1719, during the land dispute, the Mohegan requested that overseers be appointed to help them manage their lands and resources (CT Public Records 1718). Prior to this, the Mohegan relied upon guardians such as the Mason family to help manage their lands. For example in 1706, John Mason was the guardian of the Mohegan (DeForest 1851, 312) and in 1711, William Pitkin and five others served as guardian/overseers (DeForest 1852, 313).

CHRISTIANIZATION TO THE 1790 APPORTIONMENT

With the religious fervor of "The Great Awakening", a series of religious revivals among Protestants in the American colonies ca.1725-1770, there was renewed interest in the Indian missions. Dr. Eleazar Wheelock was one of the teacher-missionaries of this period and he trained a number of Mohegan individuals as well as members of other Indian groups. Wheelock was the principal mentor of Samson Occom, who was a well-known Mohegan missionary.

Samson Occom and Eleazar Wheelock

Samson Occom (1723-1792) was exposed to school as a youngster after a school house had been built by the Connecticut General Assembly at Mohegan in 1727 (DeForest 1851, 344; Love 1899, 27). This seems to have awakened an interest in religion and learning in Occom. Occom, who had heard of Wheelock and his teaching, related that when he was twenty, he asked his mother who was planning on taking a trip to Lebanon, Connecticut, where Wheelock lived, to stop by and ask him if Samson could come for a short period of time to learn to read. Occom further relates that he went to Wheelock's with the intent of staying two or three weeks, but it turned into four years (Love 1899, 36).

Samson Occom was so successful in his studies that he was licensed to preach, and his success as an "educated Indian" increased Wheelock's reputation as an educator. This encouraged Wheelock to establish "Moor's Charity School" for the training of both Indians and non-Indians in Lebanon, about 11 miles northwest of Norwich, Connecticut. While it was operating, eight Mohegan attended, among whom were Joseph Johnson and Aaron Occom, Samson's son, in 1758; Isaiah Uncas in 1760; Amy Johnson in 1761; Sarah Wyog, Patience Johnson and Samuel Ashpo in 1762; and Hannah Nonesuch in 1768 (McCallum 1932, 293-6).

In 1770, Wheelock, utilizing missionary funds raised in England and Scotland by Samson Occom and Nathaniel Whitaker (McCallum 1932, 18-9), moved his school to Hanover, New Hampshire, to be closer to the Six Nations. He had received a charter from the Crown in the prior year for Dartmouth College and Wheelock became Dartmouth's first president (McCallum 1932, 24). Moor's Charity School remained part of Dartmouth until the Charity School was suspended in 1829 (McCallum 1932, 307). Moor's Charity School was reopened in 1837 and about 1850 it was finally closed. During its history one of its purposes was educating Indians.

Wheelock's goals were to educate and Christianize the Indians so they could become missionaries (McCallum 1932, 15), but he encountered cross cultural problems. In 1761 he wrote describing some of the problems of indoctrinating the Indians into white values and mores. He stated that among other things, the Indians were accustomed to sit on the ground, the only clothes they wanted is what they wore and these they did not take care of, they did not like to be clean, they were not used to furniture, and they had no care for the future (McCallum 1932, 17).

Of the Mohegan students, Samson Occom and Joseph Johnson were the ones who were most successful in meeting Wheelock's goals. Samuel Ashpo was relatively successful since he was licensed to be a missionary and preach but in 1767 he was suspended from his duties. The other Mohegan students attended the school for relatively short periods and while there, some were not on their best behavior (McCallum 1932, 232).

Brotherton Movement

Both Occom and Johnson were assigned missionary-teaching positions with various New England and New York tribes. While traveling and preaching they observed the condition of fellow Indians. They developed the idea of creating a Christian Indian town. From March 1773 to October 1774, they negotiated with the Oneida for lands which were finally deeded to the New England Indians. Indian converts were recruited from different tribes to move northwest to Oneida country and found the Brotherton settlement of New England Christian Indians. Joseph Johnson, in 1775, indicated that 58 men from various tribes were ready to go and prepare the site for others. Ten, who had indicated with some certainty that they were willing to go, were from Mohegan (McCallum 1932, 189). Other tribes had expressed interest and wanted to be involved but, they were so much in debt that they said they could not participate at that particular season.

The Revolutionary War upset the plans for the migration and those who had gone in 1775 were driven out of the area (McCallum 1932, 155). After the war, in 1783, they began to return to New York and were deeded land by the Oneida. There was still pressure on the eastern Indians to move further west and some of the migrants to Brotherton began to move in 1818 to White River in Indiana and some in 1821 to Wisconsin (McCallum 1932, 155).

Evidently, many of the Christian Indians moved from Mohegan. According to Love (1899, 205), only one Indian church member, Lucy Tantaquidgeon, sister to Samson Occom, was left (Love 1899, 205). However, since the move to Brotherton was not en masse but gradual, with some families beginning the move in 1783, others in the 1790's, and some as late as 1827, Mohegan was not devoid of Christian Indians. The actual number of Mohegan who left for Brotherton is not available, but at least 34 Mohegan individuals are mentioned as living there in W. Deloss Love's "Family History of the Brotherton Indians" (Love 1899, 335-67). In 1787, Samson Occom reported that there were 30 families living in Mohegan with about "half a dozen scattered elsewhere" (Dexter 1901, 263), so it does not appear that a sizeable number left Mohegan for Brotherton (Table 1). Those who moved to New York were not always permanent since some individuals returned to Mohegan during the 1783-1827 period (Love 1899).

Table 1. MOHEGAN POPULATION

<u>Date</u>	<u>Number and Comments</u>	<u>Source</u>
1600	2,200	Swanton 1952,30
1704	150 warriors 100 of these in service to the Colony	DeForest 1851,316
1705	750	Swanton 1952,30
1725	351	Love 1899,21
1738	30 in Mohegan, 19 males over 16	Love 1899,21
1743	100-120 men 400-500 individuals	DeForest 1851,346
1763	80-100 warriors	McCallum 1932,39
1768	180 including children	
1774	40 families	DeForest 1851,473
	17-18 died in the Revolutionary War	DeForest 1851,475
1782	134 2 in service (8 not listed died in service)	
1782	30 families (132 individuals)	H.Baker 1896
1787	30 families, half a dozen elsewhere	Love 1899
1790	37 on list of Indian landholders	Dexter 1901,263
1797	400 survivors, 69 on Mohegan lands	Anonymous 1790
1799	84 living in Mohegan	Kendall 1809,301
1804	84	Holmes 1804,4
1804	not more than 80 remaining	Speck 1909,185
1806	71	Holmes 1804,3
		Griswold and Shipman 1814
1807	69 on their lands	Speck 1909,212
1814	52	Griswold and Shipman 1814
1822-25	300	Mooney 1907
1831	100 left	Hooker 1840
1832	350	Speck 1909,185
1842	13 families, 60-70 individuals	<u>Uncas Monument</u> 1842
1845	125 (60 on reservation)	DeForest 1851,488
1848	60 on reservation	Speck 1928
1849	125 (25-30 full bloods) with about 60 on reservation	DeForest 1851,488
1860	85 (60 on reservation, 25 elsewhere)	Speck 1909,212
1861	102	Maynard 1861
1870	59 listed as being on the "reservation" ca. 10 others on the Montville schedule	Bureau of the Census 1870
1880	ca. 68 in Montville	Bureau of the Census 1880
1902	about 100, including those scattered	Speck 1909,212
1903	50 in Mohegan and they work as farm and factory hands	Prince and Speck 1903
1908	ca 100	Speck 1909,185
1910	22	Swanton 1952, 30
1920	122 claimed by Mohegan Association 31 at Mohegan, 73 in neighboring towns, others scattered	Gilbert 1948
		Speck 1909,212
1923	139 living, with 30 in Mohegan	<u>Norwich Bulletin</u> 1923

1931
1934
1977
1987

150 and 50 attended church centennial
33 resident, 47 non resident
267
1032, 93 resident in Mohegan

New London Day 1931
Sword 1939
Hamilton 1980
Ack. List

After the Sachems

With the death of sachem Ben Uncas III in 1769, two issues merged to produce virtual "anarchy and confusion" among the Mohegan (DeForest 1851, 472). The most obvious was the lack of a formal leader recognized both by the Colony and the Mohegan. Another was the issue of land, not only the land claim case against the Colony, but also who was entitled to Mohegan land.

The disagreement over succession began immediately after Ben Uncas III's death. Samson Occom and his followers left Ben Uncas's funeral before it was concluded. This created some immediate problems since there was difficulty in getting the body properly buried (Hillhouse 1769). The issue of valid succession created with the first Ben Uncas had not been resolved, although the tribe had indicated that they approved of Ben Uncas III in 1750 (B. Uncas III 1750). Some strongly felt that Ben Uncas III was not legitimate and in spite of the urging of the colonial government, this time the Mohegan could not agree on a successor.

The Colony did have a specific individual in mind and indicated that any other choice would not be acceptable to the Colony. Samson Occom, John Cooper, Jo Wyacks (Wyyongs) and most of the "leading men" were in favor of John Uncas becoming sachem. Others in the tribe favored Ben Uncas' son, Isaiah Uncas, who was sickly (H. Baker 1896, 51), and who was the Colony's choice. Rather than select the person the Colony wanted, the Mohegan did not offer a formal candidate to the Colony for approval. The Mohegan felt that the Colony's choice of a representative would prejudice their land claim pending in England (H. Baker 1896, 51).

The lack of a formally approved and internally accepted spokesperson created more dissension among the Mohegan. Some of the old councilors (council members), including Zachary Johnson and Simon Choychoy, attempted to take the government of the tribe into their own hands, but others refused to allow this (H. Baker 1896, 57-62). Zachary Johnson, while not formally a sachem during this period, emerged as the spokesperson for the pro-sachem faction and he was referred to by the non-Indians as "the Regent of the Mohegans" (H. Baker 1896, 57-62).

In 1774, the disputes between the factions became more acute. Zachary Johnson and several of his friends, including John Tantaquidgeon, sent a memorial to the Assembly charging that there were interlopers in Mohegan who had no business there (DeForest 1851, 472). Among the 19 names of individuals whom Johnson was charging were non-Mohegan, were his opponents the Reverend Samson Occom and the Reverend Samuel Ashpo (Johnson et al. 1774). The Colony, in response to these charges, sent a committee to Mohegan.

A list of Mohegan entitled to be on the land was prepared by commissioners that were sent to investigate Zachary Johnson's charges that his opponents were "interlopers from other tribes who had no business among the Mohegans" (DeForest 1851, 472). The commissioners found that the alleged interlopers were connected with the tribe, either by blood or marriage

(DeForest 1851, 473). They made a report to the Assembly and recommended that more authority be given to the overseers (DeForest 1851, 473).

A code of directions was formed for the regulation of these affairs. The overseers were instructed and empowered to prosecute trespasses upon the Indian lands, to summon the parties, give judgment and award damages. If any Indian wanted land for himself he was to apply to the overseer, who might set off for him a suitable tract to be improved for his personal benefit (H. Baker 1896, 57-8).

The charges to the overseers included the settling of trespass disputes within the tribe. If an Indian was found guilty of trespass on another Indian's lands, the overseers could award damages which were "just and reasonable to the party injured" and if the trespasser refused to pay, the overseers could take the damages out of the next rent dividend of the person refusing to pay.

Other duties of the overseers included some of those formerly held by the sachem. The overseers were empowered to distribute the rents from the Indian lands which were divided among the families of the tribe after deducting the support of the poor (DeForest 1851, 474; CT. General Assembly c.1780-90).

Apportionment of Land

By the Revolutionary War, many of the smaller tribes in New England had lost their lands to white settlement. Zachary Johnson was complaining that many of the displaced Indians sought to settle among the Mohegan. Trespassing and squatting by whites and by displaced Indians, caused problems among the Mohegan (Johnson ca.1775-83; Hamlin et al. 1774). Whether all these were legitimate complaints on the part of Zachary Johnson, at a time when the Mohegan political system was in turmoil, is unknown. Some of the trespassers were later found to be legitimate Mohegan. Johnson complained that the presence of these people prevented the free exercise of Mohegan tradition:

for a man to take up as much as he can secure and possess it as long as he lives and then it descends to his children if he has any; and if a family is extinct, it is free for any new possessor, which seem to answer their purpose while their improvements were small and ye land abundantly sufficient (Hamlin et al. 1774).

In 1790, Connecticut made a partial division of Mohegan tribal lands and the commissioners overseeing this division prepared a list of recipients and amount of land each received. At this time, Samuel Cooper received the largest amount of land, 268 acres, Samuel Ashpo received 200.2 acres, and even Samson Occom, a Mohegan who had moved to Brotherton in New York received 111 acres. There were 29 different allocations involving a little more than 2073 acres (Anonymous 1790).

This division did not resolve Mohegan land questions. In 1799, the Connecticut General Assembly received a petition asking that upon the death without issue of certain Mohegan after improving their lands, that the lands not revert to the tribe, but rather be allowed to descend to the families of the deceased (MT 1799).

After the 1790 allotment of some of the Mohegan lands, the overseer's books reflect that they had individual Indian accounts as well as tribal accounts. The overseer could, at the request of the individual Indian, lease his lands so the individual Indian would receive the money directly from the lessor. The Indians were powerless to collect any unpaid and past due rents. To rectify this situation, overseers changed the system and had the rents paid directly to them (MT 1823). As the system evolved, the overseer was responsible for managing the rents for the tribe as well as the individual (Maynard 1861) (e343).

The Mohegan Council

Prior to the last sachem, the council system of government was more formal. The records suggest that before the Mohegan refused to elect another sachem there were specific individuals carrying the title of councilors (Hoadly 1874). Ben Uncas II submitted a memorial to the General Assembly in 1742 requesting approval of his appointed council. He stated that the tribe approved of his choice (Hoadly 1874). Ben Uncas III, the last sachem, also had a council and it seems that Zachary Johnson acted as his principal councilor.

With the death of the last sachem, the council system of government became less structured and it is unknown how the spokespersons of the tribe were selected after the death of Ben Uncas III in 1769. Because of the factional disputes it is not clear who, if any, were the legitimate spokespersons. Petitions and memorials submitted to the General Assembly carried the names of some people who were seeking relief to problems facing the Mohegan. There are no womens' names listed during this time. Zachary Johnson, who was the leader of one faction, signed various documents along with others purporting to represent the tribe. Mohegan affairs were discussed in council (DeForest 1851, 481) but we do not know the nature of tribal affairs discussed.

The power of the council was exemplified during the 1790 allotment. The commissioner's report in 1817 states that the distribution followed certain tribal rules and principles: "the Ancients and Elders of the tribe have uniformly been tenacious" to identify tribal membership and determine who was eligible to receive lands. The "father must be of the tribe--that if a female married out of the tribe she ceased to be of the tribe and the issue were considered strangers the mother if not of the tribe must still be one of the pure aborigines.... Of those who claim connection with the tribe and an inheritabilities who by the rules are of the tribe are excluded, there are about thirty-two" (Griswold et al. 1817).

While patrilineal descent may have been the stated rule, an examination of various membership lists show that there were exceptions in actual practice. For example, the Roscotts are descended from a Niantic man who married a Mohegan woman. He and his descendants appear as members of the tribe and they received lands in the 1790 apportionment (Anonymous 1790).

Table 2. Partial list of Mohegan Leaders, Overseers, and Spokespersons
to 1900

LEADERS	DATES	NON-INDIAN OVERSEERS	COUNCILMEN/ SPOKESPERSONS
Oweneco	1683 - 1715		
Caesar Uncas	1715 - 1723	1719 James Wadsworth, John Hooker Capt. John Hall (CT 1718)	
Major Ben Uncas	1723 - 1726	1723 John Mason (DeForest 1851, 320)	
Ben Uncas II	1726 - 1749	1726 James Wadsworth, John Hall, (guardians) (Hoadly 1873)	1736 Wambaneage, John Uncas, Robert Ashpo, Tomockham, Joshua Uncas, Chebucks, Wooquoqus, Sam Ashpo, Pompey Uncas (Baneage et al. 1736)
		1730 Fitch and Avery (DeForest 1851, 345)	1743 Old Wambaneage, Ole Jo Pye, Joshua Aukum (Occon), John Uncas, Simon Chawchoy, Samuel Pye, Joshua Uncas Samson Aukum, Ephraim Johnson, Zachariah Johnson, John Wambongeage (Hoadly 1874)
Ben Uncas III (Last of the Sachems)	1749 - 1769	1754 Hezekiah Huntington	1750 Zachary Johnson, John Dantequejan, Simmon Choychoy, Henry Quanquanquid, Moses Mazzeen, Joseph Johnson, Samson Occon
		1774 Mr. Coit	1774 Zachary Johnson his councilors (DeForest, 1851, 474)
Zachary Johnson "regent"/councilman	1787	1771 "overseers" (Hoadly 1887)	
		1789 Richard Law, William Williams, William Hillhouse, James Horton	1790 Robert Ashpo, Henry Quaquaquid (MT 1790)
Robert Ashpo "their agent"	1795		1790-1806 Robert Ashpo, Henry Quaquaquid, John Cooper, Mazzeens, other Coopers, John Tantaquidgeon, Johnathan Occon, Isaiah Hoscoat, Andrew Ashpo

Leaders, Overseers, and Councilmen (cont.)

Henry Quaquaquid	1799 (MT 1799)	1799 ----Law James Haughton	1799 John Tantaquid, John Cooper, Robert Ashbow, Salomon Cooper, John Cooper Jun ^r , Jonathan Occom
		1800 John G. Hillhouse 1804 James Haughton (Holmes 1804) (e139) 1806 James Fitch 1807 James Fitch, W.W. Haughton	
John Cooper Andrew Ashpo	1807 (Pegee et al. 1807)		
		1817 Josiah Brainard W.W. Haughton	1817 Ancients and Elders (Griswold et al. 1817)
Benoni Occom "chief headman"	1822 (MT 1823)	1822 Mark Stoddard	1822 Benoni Occom, Charles Cooper, Ezekil Marzeen, etc.
John Cooper	1834 (MT 1834)		1834 Gurdon Wyyongs, John Uncas, Molly Shantup, David Shantop, Charles M. Wyyongs, David Cooper, John Tantequiggeon, Martha Quigin, Nancy Hoscott, Sarah Smith, Ester Cooper Lucy Shantup, Polly Shantup, Hanna Wyyongs, Margaret Wyyongs, Lucy Cooper, Sally Quidgeon, Bartholomew Smith, Jacob Cooper, Peter Cooper
Jacob Cooper	1838 (CT 1838)	1837-1849 John G. Fitch	1838 "other Indians"
Martha Uncas	1853 (CT 1853)		1853 "other Indians"
Henry Matthews		1860 Delana Miller (Pres. Sewing Society) 1861 Samuel E. Maynard 1861 tribe as a whole (Hebard et al. 1861) 1872 Daniel Browning (CT 1872) 1897 Emma Baker	1872-1900 Church members Fieldings, Coonewases, Fowlers, Hoscotts, Millers, Bakers, Marthers (Matthews), Storeys, Wyyongs, Lemuel Fielding, Edwin "Faucher" (Fowler), Fidelia A. Fielding, W.H. Harris, Mary Storey, Coopers, Dolbearers Hamilton, Tantquidgeons

Mohegan way of life - 1700's

The impact of the lack of a sachem, the factional divisions within the Mohegan, the Revolutionary War, the distributional problems in the land system, and the encroachment of non-Indians took its toll on the Mohegan. In a 1789 memorial requesting a division of their lands to the General Assembly, the spokesmen for the Mohegan surveyed some of their problems. They pointed out that the "times are upside down". No longer were they able to get food by hunting, fowling or fishing. They began working their lands and keeping horses, cattle, and hogs and they built houses with fenced-in lots (H. Baker 1896, 63). Some individuals were better off than others. John Cooper, who was the religious teacher of the community, was one of its richest members and he owned two cows and yoke of oxen (DeForest 1851, 481).

Some of the Mohegan maintained an attachment to the sequestered lands and the community. Some who moved to Brotherton and were given land there relinquished it to return to Mohegan. Economic pressures encouraged the men to leave the Mohegan area to work on whaling ships or in military service. Religious values associated with the Brotherton movement prompted a few to migrate, leaving behind the more religious conservatives, but some of the Christian migrants returned later.

Some of the Mohegan continued in traditional life ways. Some would not sit at tables. Some continued to dress traditionally and preferred their native language over English (Love 1899, 153). Shortly after the Revolutionary War, the Mohegan women were wearing "English attire except for a small blanket and a 'round bonnet of blue cloth, in a shape peculiar to themselves, and somewhat resembling a scallop shell'" (Butler 1947, 42). The women at this time used the tumpline, a rope or strap which went across the chest and attached to a basket or other container on their back. Infants were carried in this manner.

During the Revolution, many of the Mohegan enlisted in the army of the colonies and 17 or 18 died in the service. Three of these were Rev. Samuel Ashpo's sons (H. Baker 1896, 62). Such sacrifices were unnoticed by the Mohegan's non-Indian neighbors. The non-Indian tenants on Mohegan lands wasted the reservation wood and allowed their cattle to pasture at will at the expense of the fields of the Mohegan (DeForest 1851, 475). By 1800, the earlier way of life had drastically changed, but the Mohegan continued to discuss their affairs in council (DeForest 1851, 481).

Mohegan population

While population records are far from being precise, scattered references from 1704 to 1790 suggest that while the Mohegan population fluctuated, it was in a general state of decline. In 1704 there were 150 warriors, but two thirds of these were in service to the Colony (Table 1) and presumably

away from their homelands. In 1774, DeForest reports that there were 40 families (DeForest 1851, 473). A list given that same year by Harry Quaquid shows 26 adults, 11 of them widows (Quaquid 1774). By the time of the 1790 land division, there were approximately 135 to 140 members (H. Baker 1896, 64) and of the 29 allotments not all of the recipients were resident in Mohegan. In examining the population figures, one pattern is consistent. Some Mohegan have always lived in their homeland, yet there are others who live and/or work away from the area but who are considered members.

FROM APPORTIONMENT TO THE SECOND LAND DIVISION, 1860's

After 1769, the Mohegan were without a formal leader recognized by the State. Various individuals appear in the records as "chief headman" (Mohegan Tribe of Indians 1822) with the names of others who were designated as ancients or elders. Some individuals or groups of individuals emerged as spokespersons for the group throughout this period (Table 2). The group was under the external political control of the overseers who attempted to carry out the wishes of the group and the State. Also during this period, another push for Christianization occurred and a church was built. Most of the issues facing the tribe, judging from the petitions and memorials, were land related. The State treated the Mohegan as a tribe and as non-citizen Indians. With the final land division and assigning of the lands in fee simple in 1872, the Mohegan became citizens of Connecticut.

Mohegan Church

The Mohegan Church since its founding has been an institution which contributed to the perpetuation of Mohegan identity, although its membership has never been exclusively Indian. Since its inception in the 1830's, the church building has served as a Mohegan meeting place. The activities associated with the church, such as the sewing circle and wigwam, figure prominently in later Mohegan Indian history. Although some Mohegan council meetings are now held in homes, in the past, council meetings and tribal meetings were held in the church.

In 1827, Sarah L. Huntington (DeForest 1851, 482), an early missionary/educator from Norwich, began teaching and ministering to the Mohegan. She enlisted the aid of some of her friends, including Miss Breed and later, when Miss Breed left to get married, Miss Raymond who taught school on alternate weeks. Huntington and her assistant would minister to the Mohegan on Sunday (DeForest 1851, 483). Huntington also enlisted the aid of Joseph Williams of Norwich to help raise funds to build the church, school, and to provide "steady and public religious instruction" (DeForest 1851, 483).

Through Huntington's efforts funds were raised from the Federal Government to build a school and from the Congregational Church to erect a church on lands donated by Lucy Teecomewas and Cynthia Hoscott (Teecomewas and Hoscott 1831), both Mohegan Indians. These lands were on Uncas Hill in the heart of traditional Mohegan lands. Miss Huntington envisioned the church not only as a spiritual center but as a means of educating and keeping the Mohegan together on their own property. Huntington wrote to both Lewis Cass, Secretary of War, and Jabez Huntington, a kinsman to Miss Huntington and U.S. representative from Connecticut, requesting assistance in the raising of funds. As a result of these efforts, the Federal Government appropriated \$500 from its Civilization of the Indian fund to assist in building the school and provided \$400 annual support for a teacher. These funds were not paid to the tribe but to others who presumably were the teachers.

On May 31, 1832, the Federal Government disbursed \$500 to Joseph Williams to cover the expenses of erecting a school building for the benefit of Mohegan Indians (U.S. Congress 1843, 23). After this, quarterly payments of \$100 from the civilization fund were given to cover the teachers' salaries and expenses. Statistics are not readily available for the number of Indians educated, but in 1837 the school had one teacher and 22 students (U.S. Congress 1837, 601). In 1846, there was one teacher with eight boys and 10 girls (U.S. Congress 1846).

The first quarterly salary/expense checks were made out to Williams, who had also received the school construction funds. He continued as the recipient until June 1834 when he was replaced by Charles Hyde. Hyde was issued the money until June 1835 when Edward Whiting began receiving it (U.S. Congress 1843, 23, 27-31). In January 1841, Whiting was replaced by the Rev. Anson Gleason who remained as the teacher and pastor until the funds were reduced to \$100 annually in 1845 (DeForest 1851, 487). Gleason no longer could afford to teach and to minister. He was replaced by Rev. Sterry who was there in 1849 (DeForest 1851, 487). In 1849 there were 10 or 12 students still in attendance.

According to Rev. Anson Gleason, in 1842 the students, who could include adults, were instructed in reading (including Latin), writing, composition, grammar, history and arithmetic. The females were taught needle work, millinery, dressmaking and tailoring (DeForest 1851, 483). The Sunday services included singing and one of the young Indians served as leader of the church choir. There were about 40 members of the church but only 13 of them were Mohegan and 10 of these were women (DeForest 1851, 487). There were about 60 Mohegan on the reservation at this time (Table 1; DeForest 1851, 488) and it is possible that some of them attended other churches in the area.

On June 17, 1842, the church sponsored an event which set a pattern which became more important in later times when it evolved into what was called the wigwam. The chapel, which was repaired, enlarged and entirely remodeled, was reconsecrated at this time. This ceremony was attended by the congregation and after the service a fair was held to help defray the remodeling expenses. Several hundred people gathered from the neighboring towns and people continued to arrive and depart in carriages and by steamboat through the afternoon.

A pleasant grove had been enclosed for the occasion, with a fence of interwoven boughs and appropriately decorated, where refreshments were displayed suited to all tastes. Here a huge wooden bowl of savory, smoking succotash, stood with its wooden ladle, invitingly ready. ...Suspended from the trees and over the tables were articles of Indian manufacture, baskets of various shapes and hues; wooden spoons and birch brooms, hung beside fancy work of modern invention, delicately executed by the younger hands, in the school and sewing circle (Uncas Monument 1842).

The church membership was never large and from its beginning was both Mohegan and non-Indian. Although the 1842 fair had an Indian theme, it is unknown whether Indians or non-Indians held the church offices.

Mohegan Way of Life - 1800's

In 1842, it was reported that the 2500-3000 acres of tribally-owned land was under cultivation. How much of the cultivated land was being worked by Mohegan is unknown. Much of it was rented and the rents of the land were distributed partly in money and partly in provisions (DeForest 1851, 487-8). At Christmas and Thanksgiving, the overseer parceled out rations of beef and flour to all the tribe who called for them. Generally 65 or 70 would show for the distribution with some coming from Brotherton in New York (DeForest 1851, 489). In earlier times rations were distributed only to the full blooded Mohegan, but later they were given to those of mixed blood (CT General Assembly 1861).

Some of the men worked on the whaling ships and when at home during the church fair, sold schrimshaw and inlaid cedar buckets made on the ships (Uncas Monument 1842). Some of the widows of Revolutionary War soldiers received pensions.

According to DeForest (1851, 489), in 1849 there were 18 houses on tribal lands. Eleven were occupied by Mohegan. These were all of frame construction, and most of them were lathed and plastered. Some Mohegan did cultivate land. Stock owned by individual Mohegan families included 10 oxen, 12 cows, 17 calves and one or two horses. English was the language of most of the community, but some still spoke Mohegan (DeForest 1851, 488). By 1860, there were still 18 dwellings on the reservation. Fourteen of them were occupied by Indians and the others by non-Mohegan who rented Mohegan-owned farms (CT General Assembly 1861). There were a number of barns. At the time of the report, the church had been thoroughly repaired and painted using funds from the rents of tribal lands (CT General Assembly 1861).

Land and the Political system

After the partitioning of some of the tribal land and assigning it to specific individuals in 1790, those lands assigned were regarded by the individual recipients and their heirs as belonging to the individual. Not all of the Mohegan lands were allocated, some remained communally owned. The General Assembly received requests at various times to allow "individually" held lands to be sold with the proceeds to be used by the individuals and, on occasion, the sale of tribal lands with the proceeds to be used for tribal purposes. It is from these petitions, as well as others concerning other tribal issues, that there is some indication of the tribal political process from 1790 to 1870.

In October 1805, the Mohegan petitioned the General Assembly to have James Fitch appointed overseer since their previous overseer had recently died. This petition was signed by John Cooper, Robert Ashbo, and Andrew Ashbo as

"Commissioners for the tribe" (MT 1806). When the General Assembly responded to the wishes of the tribe they referred to the "commissioners" as a "Committee of Old men" (MT 1806).

In the first half of the 1800's, the General Assembly or the County Court in New London received petitions from various Mohegan requesting permission to sell tribal land. In 1804, John Cooper and Robert Ashbo requested permission to sell some lands (Cooper and Ashbo 1804). In 1807 Ester Pegee was permitted to sell 25 acres and Ann, Josiah, and Elizabeth Horsacoate were allowed to sell 20 acres which they regarded as being individually owned. The funds were to benefit the petitioners whose house had burned (Pegee et al. 1807). The Pegee et al. petition was approved by the "Indian Overseers or Headmen" of the tribe. It also was signed by the two non-Mohegan overseers. Also in 1807, a petition was sent to the General Assembly by Benoni Occom and Tabitha Cooper requesting permission to sell four acres. In this petition, signed for himself and the other Mohegan who signed are referred to as "Indian overseers or headmen of said tribe" (B. Occom and T. Cooper 1807). In 1822, Benoni Occom was referred to as the "chief headman" (MT 1823).

In a June 1825 petition, Samuel Hoscoate, a Mohegan Indian, requested that the New London County Court order the overseer to allot him tribal land. In the petition he stated that his grandfather, Jacob Hoscoate was one of the "Headmen and Elders of said tribe" (MT 1825).

In February 1834, a complaint was submitted to the New London County Court stating the problems the Mohegan were having with trespassing on their woodland by white people and by colored people who were cutting and selling wood without permission and requesting that the court "do all in their power to prevent such trespasses" (MT 1834). This petition contained the names of 11 women and 10 men. Prior to this time, women's names generally were only found on petitions which requested the sale of lands. There is no indication that this petition was approved by the headmen or the overseer.

In 1852, two petitions indicate that there was disagreement within the tribe. Martha Uncas and other Indians petitioned the general assembly to allow the sale of tribal lands to Samuel Maynard, a physician and surgeon, who had been practicing for more than seven years among the Mohegan (CT General Assembly 1853). The original petition was not seen, so it is not known what other categories of signatures might appear. In a remonstrance sent to the County Court of New London against allowing the sale of any of the tribal lands (MT 1852), some Mohegan protested the sale arguing that the continual sale of tribal lands, which constituted their only means of subsistence, would lead to their having to live on charity. The names of seventeen people including seven women appear on this petition. Four are known to have been living in Mohegan at the time and ten, who did not live in Mohegan, are from the same family. No headmen or overseers signed this petition. The State passed an Act allowing the property to be laid off and properly appraised for sale. The funds were to be invested by the overseer for the benefit of the tribe. Whether there was more than just land issues involved in this difference of opinion is not known.

In 1859, Martha Uncas died leaving a will which divided her real and personal property (M. Uncas 1859). The will was challenged in court and it was declared invalid so far as it related to real estate (CT General Assembly 1861). This decision unsettled the title to a large amount of real estate in Mohegan and, according to the commissioners report in 1861, "opened a field for quarreling and litigation, and called for the Act passed by the present session of the Legislature" (CT General Assembly 1861). The Act referred to was approved in June 1860 (CT General Assembly 1860a) for the purpose of making "a new distribution of the 'common' lands (except 'Fort Hill Farm') of the Mohegan Tribe of Indians, living in the town of Montville" (Hebard 1861). It also mandated the appointment of three commissioners to survey the lands and to make the allocations.

Second Division of Tribal Lands

The commissioners arranged for a survey of Mohegan lands stating in their report their embarrassment at not being able to find earlier land records of the 1790 division. They talked with various Mohegan and, after advertising a meeting to be held at Mohegan, met with them and other claimants in the meeting-house in January 1861 and allowed them to prove their claims. The commissioners reported that many who presented themselves failed to substantiate their claims (Hebard 1861). One family's claim was disallowed after a separate hearing and collection of evidence on both sides. Tribal testimony indicated that the claiming family was not entitled because their ancestor was not a Mohegan descendant but that he had been raised by a Mohegan. Accompanying the report was a map showing the properties and the names to whom the properties were assigned. Also there was a list of Mohegan who resided on the Mohegan Reservation and belonged to or were connected with the tribe in 1861. The present Mohegan use this list and others in establishing their ancestry and membership criteria.

Only Fort Hill Farm was left undivided and remained as the largest parcel of communally-owned property. The common lands were divided into lots and the specific amount owned by each individual entitled was recorded. Land and property previously inherited was recorded and titles prepared. In some of these cases, even improvements on the property were divided. For example, the property received by Eliphalet Fielding included dividing the house on the property with Sarah Goddard, his sister, with Eliphalet receiving the long kitchen and a bedroom in the house, and six feet of the east end of the cellar.

Citizenship

After the division of most of the common lands, Fort Hill Farm was still held communally. There was still an overseer (CT General Assembly 1872), Daniel L. Browning, who managed the rents on Fort Hill Farm and who had to approve any sale of property. The Mohegan petitioned the legislature to be free from the guardianship of the State and allow them to become the owners in fee simple of their lands (Kingsbury 1872). In July of 1872, an act was approved which made the Mohegan Indians citizens of Connecticut (CT General Assembly 1872). The act required that the meeting house and

parsonage be repaired with tribal funds and enclosed with a fence. The school house was annexed by the school district, and the law stipulated that the school site could not be changed except with the consent of two-thirds of the male members of the tribe who were over twenty-one years of age. All tribal land not assigned except the church, the parsonage, and the cemetery, was to be sold at auction and the funds distributed to members of the tribe. The act stipulated that the Mohegan Indians would be liable for the taxes of real and personal property and the overseer's duties would terminate in October 1872 (CT General Assembly 1872).

Summary

From 1790 to 1860, the Mohegan were under the control of the State and the overseers and evidently the Mohegan could request specific individuals to be appointed as overseers. The exact duties of the overseers is not clear. The overseers' signature could be present on petitions concerning some land transactions. Whether they signed Martha Uncas' petition to allow the sale of tribal land to Dr. Maynard (CT General Assembly 1853) is not known. A system of headmen and elders (council) operated but, other than land issues, it is not known what else came before them. Some disputes and disagreements could be taken to the State. Individuals could bypass both the headmen and the overseer and petition directly to the General Assembly or the County Court. In the 1860's land division, the tribe was involved in the decisions regarding the distribution of the tribal lands and in 1872, the Mohegan became Connecticut citizens and the last overseer was removed. The tribe retained title to the church, parsonage, and Fort Shantok cemetery. When they became citizens, the State gave the tribe the right to have the final decision, should the occasion arise, on whether to allow the school to be moved. Two-thirds of the male Mohegan over the age of 21 had to agree to the action before the school could ever be moved.

AFTER CITIZENSHIP

By 1900, after the Mohegan received State citizenship, their lives were not too much different from what they had been during the previous twenty years. They lived much the same as their neighbors, with some differences. The Indians continued to hold tribal lands, e.g. cemetery, church and parsonage. The Mohegan sociopolitical organization continued to be largely informal. They maintained their Mohegan identity and had annual activities which reinforced this identity. The "wigwam" was an annual church fair sponsored by the Mohegan Sewing Society, an auxiliary to the Mohegan church. The last speaker of the Mohegan language, Fidelia Fielding, died in 1908. Land claims were important issues for the Mohegan and a council, according to Speck (1903), was in existence.

From the late 1890's to the present, the records indicate that their sociopolitical system, when functioning, consists of a complex interaction of descendants from two or three principal families. Leaders, council members, and individuals who on occasion emerge as tribal representatives come from these families.

Principal Families and their Movements to the 1930's

Current Mohegan membership can be divided into five families based on descent from an ancestor whose name is on a 1861 list prepared by the State at the time Mohegan common lands were divided or on earlier overseer's lists. Four of the families are on the 1861 list. One additional group of descendants has an ancestor on an earlier 1838 overseer's list.

There are three larger family lines -- the Fieldings, Bakers and Storeys. The Fieldings, with 431 present-day members descend from Eliphalet Pegee Fielding. Fielding descendants include the Harris', Fowlers and Tantaquidgeons. The Bakers, including the Meechs, Sturges', and Cholewas, with 224 present members, descend from Emma Tyler Fielding Baker. The Storeys, including the Hamiltons and Grays, with 198, descend from Mary Tracy Fielding Storey. The Coopers and Hunters are minor families since they have fewer members. There are 20 descendants of David Cooper whose name is on an 1838 overseers list and there are 6 descendants of Rachel Fielding.

After 1870, some Mohegan families left the reservation. Six families who received land had moved from Mohegan prior to the division of the common lands. After the division some allottees and residents of Mohegan and some children of allottees also moved away. For example, between 1880 and 1885, Mary Storey, an allottee, moved her family from Mohegan to Groton, Connecticut, where she lived the rest of her life.

Emma Baker's three oldest children, who are named on the 1861 list, also moved away. Two moved before 1880 and the third after 1880. Two lived in Norwich and the third in New Haven. The Baker family became somewhat socially isolated from the rest of the Mohegan at the turn of the century

and while Baker descendants are on the Mohegan membership list, the Baker's have not been extensively involved in Mohegan internal affairs since Emma Baker's death in 1916. They did, however, continue to bury family members in the Fort Shantok cemetery, with the most recent burial being in 1973. One Baker was active in a later "Council of the Descendants" organization with a Storey descendant, John Hamilton, a Mohegan active in land claims. Currently another Baker descendant is on the Mohegan Tribal Council.

Of the Fielding family, some children of Eliphalet who are on the 1861 list as residents of Mohegan also moved. By 1900, Eliphalet's son, Lemuel M. Fielding, who later became chief of the Mohegan, was living in Norwich. Also the John Tantaquidgeon family, also Fielding descendants, was living in New London.

The principal towns of New London and Norwich where the Mohegan were moving are not far from Mohegan. Mohegan is about 4 miles south of Norwich and about 9 miles north of Groton-New London (Map 1). By the second and third generation, more of the Mohegan had moved away, but there was still a core of 34 Mohegan in Mohegan. In 1934 a "List of Mohegan Descendants Residing at Mohegan, Conn." and its companion list "Names of members of families on List I living elsewhere" was prepared (Sword 1939). There were Mohegan living in various places, largely Norwich, Connecticut, but also in New York, Rhode Island, Massachusetts, California and Texas.

While many of the Fieldings and Storeys had left the village of Mohegan, many still lived in New London-Groton or Norwich and they still maintained social contact and political ties with their relatives "back home". The families continued to come back to participate in the church Wigwam. The Storey family had moved to Groton by 1885 (Beers 1905, 552), and they remained active in Mohegan affairs.

In 1899, Mary Storey (Anonymous 1899), who lived in Groton, Lemuel Fielding and Edwin Fowler both of whom lived in Norwich, and Fidelia Fielding, who lived in Mohegan, and other Mohegan, of unknown residence, signed a petition that was sent to the Connecticut General Assembly requesting permission to bring suit against the State for alleged taking of lands. One of Mary's children, Alice M. Storey and her husband, Norman E. Hamilton, moved back to Mohegan, probably in the later part of the 1890's. In 1899, Norman Hamilton, John Hamilton's father, joined the Mohegan Church (Mohegan Congregational Church 1870-1956).

At the 65th Annual Wigwam held in August, 1925, descendants of all three major families were present or worked on its production. In addition to the Mohegan residents, some members came from Hartford (e.g., Julian Harris), Norwich (e.g., Lemuel Fielding), New London (e.g., Beatrice Sword), and Rhode Island (e.g., Gertrude Harris) (Anonymous 1925). In 1933 Julian L. Harris, his son Raymond, Loretta Schultz (all Fieldings) and Marion Capwell (a Storey) signed a resolution to be submitted to the Missionary Society of Connecticut requesting that some of the funds from a trust, established by Sarah Huntington for the Mohegan Indians in 1871, be spent as a retainer for an attorney to investigate their land claims case. This document, witnessed and signed in the

presence of the Mohegan Indians at the Mohegan Church, Mohegan, Connecticut, was notarized by the non-Indian wife of John Hamilton (a Storey) (Officers of the Tribal Council of Mohegan Indians 1933).

Political Organization

There is no evidence that, between the time of the last sachem and prior to the Mohegan receiving citizenship, the Mohegan had a formal governing system. During the last quarter of the 1700's and the first half of the 1800's, before the lands were allotted and the group received citizenship, some informal system of council and leaders was in existence. While the character of this political organization is not clear, the documents indicate that a council or some body of individuals were acting on behalf of the tribe (Table 2). Also there was a person who would act as the head spokesperson for the tribe. It is not known how individuals acquired these positions nor is the extent of their roles and duties known.

Role of the Chief

When Frank Speck, an anthropologist, worked among the Mohegan in the early 1900's, he described them as having a "chief". This is the first time that this term appears as applied to a leader of the Mohegan. Speck commented that the "chief" was Henry Matthews, whose duties were largely honorary and Speck noted that like the sachems in the past, his tenure was for life (Prince and Speck 1909, 193). It is not clear what role the "chief" had at the turn of the century other than the honorary component. There is no evidence that Matthews initiated action on any issue relevant to the tribe.

While there have been exceptions in Mohegan history, the person with the title of chief has generally been an elder Mohegan male. While it is not known when or how Henry Matthews became chief, he was considered in 1859 (Norwich Daily Courier 1859) as one of the chief men among the Mohegan, when he was 41. In the early 1900's when Frank Speck visited the Mohegan and reported Henry Matthews as being chief, Matthews was 84. Of the later chiefs, Lemuel Fielding was 60 when he took office in 1920, Julian L.M. Harris was 63 in 1935 when he became chief, Burrill H. Fielding was 65 in 1937 when he first acquired the position, and Courtland Fowler was also 65 when he came into the office in 1970. The two exceptions are Everett Fielding who was 41 when he received the title in 1928 and Harold Tantaquidgeon who was 47 when elected in 1952.

Speck states that "The chieftaincy ... which is a life office, is largely nominal so far as authority goes. The duty of the chief is primarily to preside over the council meetings which deal with internal matters or with affairs relating to other eastern Indian remnants" (Prince and Speck 1903, 163). Unfortunately, Speck does not describe what "internal matters" were discussed but his description of the duties of the chief is basically the same as that given today and at various times in the past.

In 1934, Gladys Tantaquidgeon reported that the chief "does not exercise any authority over the members of the group but acts as the presiding officer at tribal meetings, ceremonies, and public gatherings." She also noted that for the past 20 years the chief had not been a resident of Mohegan, that other officers were also non-residents, and that there was a feeling that there should be a resident chief (G. Tantaquidgeon 1934).

While Tantaquidgeon mentions there is a ceremonial component to the role of the chief, it is not always enacted. In 1896, when Lemuel Fielding accepted "in behalf of his tribe" an invitation to march in a parade in honoring John Winthrop, Jr., the town's founder, "chief" Henry Matthews was not among those participating. The Mohegan group was led in the parade by William Williams Fielding (New London County Historical Society 1897, 322). For some occasions, the chief does have a ceremonial role. In 1967, Harold Tantaquidgeon, as chief of the Mohegan, participated in the plaque unveiling at the dedication of the Mohegan-Pequot Bridge (Thames River Bridge Commission 1967) and more recently, Courtland Fowler, as chief, participated at the dedication of a new health center on the Mashantucket Pequot Tribe of Connecticut reservation (fd).

Since the term "chief" was introduced by Speck, it has been used in reference to certain individuals by the Mohegan and newspaper reporters. Its manner of use does not always make clear its meaning. Harold Tantaquidgeon, in 1935, sent out a letter calling for a meeting to revive the local tribal organization. In it he recommended that Burrill Fielding be chief, and Everett Fielding and John Tantaquidgeon be "second chiefs". The duties of these positions are not defined. According to other accounts, in 1935, Everett M. Fielding was the accepted chief of the Mohegan (Mills 1958, 139).

A newspaper account of the 1941 Wigwam Corn Festival lists five Mohegan men as being a chief, but uses that term with their Indian names and points out that they are in native costume. It is unlikely that the term as used in this article meant that these men occupied the same position as Burrill H. Fielding who was the chief at that time.

There is also a category of "Honorary Chief" which is carried by Harold Tantaquidgeon. Tantaquidgeon was elected chief in 1952 and held office until 1970 when Courtland Fowler was selected. The role and duties of this position are not defined. It does not require the individual to be actively working with the council. Tantaquidgeon did not serve a life term as did the chiefs in the past and the title "Honorary Chief" may be a recent innovation to account for this. The term is not known to have existed prior to Courtland Fowler's election.

Today, the Mohegan say that the role of the chief is honorary and that he speaks for the council (Fowler 1980, 19; fd). The chief presently serves as the chairman of the council. The combination of being chairman and chief has not always been the case. In 1897, Emma Baker, who was also the president of the Mohegan Sewing Society, was elected President of the Mohegan Indian Council (MT 1899). In 1933, Julian L.M. Harris signed as "Chairman" of the Tribal Council of Mohegan Indians (Officers of Tribal Council of Mohegan Indians 1933) when Everett M. Fielding was chief.

While the chief may have an honorary component to his role, he is consulted by Mohegan at various times on tribally-related issues. For example, when some of the current members received a subpoena to make a deposition in the land claims case, they went to Courtland Fowler to discuss it with him (Brown 1983). One deponent, when asked if she ever discussed tribal business with Courtland Fowler responded, "Not really, no. I haven't seen Cort to really talk to until I went over there a few months ago to talk to him. . . . It was right after . . . the first time I got a letter (about the deposition)" (Brown 1983, 23).

Also the chief can initiate action on certain issues. When it was learned that a group who also call themselves "Mohegan" were going to have a "homecoming" at Fort Shantok Park, the current chief called the Connecticut Indian Affairs Council to see if there might be possible to deter their use of the park (fd). The term "spokesperson" is a better descriptor than the term "chief" for the individual who occupies this sociopolitical role in Mohegan society. In addition to the honorary component, the principal role of the chief is to serve as a kind of sociopolitical leader who closely works in conjunction with other political aspects of the group and is the spokesperson for the group's consensus.

The documents indicate that, after citizenship, in addition to the role of the chief, three additional political subsystems are operating. One is the council. The other two may or may not have historical antecedents. One can be referred to as ad hoc leaders and the other is the sociocultural leader. Each will be discussed later.

Council and other Political Processes

It is not known how a council or body who represented the group was selected before the Mohegan received citizenship. In 1909 Speck reports that councilors were elected for a term (Speck 1909, 193), but unfortunately Speck did not provide much information about the actual political process of the Mohegan in this early work. Formal designations of a "Tribal Council" are scarce in Mohegan history. After the Speck report, the term "Tribal Council" does not appear again until 1933. The term, "Officers of the Tribal Council," appears on a document signed by Julian L.M. Harris when he and others were asking for the release of tribal funds (Officers of Tribal Council of Mohegan Indians 1933). In late 1934, Gladys Tantaquidgeon reported that tribal meetings were held at least once a year with other meetings held as necessary (G. Tantaquidgeon 1934). She did not mention a tribal council specifically. Tantaquidgeon did not indicate whether these were meetings of the tribe as a whole or whether they were council meetings. Issues discussed at these meetings are also not known.

While there is no evidence that the Mohegan Sewing Society, an auxiliary to the Mohegan church, acted as a council, this group was important since it sponsored the church wigwan almost every year from 1860 to 1938. They were able to mobilize Mohegan resources in the production of the wigwan and funds raised were for the maintenance of the church. Both the church and the wigwan were important in Mohegan tribal affairs. While decisions

were made by the sewing society it is not known how these decisions were made. Considering that the group as a whole was affected by the decisions of the ladies, since many of the group had to work to make the operation a success, the decisions involved informal communication and decision making. However, there are no records to indicate the involvement of the sewing society with other tribal affairs. It is not known, for example, how decisions were made about the cemetery.

In 1941, a Wigwam Corn Festival (National American Indian Defense Association 1941a) was held in Mohegan. This event was sponsored by the National American Indian Defense Association, Inc., with John Hamilton, a Mohegan, as president. This event was successful with over 3000 visitors (Anonymous 1941). The production of this festival required the cooperative endeavors of the Mohegan membership. Again, the decision making process involved in this event is unknown. The Hamilton wigwam held in 1941 was the last record of a large, face-to-face, cooperative endeavor on the part of the Mohegan.

Between 1941 and 1952, there is no indication that group actions were being taken. World War II and the Korean War may have interfered with group activities during this period.

Harold Tantaquidgeon's biography, reports that in 1952 the "Tribal Council" elected Harold as chief (Voight 1965, 180). No documentation for this election was provided. From 1952 until 1967 there is no evidence available that would indicate that a council was operating. In 1956, the Mohegan church was restored. While some of the Mohegan in the village of Mohegan were leaders and participated in this project, there was no evidence that this project involved the membership as a whole. The available documents indicates that this was largely a project of the church and the church members.

In 1967, a group was formed called the Council of the Descendants of Mohegan Indians, Inc. While this was an organization that was nominally separate from the group, the minutes of its meetings indicate that Mohegan issues were discussed. For example, in October, 1968, there was a discussion of the sale of the tribally owned parsonage and the need for fences to protect the Fort Shantok cemetery, (Council of the Descendants 1968b) which suggests that it had some functions of a council.

Today, the council members are elected and, as in the past, council members tend to be older Mohegan members. In 1899 the average age of the tribal council members was 56 years and they ranged in age from 75 years to 18, with five of the eight being over 59. In 1933, the average age was 45, with two of the four being over 55. The average age of present council members is 65 years, with the oldest being 84 and the youngest 46. When Gladys Tantaquidgeon, while a student at the University of Pennsylvania in 1920-1925, was asked by a newspaper reporter whether she was in politics she replied, "No, I haven't got into politics yet...I'm not quite old enough, but I probably shall" (Philadelphia Public Ledger c. 1920-25). While this question may have referred to non-Mohegan politics, the response was an appropriate Mohegan response. At that time Gladys was in her early twenties. When another member was asked if she was involved in the council, her reply was that she probably would after she got older and her grandchildren were grown (fd).

Today, the Mohegan recognize the power of the council (Fowler 1980, 19; fd). The chief is one of the council members and, serves as chairman of the council. While this may be the situation today, it was not always the case in the past. In 1899 when Emma Baker was president of the Council of the Mohegan Tribe of Indians (MT 1899), Henry Matthews was the chief. In 1933, while Everett Fielding had the title of chief, Julian Harris was the chairman of the tribal council (Officers of Tribal Council of Mohegan Indians 1933).

Ad Hoc Leaders

At the turn of the century when Speck indicates that Henry Matthews was the chief, other political events were taking place that demonstrate another facet to the Mohegan political system. This pattern has reoccurred since that time and is part of the Mohegan political system. The documents make it apparent that the chiefs are not necessarily the ones who initiate action on behalf of the tribe. There are, on occasion, ad hoc leaders.

Ad hoc leaders are individuals who, representing the tribe, can start and/or execute specific projects which, from an outsider's point of view of the chief as a leader, should be in the chief's domain. While the project is under way, the council and cooperating tribal members recognize the leadership of the ad hoc leader for that particular purpose. In some cases the individual is selected by the council to lead for that specific task. In other cases it is not known whether the ad hoc leader discusses the action to be undertaken with the council before it is initiated or proceeds alone and receives support of the council later. The fact that the membership and/or council can later support the project indicates approval.

Table 3 shows the list of chiefs/spokespersons and ad hoc leaders since the 1890's based on the documents submitted with the petition. In May 1897, Mrs. Emma Baker was elected president of the Mohegan Indian Council (MT 1899) and Henry Matthews was the chief at that time. Emma Baker was to pursue the settlement made in the New York Indian land claims with attorney Francis M. Morrison (MT 1899). Also while Matthews was chief, Lemuel Fielding was a representative of the Mohegan council at a 1900 intertribal hearing in New York of a Senate Indian Affairs subcommittee listening to charges of the fraudulent taking of Indian lands. Although Fielding did not testify, he committed the tribe when he said that the Mohegan would send affidavits to the committee (New York Times 1900). There is no evidence to show that Henry Matthews was involved in either of these cases. Lemuel Fielding later became chief from 1920-1928.

Everett M. Fielding was chief between 1928-1935. In 1930 Edith Gray filed suit in 1930 against the State of Connecticut, its attorney general, the city of Norwich, its Masonic Temple, and other parties to quiet title on the "Royal Burial Grounds" in Norwich (Norwich Bulletin 1930; Norwich Record 1930). In her endeavors she was assisted in the research on the case by her nephew, John Hamilton, and in contributions by Mohegan members (Gray 1935). In 1933 Julian L.M. Harris, a Fielding descendant, signed a

document as chairman of the Tribal Council (Officers of the Tribal Council of Mohegan Indians 1933). The document was a resolution to spend some of the monies held in trust for the tribe for an attorney's retainer fees who was pursuing the land claims. Everett M. Fielding's name appears on a list of contributors to this project.

Also when Everett M. Fielding was chief, Harold Tantaquidgeon wrote a letter to the membership calling for a meeting "to get active" (H. Tantaquidgeon 1935). Everett Fielding was present at this meeting when Tantaquidgeon suggested "building a stone wall around the church and maybe a well" (Gray 1935). Also at this meeting, Edith Gray reported on the new developments of her pursuit of the claims on the Royal Burial Ground in Norwich and a collection was taken up to help finance John Hamilton's continuing research work in connection with the Royal Burial Ground claim (Gray 1935).

Julian L.M. Harris was chief between 1935 and 1937. During his tenure, Edith Gray and John Hamilton continued their work on the "Royal Burial Grounds," on behalf of the tribe.

Burrill H. Fielding was chief between 1937 and 1952. During this time John Hamilton, became more prominent in Mohegan affairs and in the 1940's and early 1950's he was petitioning the Connecticut legislature for just compensation for lands wrongfully taken (Anonymous 1943; Mohegan Indians 1943; New London Day 1941). Hamilton broadened the land claims to include not only the "Royal Burial Grounds" but a larger portion of the lands originally claimed by the Mohegan (Mohegan Indian 1943). Whether Burrill Fielding was involved in these activities is not known.

From 1952 to 1970 Harold Tantaquidgeon was chief. In 1954, Courtland Fowler, a Fielding, received correspondence from the Bureau of Indian Affairs regarding land claims (Dwight 1954) and the Bureau suggested that they employ a "reputable attorney." Also during Tantaquidgeon's tenure, Hamilton continued to act on behalf of the Mohegan. Hamilton formed an organization known as "The Council of the Descendants of the Mohegan Indians, Inc." in 1967 (Damon 1981, 12,16). Tantaquidgeon was not centrally involved in this organization. Likewise, when problems of proper leadership developed within this organization, it was Virginia Damon, who, at the request of the group's elders, called a meeting, in 1970, of Mohegan at the Mohegan church. This meeting was to determine the Mohegan's rightful leader (Andrews 1970b). At this meeting, Courtland Fowler was confirmed as chief.

Courtland Fowler's designation as chief was not sufficient to stop John Hamilton from acting on behalf of the Mohegan and claiming he was their "Grand Sachem." In February 1972, during Fowler's tenure, Jayne Fawcett, a Fielding descendant, sent out a form letter to the Mohegan membership stating that she did not recognize John Hamilton as Grand Sachem or emperor and asking the recipients to date and sign the statement if they agreed (Fawcett 1972). There is no evidence that Courtland Fowler attempted to involve the membership in the Hamilton controversy.

Table 3. Mohegan Leaders and "Councilmen"
(since 1890)

CHIEFS/SPOKESMEN	DATES	AD HOC LEADERS	"COUNCILORS"
Henry "Wigun" Matthews	18??-1903	Emma T. Baker 1897 Lemuel Fielding 1900 ²	Adelaide Babbitt, L.M. Fielding, Edwin C. Fowler, Julian L. Harris. Nathan Cuffee ¹ Three councilmen ³
Lemuel Fielding	1920-1928		Everett Fielding, Albert Fielding, Gladys Tantaquidgeon, Edith Gray, Mary Morgan, Julian Harris, Hattie Morgan
Everett M. Fielding	1928-1935	Edith Gray 1930's John Hamilton 1930's Julian L.M. Harris 1933 (chairman) Harold Tantaquidgeon 1935	Raymond M. Harris, Marin E. Capwell Loretta P. Schultz ⁴
Julian L.M. Harris	1935-1937 ⁵	Edith Gray 1930's John Hamilton 1930's	
Burrill H. Fielding	1937-1952	John Hamilton 1940's	
Harold Tantaquidgeon	1952-1970	Courtland Fowler 1954 John Hamilton 1966-1970 Virginia Damon 1970	"tribal council"
Courtland Fowle:	1970 to date	John Hamilton 1970's Jayne Fawcett 1972	Courtland Fowler, Ernest Gilman, Donnell Hamilton, Catherine Lamphere, Stilson Sands, Ralph Sturges

References: 1 M¹ 1899; 2 New York Times 1900;
3 Prince and Speck 1903; 4 Officers of the Tribal
Council of Mohegan Indians 1933; 5 Mills 1958

Hamilton continued his pursuit of the land claims. He and his attorney, Jerome M. Griner filed two suits on behalf of the Mohegan in 1977 (U.S. District Court 1977; Krulitz 1979). Also Hamilton and his attorney had a petition filed for Federal Acknowledgment in 1978 (Griner 1978). It is not known what portion of the Mohegan membership initially followed Hamilton in these actions. Some objected. In the 1980's, the Mohegan agreed to join the law suit and pursue acknowledgment.

The ad hoc leader in the Mohegan sociopolitical system has been important in pursuing the interests of the tribe. It is also a pattern which has lead to external confusion and misunderstanding about the nature of the leadership of the Mohegan. John Hamilton, one of the ad hoc leaders furthered the confusion however when he overstepped the authority recognized by some of the Mohegan of any holders of this position. Hamilton continued to proclaim he was the Grand Sachem of the Mohegan.

John E. Hamilton

Of all the ad hoc leaders, John E. Hamilton, born in 1897, had the longest and most prominent role. His work and activities had a major impact on Mohegan affairs. He was the grandson of Mary T. Storey, a sister to Delana Miller and Emma T. Baker, the first and second presidents respectively of the Mohegan Sewing Society.

As a young man, he lived in Mohegan about 10 years and during the rest of his life he lived in various towns in eastern Connecticut. Later he lived in the Midwest and, for a while, in California (fd).

He became actively involved in Mohegan land claims in January 1930 when he engaged the services of Alexander L.W. Begg, an attorney in New York City. In February 1930, he was seeking a meeting with the Commissioner of Indian Affairs in Washington D.C. to discuss the Mohegan land claims in Connecticut and New York. Later that same month he telephoned the Commissioner and discussed the situation (Scattergood 1930). The Commissioner's response, both by letter and by phone was that Congress had not directed the Bureau to exercise any jurisdiction over the Mohegan (Scattergood 1930).

In August and December 1931, Hamilton contacted Congressman Schneider seeking his assistance in resolving the claims the Mohegan were making for lands involving a Mohegan Cemetery in Norwich, Connecticut. Hamilton also asked the congressman to assist in clarifying the Mohegan's right to share in the claims of the Stockbridge Indians in Wisconsin (Rhoads 1932). Hamilton's letters were sent to the Bureau of Indian Affairs for response and the Bureau reiterated that only those Mohegan who had left Connecticut and joined with the Stockbridge Indians when they resided in New York and prior to their movement to Wisconsin were eligible to share in the Stockbridge award (Rhoads 1932).

John Hamilton claimed that in 1924 his mother had bestowed on him the title of "Grand Sachem of the Mohegan" and that this position was confirmed by the membership in 1933 after announcements of the pending event were published in the newspapers and letters were sent to heads of families. When he was asked if anyone ran against him he replied, "Oh, no, they all fell for it. We need somebody to go ahead with things. So I stepped in and I be going [sic] every since." (Hamilton 1981, 19). No evidence was found to support Hamilton's claims and they have been challenged by other Mohegan.

Hamilton's actions on behalf of the Mohegan in the 1930's were supported by the Mohegan (Gray 1935). In 1935, in calling a meeting to discuss the reorganization of the tribal organization Harold Tantaquidgeon suggested that John Hamilton be made one of the "Councilors" (H. Tantaquidgeon 1935) an indication of support. Tantaquidgeon indicated that the issues to be discussed at this meeting were the wigwam for that fall and the Mohegan claims. The meeting was to be held at the Mohegan Church. Hamilton was subsequently referred to as their "Representative on Indian Claims" (Gray 1935).

John Hamilton's work on the land claims continued, but funds were always a problem. In August of 1941, Hamilton and the Mohegan temporarily revived the Wigwam Festival, a traditional Mohegan activity, last held in 1938, to help raise monies for the pursuit of the land claims case. Hamilton's Wigwam, which was called the "Festival & Wigwam" (National American Indian Defense Association 1941a) or "Wigwam Corn Festival" (National American Indian Defense Association 1941b) held in August of 1941 was advertised as the 76th annual wigwam. This may be a mistake in the numbering of annual wigwams. According to one document, the 76th wigwam may have been held in 1936 (Ladies of the Mohegan Church 1936). The 1941 event was sponsored by the National American Indian Defense Association, of which John Hamilton was president (National American Indian Defense Association 1941b).

The 1941 festival was held at the Mohegan church in Mohegan and, as in the past, the Mohegan men built an arbor and the women prepared and sold Indian food. Mohegan arts and crafts were on display (New London Day 1941b). While individuals from other Indian tribes seem to have had the spotlight in this event, various Mohegan were present, dressed in tribal costume. Lieutenant Governor Odell Shepard and other dignitaries attended the event and the Lieutenant Governor spoke to a crowd of approximately 3,000 (New London Day 1941b). As part of the ceremonies, Lieutenant Governor Shepard was adopted and given the name of "Chief Many Suns of the Mohegans." The event was so well attended that reporting of the event included mention of the traffic jams and the number of traffic police needed to assure a flow of traffic (Hartford Times 1941).

In early May 1941, John Hamilton presented a petition to the state legislature to allow the Mohegan claim to be submitted to the courts for adjudication (New London Day 1941a). This was one of many petitions Hamilton submitted to the legislature for this cause and the last one was in 1951 (Mohegan Indians 1943; Anonymous 1943; CT General Assembly, Judiciary Committee 1943).

After this last petition, John Hamilton moved from Connecticut. While absent from ca. 1941 to 1966, Hamilton lived in California. There was no evidence presented for his working in behalf of the Mohegan during his absence.

By 1967, John Hamilton was back in Connecticut and he and other Mohegan formed "The Council of the Descendants of the Mohegan Indians, Inc." The names of some of the Mohegan participants in this new organization were the same as those active in Mohegan affairs in the mid to late 1930's and early 1940's. John Hamilton and Loretta Schultz were in leadership roles in the mid to late 1930's. The names of Virginia Damon, Beatrice Labenski, and Mildred Chapman were on lists of people involved in Mohegan activities in the 1930's (Gray 1935) and 1940's.

The Council of the Descendants, like Mohegan activities of the 1920's and 1930's, involved individuals from the principal families. Officers and members from the Storey family included John E. Hamilton, president; his cousin, Mary V.M. Goodman, vice president; his niece, Virginia H. Damon, secretary; Mildred Chapman, assistant secretary; and Virginia's daughter, Cheryl I. Harris, assistant treasurer with Beatrice Engelgau and Faith Davison, directors. From the Fielding family there was Lawrence Schultz, treasurer, and directors, Loretta Schultz, Loretta Roberge, Beatrice Labenski, and Courtland Fowler (Council of the Descendants 1967). Later, in September 1968, the board of directors was expanded and Albert Baker from the Baker family received a position (Council of the Descendants 1968b).

The Council of the Descendants, Inc. was considered a separate organization from the rest of the Mohegan. To be a member of this organization one had to pay dues and according to its bylaws only the Board of Directors could vote. The minutes of meetings of this organization indicate that while it was a separate organization, any lines of authority between the corporation and the Mohegan group were blurred. In May 1969, the minutes of the Board meeting indicates that after the Board Meeting was adjourned, the Mohegan General Council meeting began (Council of the Descendants 1969). The information provided with the petition is not sufficient to determine whether the "General Council" was only those who were dues paying members or whether the meeting was open to all Mohegans. The same individuals participated in both meetings. Other minutes of the corporation make it clear that Mohegan group business was discussed and acted upon.

Other indications that the corporation was acting in behalf of the Mohegan was the corporation's attempt to contact all the descendants of the Mohegan to attend a meeting at the Mohegan Church in Mohegan in August 1968. A notice was sent to those who were on mailing lists that the corporation officers recognized were outdated. The request pointed out that children on the existing lists might now be grown and have families of their own. Recipients were asked to notify the families they knew who might not have received the notice (Damon 1968).

In October 1968, a meeting of the Board of Directors of the Council of the Descendants of the Mohegan Indians, Inc. was held at the Mohegan Church in Mohegan. During this meeting a resolution was passed authorizing John Hamilton, then titled President and Grand Sachem, "to act in our stead, with full power and authority to sign the lawyer contracts; and things connected with our general welfare" (Council of the Descendants 1968c). Those in attendance and voting included John Hamilton, Mary Goodman, and Beatrice Labinski of the Storey family; Charles Harris, Loretta Schultz, Courtland Fowler, Olive Coderre, Roberta Cooney, Lawrence

Schultz, Beatrice Engelgau, Emma Guca, Loretta Roberge, Meryl Heberding, and Jerolyn Fink of the Fielding family. These Mohegan lived various places, some traveled approximately 45 miles to the meeting from Pawtucket, Rhode Island.

The minutes of this same meeting make it clear that this organization was operating on behalf of the Mohegan as well as the Council of the Descendants since there was a discussion of the sale of the parsonage land which was tribal land. The minutes indicate that the sale was approved by the majority of the legal voting members of the Mohegan Indians (Council of the Descendants 1968c). The minutes also indicate that 50 members were present at this meeting. This issue became controversial in a latter meeting of the Council of Descendants when the argument was raised by some of the members that the sale of the parsonage should be in the hands of the Church Building Committee (Council of the Descendants 1968e) and that the deed of sale would be signed by individuals selected by the Council.

Funds to pursue the research and legal aspects of the land claims continued to be a problem. In a board meeting in May 1969, the Board of Directors of the Council of the Descendants discussed how to raise the \$750 needed for the preparation and printing of the legal briefs. While there were various suggestions, the consensus seems to have been that they would make a general appeal through the newspapers rather than try and to assess each family \$10 (Council of the Descendants 1969). No records were provided to show the results of this project.

Hamilton, as a result of the lack of progress on the land claims suit and some of his actions and statements in the latter part of 1969 and early 1970, was falling out of favor with the Mohegan. He was using the title of "Grand Sachem of the Mohegan-Pequot Indian Nations" and, according to some of his critics, was releasing news articles which angered and embarrassed some of the Mohegan families. Hamilton based his power on his story that his mother had made him Grand Sachem when she died in the 1920's and also on the resolution authorizing him to act in behalf of the Mohegan passed by the Council of the Descendants in 1968 (Council of the Descendants 1968c).

Hamilton's actions had upset the Mohegan. Virginia Damon, John Hamilton's niece, in her 1981 testimony, stated that she was asked by "all the elders of the Tribe" to send letters to the 38 heads of Mohegan families asking them "if there was any reason why Courtland Fowler could not be Sachem" (Damon 1981, 18). Damon explained in her deposition that it was traditional to notify the heads of families (Damon 1981,18). This form of balloting would give the approximately 300 eligible Mohegan voters a chance to express their views. A meeting was called at the Mohegan Church for May 1970 by Virginia Damon, who was living in Niantic. By this time the letters should have been returned stating why the person objected to Fowler as Sachem. On May 17 a meeting was held at the Mohegan Church. The estimates on the number of people attending ranges from approximately 20 to 37 members (Andrews 1970b; Norwich Bulletin 1970; Fowler 1980d, 15-16; Bishop 1981, 32).

At the time of the May meeting, there was confusion in the media over the nature of the Mohegan. Bea Andrews, a reporter, first referred to the group as the "Mohegan-Pequot Indian Nation" (Andrews 1970a), probably deriving the name from the title that Hamilton had assumed as "Grand Sachem of the Mohegan-Pequot Nation." In a subsequent article, however, she dropped the term "Mohegan-Pequot Indian Nation" and she refers to the "Mohegan Indian Tribe." (Andrews 1970a; 1970b).

Criticism of Hamilton during the May meeting focused on his failure to keep the Mohegan informed on the progress of the claims case; also his presumed Grand Sachem status with the Pequots which some Ledyard, Connecticut, Pequot vigorously denied; his dissolution of the bylaws of the corporation; his naming a new board of directors; and the recently published accounts of the tribal genealogy given to the press (Andrews 1970b). Hamilton's supporters at the meeting stated, in identically worded affidavits, that they considered the meeting illegal. They claimed that the "elders" who called the meeting did not have elder status and the only one who did "had been removed by the Grand Sachem's Edict of May 10, 1970" just 7 days before the meeting at the church (A. Baker 1970; Rundell 1970; Cholewa 1970).

In response to the May meeting, Hamilton, without notifying the Mohegan, filed dissolution papers for the corporation in June 1970 (Bishop and Hamilton 1970). The Mohegan in Mohegan did not know that the formal structure the group was operating under had been dissolved.

Although Hamilton no longer was supported by the Mohegan in Mohegan, his actions subsequent to his loss of office still had an effect on the petitioners. He was adopting people as Mohegan. Once, while in the hospital, he adopted his nurse (fd). In the fall of 1970, Hamilton created an organization which he called "The Confederation of Mohegan-Pequot American Indian Nation and Affiliated Algonquin Tribes: (Confederation of Mohegan-Pequot American Indian Nation and Affiliated Algonquin Tribes 1970), a group which has been confused with the Mohegan. "Article II Governing Body" of the constitution for Hamilton's group states regarding the leader:

His powers are undisputed. He is the sole determiner of citizenship in our Nation. His is the power to adopt or remove individuals at will, into, or from, the Tribal Rolls (Confederation of Mohegan-Pequot American Indian Nation and Affiliated Algonquin Tribes 1970).

This organization's constitution was created in September 27, 1970, four months after the Mohegan meeting at the church. It was signed by John Hamilton and Roland Bishop and was notarized November 2, 1970. No evidence was presented that the constitution was ever ratified by the membership nor was there any evidence that this document represented the Mohegan who recognized Courtland Fowler as chief.

Only a few documents relevant to this particular organization were part of the documents submitted for this petition. Those that were submitted indicated that at least some Baker and Storey descendants considered

themselves members of Hamilton's group. Some of the members of the "Confederation of the Mohegan-Pequot American Indian Nation and Affiliated Tribes" include individuals on the Mohegan membership list, largely Baker descendants, who continued their allegiance to Hamilton. Some members of the Confederation were descendants of other Indian groups in the area, and some were non-Indians whom Hamilton had adopted.

Because of the lack of documents describing this organization, it is not known whether the present group of people known as the Preston-Mohegans are the successors to the confederation or an entirely different group. The fact that John Hamilton was involved with the Preston-Mohegans, Albert Baker's present involvement (fd), and Eleanor Fortin's statement that she was selected by Hamilton to be his successor (Fortin 1988) suggest that the groups are somehow related. Nonetheless, the attorneys and leaders for the Preston-Mohegan claim that its members are Mohegan descendants and have asked the Branch of Acknowledgment and Research to include them as part of the petitioning group. Since these people's names were not on the lists of members submitted by the petitioner, they could not be considered.

Based on his alleged confirmation as Grand Sachem and reinforced by the 1970 constitution of the Confederation of the Mohegan-Pequot American Indian Nation, Hamilton continued to publicly present himself as "Grand Sachem of the Mohegan and Pequots" and made statements that were embarrassing to some of the Mohegan. In February of 1972, another ad hoc leader, Jayne Fawcett, a Fielding descendant, sent a letter to those Mohegan for whom she had addresses. The letter outlined some of Hamilton's recent activities wherein he described his role as "basically that of an emperor" and made what she considered to be "rash and inaccurate" statements. At the bottom of the letter a place was provided for the individual signatures and the addresses and any of the older children, if they agreed that they did not recognize John Hamilton as Grand Sachem of the Mohegan Indian Tribe (J. Fawcett 1972). Approximately 157 names appear on the returns agreeing that they did not recognize Hamilton as their Grand Sachem.

In 1977, Hamilton, through his attorney Jerome Griner, filed two land claims suits in the U.S. District Court in Hartford with unanticipated impact on the Mohegan in Mohegan. Approximately 600 acres were claimed to have been taken in violation of the Indian Non-Intercourse Acts (U.S. District Court: 1977; Krulitz 1979). The suits, which were later consolidated, were filed without the consent of the Mohegan in Mohegan. The law suit affected the financial institutions in the village and these institutions reacted in different ways. Some were requiring that a bond be posted before selling or purchasing property causing some land transactions to become difficult. This affected both Mohegan and non-Mohegan. Some families reported that they encountered difficulties with land transactions while others indicated that their land transactions during this period were not affected (fd).

Because of the financial problems caused by the suits, some non-Mohegan in the area became embittered. The local non-Mohegan, confusing Hamilton's group with the local Mohegan, felt that the Mohegan were out to reclaim all the land and take the homes of those living there. Some non-Mohegan

were quoted as saying, "Oh, you Indians are going to take our homes" (Brown 1983, 32). A "Mohegan Citizens Action Committee" headed by Richard Fawcett, a spouse of a Mohegan, formed to protest the claim (R. Fawcett 1977). To allay the fears of the people in Mohegan, a public meeting was held at the Mohegan Fire Station where concerned Mohegan and non-Mohegan met and resolved their problems (fd). Also "steps were taken by the State and all banks involved so that property transfers are going on without hindrance by the pending action. . ." (Griner 1985).

At that time, the Mohegan in Mohegan did not claim part in the law suit since they did not recognize John Hamilton as leader (R. Fawcett 1977). Further, many were under the impression that if Hamilton won the suit that the local Mohegan would lose Fort Shantok and the burial grounds to Hamilton and his followers (J. Fawcett 1979a, Strickland 1979a; Lamphere 1979). While the Mohegan in Mohegan originally objected, in August 1980 at a special Tribal Council meeting, the secretary reported that the membership had decided by a vote of 96 to 3 to intervene in the land claims suit (Damon 1980c).

In July 1978, on behalf of Hamilton, attorney Griner submitted a letter petition for Federal acknowledgment as an Indian tribe to the Department of the Interior. This action was undertaken without the knowledge of the Mohegan in Mohegan. After learning about the intent to petition, the Mohegan family communication network was set in motion and the Bureau of Indian Affairs received letters from Savannah, Georgia (a Fielding descendant) (Strickland 1979); Noank, Connecticut (a Storey) (Goodman 1979); New London, Connecticut (a Storey) (Damon 1979); Miami, Florida (a Storey) (Sword 1979); and Uncasville, Connecticut (Fieldings) (J. Fawcett 1979; Lamphere 1979) protesting the petition with John Hamilton as the leader. This protest was part of the continual battle the Mohegan fought in their attempts to get the public to understand that John Hamilton was not their "Grand Sachem". The concerns being expressed were that Hamilton did not have the authorization to take such actions and also that if the group were acknowledged John Hamilton would be accepted as their leader.

In the January/February 1979 issue of Wassaja is a lead story "Mohegans Protest Hearst Publicized Marriage Ritual." Patricia Hearst, whose father owned the Hearst newspapers, had planned to be married. It is not known how it evolved, but Hamilton had plans to give the couple an "Indian marriage." The article states that the Mohegan of Connecticut signed a petition denying Hamilton's claim of leadership (Costo 1979a). Costo wrote an open letter to Hearst in which he stated "All over the country Indian tribesmen and tribeswomen are laughing at the described ritual, when they are not disgusted with this spectacle planned by Hamilton" (Costo 1979b). Richard A. Hayward, Chairman, Mashantucket Pequot Tribal Council, a federally recognized tribe located across the Thames River from the Mohegan also wrote to Hearst about the "unfounded claim of John Hamilton to be 'Grand Sachem' of the Mohegan and Pequot Tribes" and the fact that the Mohegan had sent a delegate to the Pequot tribal council meeting on January 21 asking support in their position. He further states "Both Tribes have attempted without success to inform news people in Connecticut about this position; he [Hamilton] is still referred to in the Norwich Bulletin, for instance, as 'Grand Sachem' without attribution. This is shoddy journalism, but we seem to be stuck with it" (Hayward 1979).

Hamilton was not entirely ostracized by the Mohegan for his actions. His name was on the ballot as a candidate for tribal council in 1980 (Cadwalader 1980) and, it is alleged that he did attend some later Mohegan tribal meetings. He continued to use the Mohegan Church until 1981 when the local Mohegan changed the locks on the church door (C.Baker 1983, 8). Hamilton was present in November 1985 when the membership clause in the tribal constitution was being amended. All legitimate Mohegan in attendance received ballots and voted on the issue and since no dissenting vote was cast, Hamilton is presumed to have voted for the membership change (MT 1985c, 76).

In late May 1988, after Hamilton's death, Eleanor C. Fortin (aka Queen Rippling Waters) of the Preston-Mohegan sent out letters to the people on her membership list indicating that Hamilton had appointed her as his successor and requesting a yes vote of all those that agreed and a no vote from all those who disagreed with the appointment (Fortin 1988). As pointed out above, it is not clear what relationship existed, if any, between the Preston-Mohegan and the Confederation of the Mohegan-Pequot American Indian Nation and Affiliated Algonquin Tribes.

Those Mohegan who received a letter from Fortin ignored the request for a vote since they do not recognize Fortin nor many of her followers as Mohegan (fd). The current Mohegan tribal council realizes that some of the people on Fortin's list are also on the Mohegan membership list. The State of Connecticut does not recognize Fortin or her followers as being Mohegan (Figueroa 1988, 9).

Despite the ill-will that Hamilton created both while he was president of "The Council of Descendants of the Mohegan Indians, Inc." and after he was dismissed from office, his influence cannot be denied. He was instrumental in getting the land claims case filed and in this pursuit he was supported by many Mohegan. Also, it was under his name that the Federal acknowledgment petition for the group was filed. While he later denied that some Mohegan families were truly Mohegan, it was never denied that Hamilton was a Mohegan.

When the request was made of the tribal council to have memorial services for Hamilton in the Mohegan Church, there was some discussion. Some did not want him to have this privilege. The fact that he was Mohegan was the deciding factor and permission was granted. The service was not well-attended, however, and consisted of a few close relatives and some close non-Mohegan friends (fd).

Review of Ad Hoc Leaders

The general conception of a chief with centralized power, does not apply in the sociopolitical system of the Mohegan. The ad hoc leaders demonstrate that the person who carries the title of chief of the Mohegan is not necessarily the one to initiate actions for the group. While the chiefs may initiate sociopolitical actions, one of their more important functions appears to be to serve as a public representative for the Mohegan at non-Mohegan ceremonial affairs. Ad hoc leaders take action on

behalf of the Mohegan, but they do not serve as the group representative in non-Mohegan affairs.

It is not always clear if the ad hoc leaders undertaking action on behalf of the Mohegan discusses the intended action with the council or membership. In some cases the individual has been given this role by the council. Emma Baker was elected in 1897. Julian Harris had the title of "chairman" and presumably he was elected. In 1967, Hamilton was elected as President of the Council of the Descendants. Virginia Damon's involvement in the 1970 ouster of John Hamilton was requested by the "elders".

Ad hoc leaders, in other instances, were supported by the membership, but it is not known if the individual was requested to take on the task or if they commenced the task and later received support of the membership. Lemuel Fielding was a member of the council in 1899 and in 1900 he committed the group to supply affidavits. Edith Gray's work, in the 1930's, for the recovery of the "Royal Burial Grounds" was supported with financial contributions from the membership. John Hamilton also received contributions from the membership for his work in the 1930's. In 1941, Hamilton was supported when the Mohegan produced a wigwam for the raising of funds. It is not known if there was prior approval for Harold Tantaquidgeon's actions in 1935 when he called a meeting; Courtland Fowler's sending a claims letter in the 1950's; or Jayne Fawcett's request of the membership regarding Hamilton's "Grand Sachem" status. The ad hoc leaders can initiate action as long as it meets the approval, formally or informally, of the council and/or membership. In the case of John Hamilton, when his actions became offensive or inappropriate to the Mohegan, then he was removed as an ad hoc leader (Andrews 1970a, 1970b). After his removal, Hamilton filed suit for land claims and also the Mohegan petition for Federal acknowledgment. While some of the group first objected to these actions, they later accepted his actions on their behalf.

Sociocultural Leaders

While Fowler and his predecessors were the formal and sometimes informal political leaders, another kind of leadership exists among the Mohegan which interacts with other facets of the Mohegan political system. This is called sociocultural leadership by Melissa Fawcett-Sayet who is a doctoral student in anthropology at the University of Connecticut. She is a Fielding-Tantaquidgeon descendant. The sociocultural leader is not unique to the Mohegan. This kind of leader is not elected and exercises authority in the

creating and/or continuity of traditions within an Indian tribe. An individual possessing such influence need not necessarily be a ... political representative of any kind (Fawcett-Sayet 1987, 40).

She states that because of the low profile nature of this kind of leadership, it is unknown how long this pattern has existed among the Mohegan. She says that it was manifest with Fidelia Fielding, the last speaker of the Mohegan-Pequot dialect, and the Indian medicine women such

as Emma Baker and Mercy Matthews. These women gave a symbol of this leadership to Gladys Tantaquidgeon. This symbol was a beaded belt which belonged to Gladys' great aunt (by marriage), Fidelia Fielding (1827-1908), who had received the belt from her grandmother Martha Uncas (c1767/9-1859) (Fawcett-Sayet 1987, 41).

This sociocultural leadership is recognized by most of the Mohegan members. Pauline (Schultz) Brown, a Fielding descendant, in her deposition to the Connecticut attorney general, stated that "the Tantaquidgeons have really kept up the history (of the Mohegans) with the museum of the Mohegan Indian, and Hamilton has kept up the land claim." When she was asked if she ever talks much to Gladys, Brown replied "I was just over there a couple of weeks ago. I wanted to know why I have been subpoenaed to court, and we didn't talk about it much. . ." (Brown 1983, 17).

Fawcett-Sayet uses Gladys Tantaquidgeon as an individual example of a Mohegan sociocultural leader. Also, she could have used Gladys' brother, Harold. While Harold is not as active today as his sister, in the past he has had a very active role in preserving and perpetuating Mohegan cultural traditions. Like his sister, he was involved when younger in the sociopolitical activities of the group. Harold was recognized for his knowledge of Mohegan and related groups.

John Tantaquidgeon, Gladys and Harold's father, was also active in perpetuating Mohegan culture. John Tantaquidgeon's role in preserving Mohegan cultural traditions was exemplified in his weaving of baskets and carving of wooden ladles and bowls. He taught this skill to his son Harold. John Tantaquidgeon was responsible for constructing the Tantaquidgeon museum which houses the material culture that was still extant in the Tantaquidgeon family and in some other families. Some Mohegan families, however, still retain material culture items such as spoons, baskets, and mortars which they inherited from their ancestors (fd).

The Tantaquidgeon Indian Museum was built in 1931 and its purpose is to preserve and perpetuate the history and traditions of the Mohegan and other Indian tribes (Tantaquidgeon Indian Museum 1988). The building is located on the same hill as and not far from the Mohegan Church. It is situated behind the Tantaquidgeon house. During construction John Tantaquidgeon was aided by Harold and some of the other Mohegans. Presently the museum building contains various Mohegan artifacts including photographs, models, baskets, carved wooden objects (bowls, ladles, mortars) some of which were carved by Mr. Tantaquidgeon or Harold. Also some of the Indian costumes of the family are on display in these rooms including a belt that belonged to Martha Uncas (1767/9-1859) and the Indian dress worn by Gladys.

On a level area further up the hill and to the side of the museum Harold once built Indian structures which were used along with an existing shed for museum educational programs for Mohegan and non-Mohegan school children and scouts. These programs were organized and taught by Harold Tantaquidgeon both before and after World War II. Some of the Mohegan remember these programs and the things they learned about their Mohegan heritage (fd; Strickland 1979c).

Fidelia Fielding, an earlier sociocultural leader who spoke and wrote in the Mohegan language, held many Mohegan beliefs which are no longer shared by present-day Mohegans. One of these beliefs was manifested in her concern for the "little people", small spiritual beings that lived in the woods. At Thanksgiving time before she would eat she would have to take some food to share with these folks (fd). She kept diaries of her every day affairs and some of her diaries have been published (Speck 1928, 228-52).

Among the Mohegan, sociocultural leaders have a unique kind of authority. When conflict arises between the political authority and sociocultural authority, the sociocultural authority prevails. When the request was made for permission to hold memorial services for John Hamilton in the Mohegan Church, some of those with political authority were opposed but those with sociocultural authority pointed out that to deny the request would be in violation of tribal tradition and the memorial services were allowed (fd).

Among the Mohegan the sociocultural leaders tend to avoid public conflict.

While Gladys has served on some of the twentieth-century tribal political organizations ...she has always distanced herself from political controversy. . . (Fawcett-Sayet 1987, 41).

Gladys Tantaquidgeon in her 1981 deposition remarked, when questioned about the Mohegan constitution, that she had a copy but she added "You see, you know by now that I am not up on legal affairs. . . . Mine has been entirely a different field" (G. Tantaquidgeon 1981, 34-5). Since the Mohegan have different kinds of leaders, the public confuses them and their authority. Even some Mohegan who are not active are confused. When individuals address predominantly political questions to the sociocultural leaders, they are referred to the sociopolitical leader and vice versa. When Gladys receives word from an organization requesting the Mohegan presence in a parade, she refers the request to Courtland Fowler, the chief, and they confer. Questions of Mohegan membership also are jointly resolved. At the homecoming in 1979, when the Connecticut Indian Affairs Council photographers were present and taking pictures of Mohegan individuals for Indian identification cards, Gladys Tantaquidgeon and Courtland Fowler were both present to determine who was eligible to have their pictures taken (fd).

Summary of the Mohegan Political System

In colonial times the Mohegan had a more formal system of government. They had a sachem, elected by the people and a tribal council which made decisions and acted as the governing body. Due to historical factors and interference of the colonial government, the group was split over who should be sachem after the death of Ben Uncas III in 1769 and, consequently, did not offer a name to the government for approval. This was the beginning of a system of government that, as far as we know, no

longer practiced overt or formal elections of the sociopolitical leaders and the formal selection of council members.

The Mohegan have a multifaceted political system. They have a chief who is a sociopolitical leader, but the role of this individual is largely honorary and serves principally as a spokesperson. The chief is elected and generally occupies the position for life. In addition to the chief, there is a sociocultural leader who is knowledgeable about the cultural traditions of the group and serves as a repository of this knowledge. This individual tends to avoid political controversy. The sociocultural leader can serve on the council in the making of political decisions. Both the public and some tribal members recognize the role of this individual, but some outsiders confuse the role of this individual with that of the chief. In 1952, Harold Tantaquidgeon was elected chief, but Harold has basically been a sociocultural leader. Perhaps it is significant that the record is silent about tribal activities during his tenure until 1967 when Hamilton returned to the area. In addition to sociopolitical and sociocultural leaders, the ad hoc leaders add another facet to the political aspects of Mohegan society. When this position is occupied by individuals like John Hamilton, then there is further confusion on the part of outsiders and some Mohegan about who are the leaders.

Another facet of the political system is that of the council. Councils, before 1980, seem to consist of a vaguely defined group of "elders" (A. Baker 1970; Cholewa 1970; Rundell 1970). How individuals became a council member is not known. Today they are elected. Neither the chief nor the sociocultural leader are autonomous and they work in conjunction with the tribal council. Today, Courtland Fowler occupies two roles. One is the honorary role as chief, but he also serves as chairman of the tribal council. Gladys Tantaquidgeon also served on the present tribal council before her resignation. As was said by several Mohegan, including the chief and sociocultural leader, the council has the power and what ever the council has decided we accept (fd).

Since the late 1890's, another kind of leader is expressed in the record. This individual is an ad hoc leader who can initiate action and take the lead on certain issues or problems. It is not known if the council and/or chief are consulted before any action is taken. Since the council and members participate, by implication they agree with the action taken. It is the interaction of the chief, the sociocultural leader, the tribal council and the ad hoc leader which constitutes the Mohegan political system.

State Involvement in Mohegan Affairs

The State's responsibility to oversee and to maintain direct involvement in Mohegan affairs continued until 1874 when Fort Hill Farm, the last of the large parcels communally owned, was sold (J. Hooker 1960). While some tribes in Connecticut retained small reservations after this date, the Mohegan as a tribe became virtually landless (CT General Assembly 1872).

The State is still involved in Connecticut Indian tribal affairs. The Mohegan is one of five State-recognized tribes. In 1973 the Connecticut Indian Affairs Council (CIAC) was legislatively established to

provide services to the Indian reservation community and formulate programs suitable to its needs; to determine the qualifications of individuals entitled to be designated as Indians . . . and to decide who is eligible to reside on reservation lands pursuant to said Statutes; to promulgate hunting and fishing regulations applicable to the reservations; to advise the Commissioner of Environmental Protection concerning the general health, safety, and well-being of persons residing on reservations; to advise the Commissioner of Environmental Protection concerning the care and management of reservation lands and buildings thereon; to advise the Commissioner of Environmental Protection concerning the care and control of tribal funds; in conjunction with the Commissioner of Environmental Protection to survey and map the reservations (CT Indian Affairs Council 1975).

According to the Rules and Regulations of the Indian Affairs Council, the Council has broad powers over Indians. For example, Article II at 47-59b. 27 of the Rules and Regulations states that if an applicant for membership in a tribe appeals to the Council and "establishes by a preponderance of the evidence that he is entitled to membership in the tribe under the practice and usage of the tribe" the Council, by majority vote, shall direct the tribe to add the applicant's name to the rolls of the tribe. The Council has heard appeals from individuals whom the Mohegan have declared are not eligible for membership in their group (fd). The Council sustained the group's decision. When asked about the role of CIAC in determining their membership, the Mohegan response was

The Mohegan Tribe does NOT, repeat NOT, accede to the CIAC's authority over its membership composition. NOR does the Tribe concede this authority to any other person, firm or entity (MT 1985c, 87)

At one time the Connecticut Indian Affairs Council had some funds which they furnished to the various State-recognized tribes to assist them in operating their tribal governments. The Mohegan used these funds to provide a newsletter to its members. The funding did not continue and the newsletter was discontinued (fd). The Council presently has an office in

the state's Department of Environmental Protection, but a study is underway in the State to evaluate the Indian situation and to make recommendations for the best place to house the Council.

Current Political Structure

According to the 1980 Mohegan constitution, the group is governed by a tribal council composed of nine members who are chosen by popular vote of the membership. The officers are chosen by the Council and consist of a Chairman, Vice-Chairman, and Secretary-Treasurer. When the Mohegan constitution was first adopted in 1980 (Fowler 1980; Cicero 1980), council members were elected for one- or two-year terms to allow for staggered terms; now they are elected for two-year terms. The Mohegan do not rigidly follow the constitution and continue to function somewhat informally as they have in the past. While they have had formal elections and have submitted referenda before the membership for mail balloting, the Branch of Acknowledgment and Research (BAR) had access to only a limited number of minutes of meetings. BAR is not sure that minutes of meetings are, in fact, regularly kept. The constitution states that elections are to be held regularly. Elections have been delayed without taking formal steps to make these actions "legal." Although the Mohegan have a set of bylaws, they have never been put to the membership for formal adoption.

Voting on matters of overriding tribal concern is by mail ballot. In August 1979, the Mohegan elected a Constitutional Committee and 132 votes were cast. This committee drafted a constitution and sent it and a ballot out to the eligible voters for approval or disapproval in January 1980. In addition to the mail ballot, a notice was published in The Day, New London, Connecticut on January 19, 1980 (New London Day 1980) announcing the ballot for the constitutional election. The constitution was approved with 92.3 percent of the vote. In April 1980 another vote was taken for the purpose of electing a tribal council. One hundred thirty eight members responded. In August 1980, a tribal vote was held on Tribal Referendum No. 1 (Damon 1980b), whether the Mohegans should enter into the land claims suit, and 100 votes were cast. Using the current membership list and counting only those whose date of birth was furnished by the group, there would have been approximately 413 eligible voters in 1980. Where it could be determined, approximately 25 percent of the eligible members participated in these elections.

Samples of minutes of tribal council meetings in 1980 indicate current procedures. In May 1980, a Mohegan Tribal Council meeting was held at a local member's house. Fowler presided. The first issue discussed concerned a school text book, "American Indians in Connecticut Past and Present." The council agreed that there should be a recall of all copies of this book and that the book be rewritten. It was recommended that each tribe described in the book should rewrite the section that pertains to their group. For the Mohegan section the tribal council nominated three persons to a review board. There was discussion of how to raise funds for the attorney and they set the agenda for the next tribal meeting to be held at the Church in June 1980 (Damon 1980a).

In a special Tribal Council meeting in August of 1980, there was a report on the 100 ballots received on the question of whether the council should intervene in the land claims suit. There were 96 yes votes, and 3 no votes, and one ballot was not marked (Damon 1980c). Later in August 1980 the Tribal Council again met at the Mohegan Church with Fowler presiding. The attorney wanted a letter showing the results of the vote on whether the tribe wanted the Mohegan Tribal Council to take over the legal action on the land claim case. There was discussion on how to raise monies for the attorney (Damon 1980d).

The council is respected and many Mohegan members feel that if the council has made a decision, then the decision shall stand (fd; J. Fawcett 1980, 29). Courtland Fowler in his deposition for the Connecticut attorney general states that "the Tribal Council has all the vote. We have to go by what they agree on" (Fowler 1980, 20). When matters of "great importance" come before the Mohegan Tribal Council, the matter is submitted to the voting membership at large. The will of the majority voting, providing that at least one-fourth of the eligible voters actually vote, determines the decision. Elections are by secret ballot (MT 1980a).

Decisions of the council are disseminated largely by telephone or letters with a member of a family calling other family members. Virginia Damon outlined the procedure in her deposition to the Connecticut attorney general. She states that "it is traditional to notify heads of families, and then the heads of families notify the rest of their people" (Damon 1981, 18). She explained later that the heads of the families are all older (Damon 1981, 23). One Fielding descendant reported that most of her information came from her brother since he was better informed. She said that he more regularly attended meetings (fd).

Non-Mohegan "Members"

After the Branch of Acknowledgment and Research analysis of the group's membership lists to see if the membership meets the group's membership criteria, some families were found which, based on available records, apparently could not trace their ancestry to the 1861 or earlier lists of Mohegan which is required for membership. Basically there are four families of non-Mohegan whose names appear. These include the Niles-Cooper, Sands, Congdons, and Keelers. For purposes of this analysis, the Niles-Cooper and Sands family, with 88 individuals, is considered as a unit since these people are intermarried. The Congdons with 23 individuals and the Keelers with 7 are analyzed separately. It is not clear how these individuals were included on the lists as members. Names of their ancestors do not appear on a 1933 list of Mohegan living in Mohegan and elsewhere, nor do they appear on earlier lists. The names of these families begin to appear in Mohegan records in the early 1970's. After the 1970's, they are on subsequent membership and/or address lists.

Two lists, one with the names of members and the other one with names of members and their addresses, were prepared at some time in the 1970's. One was prepared by Ernest Gilman (Gilman c.1979), a Fielding-Tantaquidgeon descendant, and the other prepared by Stilson Sands and others (Sands et al. 1981a, 1981b). Both lists contain the names of people who cannot demonstrate Mohegan Indian ancestry.

On Gilman's list of 597 names, 14 are Congdon descendants, 7 are Keeler descendants, and 4 are Niles-Cooper-Sands descendants. On the Sands et al. list of 229 names and addresses, 50 are descended from the Niles-Cooper-Sands family, and 13 from the Congdons. None of the Keelers are on the Sands et al. list.

Most of the non-Mohegan individuals tend to live in cities different from those where Mohegan reside. One group of 55 non-Mohegan (Niles-Cooper-Sands) are concentrated around the Hartford-Windsor, Connecticut area. The names of 43 of the Hartford-Windsor group appear on the Sands et al. address list of Mohegan; 2 of them are on the Gilman list of Mohegan descendants. Another group of non-Mohegan, the Congdons, live south of Mohegan. Some live in Uncasville (4) and others live near Quaker Hill (2), and some in Waterford (8). Others from this family live in East Hartford and Hawaii. The names of 14 Congdons appear on the Gilman list and 13 names are on the Sands et al. list. A third group of seven non-Mohegan (Keelers) live in Mystic. These people's names appear on the Gilman list but not on Sands et al. list.

The Congdons may have been included on the acknowledgment list since there was a Mohegan Congdon family which has subsequently died out. Some of the Mohegan Congdons in the 1850's submitted petitions in behalf of the Mohegan to the State (MT 1852). Also many of the non-Mohegan Congdens live close by in communities south of the village of Mohegan and the similarity of name and their living in relatively close proximity to Mohegan may have contributed to the confusion over their Mohegan ancestry. How the other families came to be included cannot be readily explained.

The first Niles-Cooper-Sands descendant appears in the Mohegan record when one was appointed as Mohegan representative to the Connecticut Indian Affairs Council after it was established in 1973. This individual was also director of American Indians for Development (A.I.D.) that had headquarters in Meriden, Connecticut (Myles 1980, 5). Another non-Mohegan individual who was related by marriage to the director of A.I.D. became involved with the Mohegans and for a time was a representative for the Mohegan on the Connecticut Indian Affairs Commission (Sands 1981, 37,40).

The non-Mohegans are involved in Mohegan affairs. In August of 1979, a vote was taken to elect seven members to a constitution committee. One hundred thirty two ballots were cast to elect the members of a committee who were to draft the constitution (Cadwalader 1979). A list of eligible voters indicate that six of the votes were cast by Congdons and 25 of them by Niles-Cooper-Sands. The predominant voters in this election were Mohegan. Fifteen of the voters were Baker descendants, 12 were Storey descendants, 68 votes were Fielding descendants, 3 were Hunter/Coopers, and 3 were unknown. Mohegans were elected to the top three positions of the committee and a non-Mohegan member was elected to the fourth position. The non-Mohegan received 38 percent of the votes. Another non-Mohegan was elected to the sixth position and this person received 36 percent of the votes (Cadwalader 1979).

In 1980, when the Tribal council was elected, 138 eligible votes were cast (Cadwalader 1980). Twenty one percent of the votes were cast by non-Mohegan members. In this same election, 49 percent of the eligible votes were cast by Fielding descendants, 12 percent were Baker descendants, 11 percent were Storey descendants and 2 percent were Cooper descendants. There were seven voters who are not on the current Acknowledgment list whose ancestry is unknown. Of the two non-Mohegans elected to the tribal council, both had worked for American Indians for Development. One non-Mohegan member, who currently serves on the Mohegan council, has served as chairman of the Connecticut Indian Affairs Council.

Land Claims

After the 1861 land division and the 1872 receipt of fee simple title to the lands, land issues associated with the Mohegan reservation ceased to be pressing problems among the Mohegan in Mohegan. However, in November 1898, judgment was rendered in the case of the New York Indians including the Brotherton Indians against the Federal Government for lands promised but not received in the Treaty of Buffalo Creek, New York, January 15, 1838. The Mohegan became involved in this case since they knew that some of the Brotherton were originally Mohegan who had left Mohegan and had gone to New York with Samson Occom. Because of this relationship, the Mohegan felt that they were entitled to share in the award made by Congress to pay the judgment of the Court of Claims. Some of the Mohegan filed claims to share in this award. In 1904 letters of rejections were sent to most of the Mohegan applicants pointing out that the applicants were Mohegan and that at the date of the taking the Mohegan and Brotherton were two separate groups (Miller 1904). In 1906, Phoebe Fowler wrote to the President of the United States inquiring about the "Indian" settlement and why the Mohegan were not entitled. Acting Indian Commissioner Larrabee answered for the President and explained that the Mohegan were not parties to the Treaty of Buffalo Creek in 1838 (Larrabee 1906).

While the Mohegan did not share in the New York Indian claims, their awareness of the claim's judicial and administrative process was heightened. In 1899, the Mohegan petitioned the Connecticut General Assembly (Anonymous 1899) for (1) the right to pursue their claims against Sarah Hubbard and the city of Norwich, (2) authorization to bring action against any one that had defrauded or deprived them of their rights, and (3) the law of limitations not to apply to any of their proceeding (Anonymous 1899). In a newspaper account a few days later, specific mention was made that this action involved the 16 acres of the Royal Burial Ground in Norwich (Anonymous 1899). Joseph T. Fanning, an attorney in Norwich, protested the petition and said the law the Mohegan were seeking "was obnoxious special legislation, for a particular case; that it discriminated invidiously against the other citizens of the state; (and) that it would be invalid on constitutional grounds. . ." (Anonymous 1899).

Even before the Mohegan and other southern New England Indians received their rejection notices from the Brotherton claims in 1904, the Montauk, Shinnecock, Narragansett and the Mohegan were, in 1900, examining their own land problems (New York Times 1900) and trying to get legislative

permission to bring a suit in the Court of Claims. Lemuel Fielding was the Mohegan representative in these discussions.

By the 1930's, interest and activities associated with Mohegan land claims accelerated. In January 1930, Alexander Begg, an attorney writing in behalf of John E. Hamilton (Scattergood 1930), requested an appointment with the Commissioner of Indian Affairs regarding the Connecticut land claims. Later, in April 1930, Begg again wrote to the Bureau. Commissioner Rhoads responded that the Mohegan, Pequot, Montauk, Niantic and Narragansett tribes were not under the jurisdiction of the Federal Government and they were not recognized (Rhoads 1930). In November 1933, the Mohegan tribe voted to spend monies to obtain an attorney's services.

In 1930, Edith Gray, John Hamilton's aunt, filed suit to recover the Royal Cemetery in Norwich. The Royal Cemetery was alleged to have been originally 16 acres which had dwindled to a small lot about 50 by 40 feet. The cemetery contains a monument to Uncas and a few graves. The issue of the cemetery land had been raised earlier, in 1899 (Anonymous 1899). Mrs. Gray received money (Gray 1935b) from various Mohegan to assist in the legal battle. About 1935 the case was dropped from the courts for lack of prosecution.

In February 1941, the Mohegan returned again to Hartford asking the legislature for permission to sue the State (Anonymous 1943). In May of that year they submitted a petition to the legislature (New London Day 1941a). Two years later, in 1943, the group submitted a "Bill of Particulars to the Connecticut State Legislature" in support of H.B. 100 (Mohegan Indians 1943), a bill which would allow the suit to be filed. In 1951, the Mohegan make their biennial plea for "lands wrongfully taken" and it was also in that year that John Hamilton had made his fourth consecutive appearance before the legislature (New London Day 1951). Sometime after the 1951 appeal, John Hamilton left the area and was not involved in Mohegan activities. However, in 1953, Courtland Fowler made inquiries of the Bureau of Indian Affairs seeking information about the Mohegan land claims. In the response the Chief of the Bureau's Branch of Land recommended that they employ a reputable attorney to assist them (Dwight 1954). The Mohegan continued their attempts to resolve their land claims issue.

After this date, there are no records of Mohegan activity in pursuing land claims until 1967, after John Hamilton had returned to the area and he and other Mohegan had formed the Council of the Descendants of the Mohegan Indians, Inc., whose primary purpose was to pursue the land claims. It was headed by Hamilton and its council members were Mohegan from the three principal families. Hamilton hired various attorneys, one of whom was Jerome Griner. In 1977 the land claims suit was finally filed and is currently on hold until a decision by the Bureau of Indian Affairs is made on whether the group meets the criteria for Federal acknowledgment (Griner 1987).

These continuing concerns with land claims while varying in intensity through time have provided a rallying issue for the Mohegan and have become an important goal for the group. Although all the activities in the past did not produce a legal settlement, the issue is still alive and

active. In 1980, the petitioning group voted to join in the ongoing land claims suit (Fowler 1980d).

The Mohegan Church

After the Mohegan received citizenship in 1872, the church, although its membership had both Indian and non-Indians, continued to be a focal point for tribal activities. Church records, when available, indicate that the church officers were Mohegans (Mohegan Church 1891; 1901; 1916; 1918; 1919; 1940; 1942). In 1899, the church incorporated and was known as the Second Congregational Church of Montville (Mohegan Church 1915). Membership in the church was never large. In 1919, 14 members were reported of whom 2 were absentee (Mohegan Church 1919).

Speck, in 1903, commented that the tribal council met occasionally in the "old church" with the headmen of other tribes (Prince and Speck 1903) at a time when the southern New England Indians were involved in the Brotherton claims settlement. The wigwam, an annual fall festival, was held on the grounds in front of the church. Gladys Tantaquidgeon wrote in 1947 that the Mohegan church had been the center of community activities throughout the years (G. Tantaquidgeon 1947). The present-day Mohegan look at this building as an important link to their past. The church has served as a meeting place. The Mohegan Indian League, a short-lived organization met there in 1897 (MT 1899; League of Descendants of Mohegan Indians c. 1897), Harold Tantaquidgeon's Tribal Social Club met there in 1935 (H. Tantaquidgeon 1935), and the Council of the Descendants held some of their meetings there in the late 1960's. Even John Hamilton's Confederation of the Mohegan-Pequot American Indian Nation and Affiliated Algonqian Tribes met there occasionally until 1983 when the local Mohegan had the locks changed (C. Baker 1983, 8) and Hamilton no longer had a key.

By 1940 there were eight members with five absentees (Mohegan Church 1940). Sometime after 1942, it was necessary to close the church, possibly because the missionary aid the group had been receiving was no longer available for a church with such low membership. There were only seven members in 1942 and five of them were absentees (Mohegan Church 1942). Following the closing, the building was neglected and in the next 12 years the property deteriorated. The roof caved in, the floor sagged, and the windows were broken.

About 1954, Courtland Fowler who had moved from Mohegan to Norwich moved back and built a house on his ancestral lands (Cureau 1956). When he visited the church and discovered its decrepit condition he enlisted the aid of former members and neighbors and they formed a church restoration steering committee. The committee raised the funds for restoration and oversaw the renovations. On the steering committee were Mohegans, including Courtland Fowler and his son Carlisle; Gladys and Harold Tantaquidgeon; Alfred Grandchamp; Donald, James and Lillian Strickland; and Carlton Eichelberg. Non-Mohegans included Charles Lamphere (spouse of a Mohegan), John Morgan, Mildred Pack, Violet Fleming, and Irving Dayton. (Norwich Bulletin 1957). Funds were raised from various sources including the contributions of young people of churches in Norwich who were interested and who offered assistance. The church stood unpainted for a

while after renovation since they were out of funds and did not have the manpower to do it themselves. The church only had 13 members after its restoration (Cureau 1956). After renovation the church underwent another change of name in 1958 (Second Congregational Church of Montville 1958); it was renamed the Mohegan Congregational Church of Mohegan.

Mohegan Sewing Society

The Mohegan Sewing Society, a woman's auxiliary of the Mohegan Church, was important in perpetuating Mohegan cultural traditions. The group, composed largely of Mohegan, met at the church and any funds it collected were used principally to pay the minister, purchase sewing supplies, and heat and maintain the church. The use of funds for non-members of the church is not clear. There is indication in the society's books in 1883 and 1885 that some funds (charitable?) were given to Amy Cooper (Mohegan Sewing Society 1874-1889, 38-39), a Mohegan who had a special conservator appointed for her in 1883 (Town of Montville 1881-1935). The first president of the Sewing Society was Delana Miller, a Mohegan, who was succeeded in office by her sister, Emma T. Baker. Phoebe Fowler, the niece of Miller and Baker, became the third president. The first three presidents served for a combined total of 75 years (Schultz c. 1935). One of the projects promoted by the Sewing Society was the annual fall festival--the Wigwam.

The Wigwam

The wigwam, held on the church grounds, probably evolved from a previously existing Mohegan green corn ceremony (Prince and Speck 1903, 196) and there are records of it being held as early as 1842 (Uncas Monument 1842). The wigwam was a church fair and it served as a Mohegan homecoming. One of its functions was to raise funds for the Sewing Society. A successful wigwam involved the cooperative endeavors of many able-bodied Mohegan men and women who lived in Mohegan and neighboring towns. The men would go to the woods and cut timbers suitable for posts to build an arbor. The entire outer perimeter of posts of the structure had leafy branches woven between the posts to form the walls. The men were responsible for the pounding of parched corn in wooden mortars that the women used in making yokeag. Others were involved in arranging for printing of posters or handbills and seeing that they were distributed (fd).

The wigwam generally lasted three days, not counting the time it took to get it set up. The first two days were for the public. During the public days of the wigwam the women were largely responsible for the cooking and selling of traditional Indian foods such as yokeag, clam chowder, and succotash. Tables where various Mohegan craft items such as wooden spoons, wooden bowls, baskets and sewn items were sold were manned by Mohegan and other participants. Newspaper articles reporting on the wigwams would, on occasion, list names and duties of various individuals. An examination of these names show that Mohegan participants were descendants from the various principal families (Anonymous 1952). Those participants who were not Mohegan residents came to Mohegan from Norwich, New London and Rhode Island.

The third day of the wigwam was for the Mohegan. On this day they shared a breakfast at the church, dismantled the arbor, cleaned up any trash which had accumulated, and socialized (G. Tantaquidgeon 1980, 21). The families involved might have a picnic. Whether or not any tribal business was discussed at this time is not known.

Some non-Mohegan, perhaps members of the church, also participated in the wigwam, but the Mohegan were in the majority. The number of Mohegan involved in the wigwam outnumbered the Mohegan church membership. While any funds raised helped support the church, the participation of a large number of Mohegan living in various towns away from Mohegan and the affiliation of some Mohegan with other churches indicates that the wigwams were a Mohegan tradition and not solely a church function.

The Mohegan Sewing Society continued the wigwam from 1860 to 1938 and although it was said to be annual it was not given every year. The 50th annual wigwam was held in 1909 (New London Day 1909). Either the wigwams did not start in 1860 or a year was skipped. Also there may be a gap between 1927 and 1935. The church related wigwams ceased in 1938 since it was no longer possible for the Mohegan to recruit the manpower to build the arbors and prepare the food. Many of the Mohegan men had joined the service and were stationed elsewhere (fd).

Non-Church Related Wigwam

In 1941 another wigwam was held. This one, which was previously discussed, was called "Wigwam Corn Festival" (National American Indian Defense Association, Inc. 1941a) or "Festival & Wigwam" (National American Indian Defense Association, Inc. 1941b). It was held by John Hamilton in cooperation with the Mohegan. Hamilton took a previously existing Mohegan institution and used it as a fund raiser to support his and the Mohegan's involvement in land claims. In 1956, Harold Tantaquidgeon attempted to have another wigwam (Voight 1983, 183; Fowler 1980) which was unsuccessful (Rundell 1983, 15-16). Sometime after 1938, J.R. Williams, a State official, visited the Mohegan and interviewed Harriet Tantaquidgeon. At this time Harriet Tantaquidgeon's daughter, Gladys, was in South Dakota working as a social worker among the Indians. Williams stated that the old customs were dying out and that the last wigwam had been held the year before (Williams n.d., 23).

Currently, the Mohegan have an annual fall homecoming. This started in 1977. The Mohegan no longer assemble to raise funds but rather to socialize and renew family ties. This is exclusively for Mohegan members and their families (fd). This gathering is held at Fort Shantok Park near the traditional Mohegan burial grounds (MT 1980d; MT 1979).

Mohegan and other Indian Groups

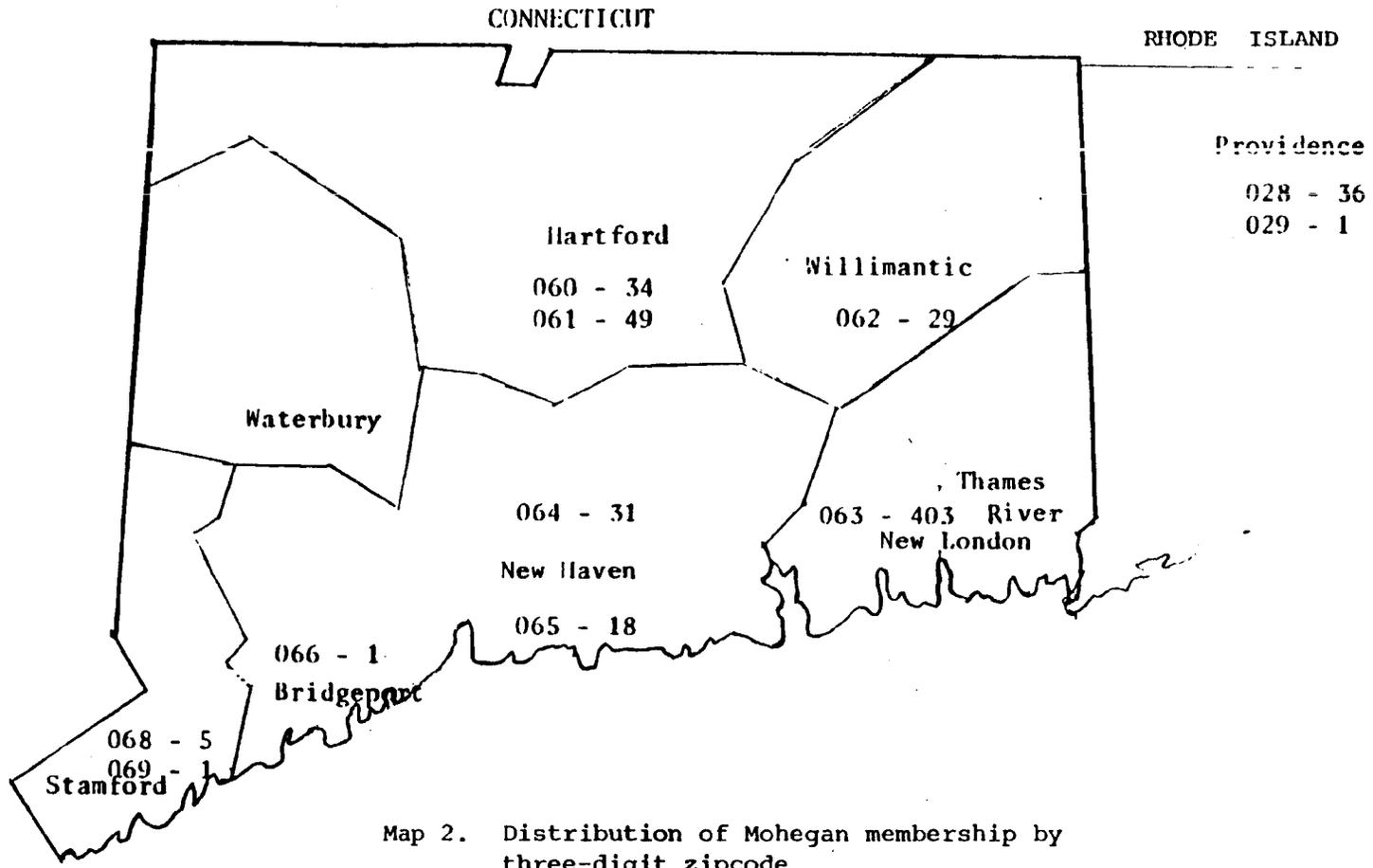
Based on the records submitted with the documented petition, it appears that the Mohegan have not had and do not now have extensive interaction with other Indian groups in their area. They seem to be somewhat isolated

from interacting with other Indian groups. J.R. Williams noted in the late 1930's, that the "Mohegans hold themselves aloof from remnants of other Indians. Never seem to mix. They seem prouder, more self-conscious and important feeling" (Williams n.d., 23). "The Mohegan have always held themselves aloof from the neighboring bands of Indian descendants. ...As a group the Mohegan descendants have not been inclined to affiliate themselves with the Indian groups in southern New England" (G. Tantaquidgeon 1934, 9). The scarcity of documentation showing interaction with other Indian groups supports this statement. Some interaction did take place. Historically some intermarriages with Niantic and Montauk have occurred.

In 1903 Speck comments that the Mohegan met in the Mohegan church with some other Indian groups (Prince and Speck 1903, 195) and since this was the time for the Brotherton claims it may have been for this purpose or other relevant land claims. The names of some Mohegan who were acting as a representative are associated with some regional Indian and Indian interest organizations. In 1925, Julian A. Harris and Lemuel Fielding were Mohegan representatives to the Algonquin Indian Council of New England (Algonquin Indian Council of New England c.1925).

After the Connecticut Indian Affairs Council was created in 1973, the Mohegan were represented and participated in decision making affecting themselves and other groups in the area. On the board are representatives of each of the five State recognized tribes in Connecticut. In this manner the participating groups are kept informed of proposed and formal actions of the State affecting Indians and informally they are aware of the activities of the other Indian groups. Occasionally Courtland Fowler, as tribal chief, is asked to represent the group at other tribal activities.

In 1979, the Mohegan did send a representative to the Mashantucket Pequot Tribe of Connecticut in Ledyard, Connecticut, to confer about John Hamilton and his claim to being the Grand Sachem of the Mohegan-Pequots (Hayward 1979). The Mashantucket supported the Mohegan in their attempt to get the newspaper reporters to understand that Hamilton was not the "Grand Sachem" of the two groups. Also when the Mashantucket Pequot had the opening of their new health center, Courtland Fowler attended the ceremonies (fd). Some Mohegan members attend regional powwows that occur in the summer in Connecticut. Attendance at powwows depends on the personal preference of the individual Mohegan member.



CURRENT COMMUNITY

Some aspects of the current community have been discussed previously in the review of the Mohegan current political structure and the Mohegan land claims.

Geographic Location of Members

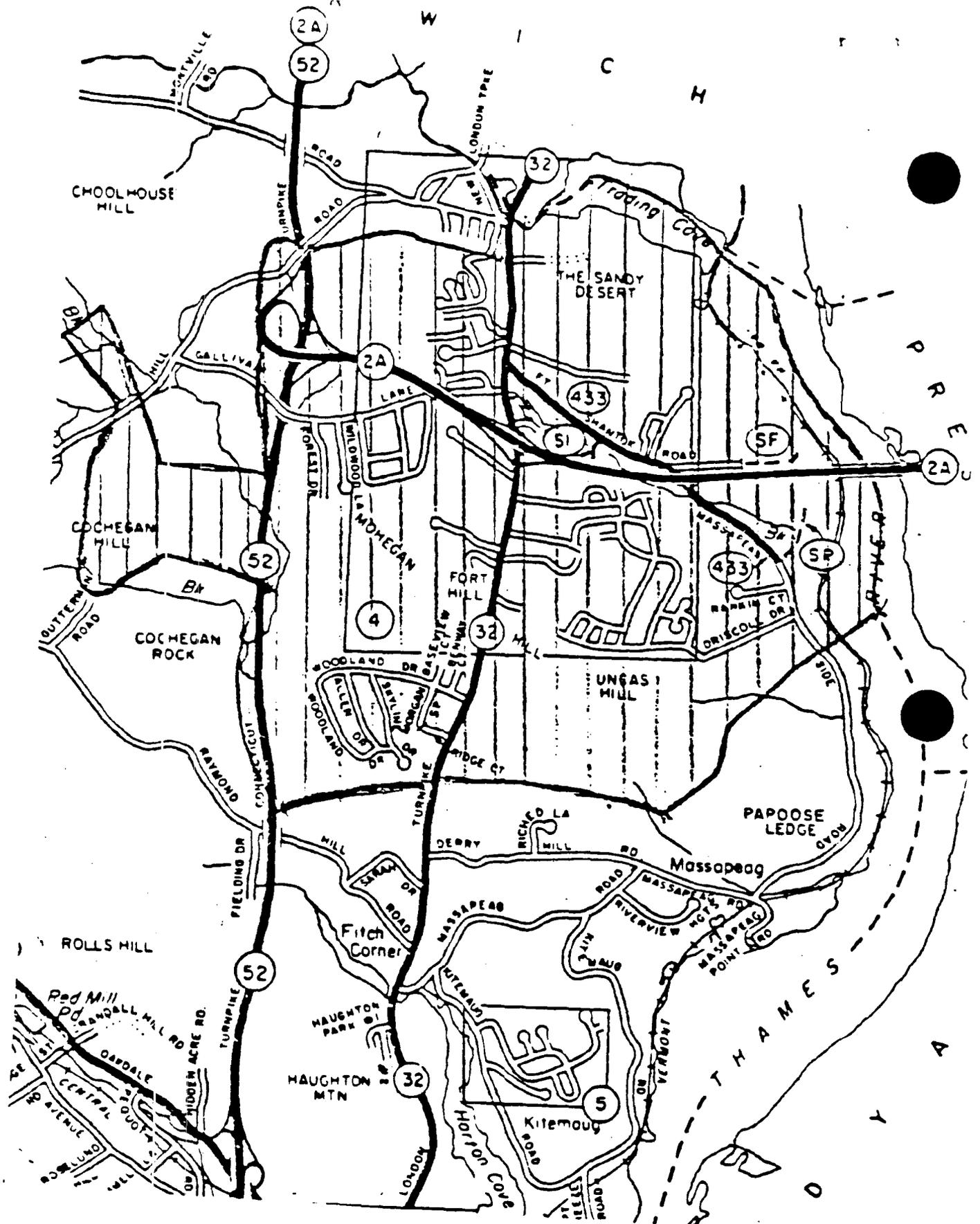
Mohegan members are concentrated in southeastern Connecticut in an area which has been the traditional Mohegan homeland. Of the 889 members for whom the group furnished zipcodes, 403 (45%) reside in the "063", New London/Norwich zipcode area (Map 2). Since the "063" area includes both the east and west side of the Thames River, an examination of membership by community reveals that only 76 reside east of the river with the vast majority living west of the river in their traditional homelands. Of the 76 who live east of the river, 62 live in three cities, Groton or Mystic, both east of New London and just across the Thames river, or in Jewett City to the northeast of Norwich. Groton and Mystic are coastal towns. Examination of the surnames of members in these more eastern cities, indicates that there is a tendency for one or two families to comprise the majority of those members in the city. For example, in Jewett City, where 32 members live, 14 are Baker descendants and have Cholewa as a surname.

Away from the Norwich/New London area where the Mohegans are concentrated, the number of members resident in Connecticut drops drastically (Map 2). There is a cluster in the Hartford and East Hartford area, but they are largely descendants of individuals whose names are not on earlier lists of Mohegan Indians. While Mohegans live in many other states, the states with the largest numbers include 72 in New York, 51 in California, 42 in Rhode Island, and 41 in Florida.

Ninety-three members live in the Mohegan and Uncasville zipcode area and 104 live in Norwich. A map supplied by the petitioner shows the streets in Mohegan and Uncasville where the Mohegans are living (Map 3). Twenty-six houses with 53 members are on or near Uncas Hill where the Mohegan Church and the Tantaquidgeon Indian Museum are located. In Uncasville, within a mile south of Uncas Hill, are 13 more houses where 26 more members live. Living in Mohegan and Uncasville, the traditional Mohegan homelands, are descendants of the Fieldings, Fowlers, Tantaquidgeons, and Hamiltons.

Political Activities

The current council, which was discussed earlier, is composed of descendants from the three principal Mohegan families and one non-Mohegan. The Fielding family is represented by Catherine Lamphere, Ernest Gilman, and the chief and council chairman, Courtland Fowler; from the Baker family, Ralph W. Sturges; and from the Storey family, Donnell E. Hamilton. Like their predecessors who were involved in Mohegan activities, these individuals live in the communities of Norwich, New London and Mohegan. The major issues of discussion are the land claims and Federal acknowledgment. In the past, Fort Shantok and Ashpo



Map 3. The village of Mohegan showing area where Mohegan membership is concentrated.

cemeteries have been of concern. There is no evidence of an annual business meeting of the membership at large and it is unknown how concerns from the general membership come before the council. The Mohegan membership participates in group business through mail ballots. Decisions reached in this balloting procedure are binding on the members. For example the group, through this procedure, decided to become involved in the current land claims case.

In 1973, the Mohegan have been involved with the Connecticut Indian Affairs Commission. Some problems are brought before this group for action and/or resolution. In 1983, the issue of busing of Indian students to achieve racial equality was discussed at a CIAC meeting. This was prompted by a letter from the Montville School District regarding the busing program. The representatives from the State Department of Education indicated that the council might consider proposing legislation which would exempt Native Americans from the state regulations on racial imbalance. Apparently the Mohegan had raised this issue with the local school board (CT Indian Affairs Council 1973-83).

Fort Shantok Cemetery

Fort Shantok Cemetery has long been a traditional burial ground for the Mohegan. Individuals from all the major Mohegan families are there, except possibly for the Storeys. This cemetery, located on a bluff overlooking the Thames River is next to a late prehistoric Mohegan village (Salwen 1984). Some of the graves are not marked, some have simple plain stones, and there are some with more contemporary polished granite markers. The Mohegan no longer own the cemetery and it is not known if the State acquired the cemetery with or without the approval of the Mohegan. The Mohegan do have control over who can be buried there. The formal rule is that only Mohegan members and their spouses are entitled. The graves tend to be in family clusters but there are no obvious boundaries to the family plots. Until recently, if a burial was to take place, the family of the deceased would notify the park superintendent and the burial would occur. In spite of the informal nature of the system, no one who was not entitled was buried there. When some Mohegan were questioned about what prevented non-Mohegan from being buried in the cemetery, they were surprised at the thought and their reply was, "Well, they just wouldn't be" (fd).

Recognizing that the possibility existed that a non-Mohegan could be buried in the cemetery, the present Mohegan council has appointed a cemetery committee. Working with the Connecticut Indian Affairs Council, the tribe developed a memorandum of understanding with Connecticut state parks. Now before any burial is to take place, the cemetery committee must be informed by the park superintendent. In turn, the cemetery committee will send a written approval or disapproval to the superintendent. Burial is to be done by the requesting party (Sarabia 1987). In reality, because of the need to have a timely funeral, sometimes the necessary information is provided by telephone and confirmed later with a letter (fd).

Problems with the cemetery perceived by the Mohegan were taken to the CIAC in August of 1974 (CT Indian Affairs Council 1973-83, 10). There was concern for the disrepair of the fence surrounding the cemetery, the beer cans, and the vandalized gravemarkers. The CIAC voted to request that the Department of Environmental Protection erect a second fence that would be sufficient to prevent future vandalism. How this issue was forwarded to the CIAC whether by the tribal council or chief is not known. Whether this was done at council request or at the request of the chief is not known. When Mohegan were interviewed, many mentioned this issue and mentioned that the State did respond to their concerns (fd).

In 1983, another cemetery issue involved the Mohegan. On Gallivan Lane in Mohegan is the Ashpo cemetery where the Reverend Samuel Ashpo is buried. When an adjacent property owner began to infringe on the property, in March 1983, this problem was taken to the Connecticut Indian Affairs Council where it was discussed in the presence of Ken Przybysz who was the State Representative (CT Indian Affairs Council 1973-83, 14) from Mohegan. During the discussions, it was revealed that the Mohegan cemetery committee was at work on deed research in an attempt to determine the legal status of the cemetery and the location of the property line.

Mohegan Church

The Mohegan church is centrally located in Mohegan. The interior of the church sanctuary is relatively small. At the altar hangs an "eagle feather". Also there is another feather hanging above the door leading into the school/community room. A former minister had taken down the altar feather only to have the Indian members insist that it be rehung (fd). The presence of the feathers symbolizes the Indian presence and history of the building.

While the membership in the Mohegan church is not exclusively Indian, and not all the Indians attend, the church still has a role in Mohegan Indian affairs. Meetings are held there and Mohegans or their spouses serve as officers for the church. Another Mohegan is the organist.

The non-Indian minister of the Mohegan Church said that the Indians know who is Indian and who isn't but that some of the non-Indian members of the congregation know there are Indians but are not always sure which ones (fd). He also said that when there is dissension in the Indian community the church does not get involved.

Tantaquidgeon Indian Museum

The Tantaquidgeon Indian Museum houses artifacts representing various aspects of Mohegan life including costumes, mortars, pestles, carved wooden objects, photographs, etc. dating from at least 1853 to the present. It is the one most obvious symbol of Mohegan presence on Uncas Hill. It is marked by a sign on the highway and it appears on local maps. It is open to visitors and tourists who may care to stop and view the displays generally accompanied and interpreted by Gladys Tantaquidgeon. The museum is owned by the Tantaquidgeons. Many of the older Mohegan remember Harold Tantaquidgeon's education programs.

Communication

With the concentration of Mohegan membership in a relatively small area of southeastern Connecticut, there are no physical barriers to communication. There are short distances between towns and some commute to work in other towns. Most of them have telephones. Communication generally follows family lines (Damon 1981; Fawcett 1972; fd). When information is to be disseminated the heads of households or key persons in a family are contacted and they in turn see that the information is passed on. In Virginia Damon's 1981 deposition she stated

. . . the older people asked me if I would send out letters to all the heads of the families asking them if there was any reason why Courtland Fowler could not be Sachem. . . And it is traditional to notify heads of families, then the heads of families notify the rest of their people (Damon 1983, 18).

When attempting to arrange interview schedules, BAR researchers discovered that Virginia Damon, who was supposed to have moved to Florida by the time of the field visit, had not yet moved and, although she lived in East Hartford, Connecticut, she was aware of our presence in Mohegan (fd). Newspapers (Rundell 1983) and, for one short period when funds were available, newsletters (fd) have been utilized in disseminating information to the membership. No copies of the newsletter were submitted. Homecoming notices or election notices have been published in the local papers (Fowler and Cicero 1980) and some members write or call their relatives who live elsewhere to inform them (fd).

Also during the field visit, BAR staff members movements within the community were known to various members within the immediate vicinity. Some Mohegan members who do not live in the Mohegan/Uncasville area were not as well informed as others because of the differences of opinions regarding the leadership of John Hamilton. There is little communication between the Mohegan in Mohegan and the Hamilton supporters.

There is no central place at which the Mohegans gather on a daily basis to exchange gossip and to collect the news about the council or the membership. When members live elsewhere, relatives keep them informed of what is going on by sending letters, some with newspaper clippings. When the membership list was being prepared, the council would meet and list the names of members. Then Ernest Gilman would telephone or write letters to get additional information from the individuals. One Mohegan in her deposition mentioned that it is traditional that the heads of families be contacted and they in turn would contact others (Damon 1981). Exactly what is meant by "heads of families" is not clear, but letters were sent out and information could be disseminated.

Some Mohegan families have regular visiting patterns. In Mohegan, the Tantaquidgeons have Sunday dinners with the Lampheres and the Fawcetts. The older Tantaquidgeon women cook and the other families bring cakes or other desserts (fd). It is not known if other Mohegan families have similar visitations with their families.

Homecomings

Homecomings are now an annual fall event for the Mohegan. In the past, the wigwam also functioned as a homecoming. Today, Mohegan members, their spouses and families attend the homecoming now held in Fort Shantok Park. Based on homecoming sign-in sheets in 1979, at least 119 attended (MT 1979); the newspapers reported that 230 attended. In 1980 about 90 individuals were in attendance. According to some of the Mohegans, the low attendance was because it rained (fd). The attendees were notified of the date of the homecoming by their families, either by mail or by phone. Notices also were put in newspapers. At the 1979 homecoming, the Department of Environmental Protection, on behalf of the CIAC, was present to take photos for Indian identification cards. Gladys Tantaquidgeon and Courtland Fowler attended to determine who was eligible to have their photographs taken. Not all were permitted to have their photographs taken, but it is not known who might have been turned away.

On the day of the homecomings, two of the council members arrive at the park early with the membership list and only members and their families are allowed to attend (fd). This is to prevent any who are not on the list and who are not accompanied by a Mohegan from attending. Normally the park has a charge for admission, but when the Mohegan meet there for homecomings or when they are going to visit the cemetery, they are not obliged to pay. Other groups are expected to pay. The "Preston-Mohegans" had scheduled a gathering at Fort Shantok in August 1988. To insure that this group was not confused with the Mohegan, the Mohegan informed the CIAC and arrangements were made for the "Preston-Mohegans" to be charged admission (fd).

ABBREVIATIONS AND/OR ACRONYMS USED IN REPORT

- BAR = Branch of Acknowledgment and Research, Bureau of Indian Affairs (Evaluator of the Petition).
- CAG = Office of the Attorney General, State of Connecticut (Respondent to the Petition).
- CR = Commissioners of Review (Appeal Board for 18th Century Mohegan Claims).
- CT = State of Connecticut
- Ex. = Documentary Exhibit submitted by either the Petitioner (MT) or the Respondent (CAG).
- FD = Field data (Research conducted by BAR staff in Connecticut in July 1988 for the purpose of verifying and adding to the information submitted in the Mohegan petition or the Connecticut Attorney General's submission in opposition to the petition).
- MT = Mohegan Tribe and/or The Mohegan Tribe of Indians of the State of Connecticut (The Petitioner).

GENEALOGICAL REPORT
ON
THE MOHEGAN TRIBE OF INDIANS OF THE STATE OF CONNECTICUT

SUMMARY OF EVIDENCE

For acknowledgment purposes the membership of The Mohegan Tribe of Indians of the State of Connecticut (hereinafter referred to as the petitioner) consists of 1,032 members. This total is based on the number of members living as of November 3, 1987, the date that the petition was placed on active consideration by the Branch of Acknowledgment and Research (BAR). The 1,032 members appear on one of four lists submitted as part of the petition for Federal acknowledgment and are regarded by the petitioner's Tribal Council as members.

Of this total, 881 members (85% of the membership) can demonstrate descent from the historical tribe of Mohegan Indians located on land, sequestered for the tribe by the Connecticut General Assembly, in the Town of Montville, Connecticut. The members' ancestors appear on the 1861 or earlier lists of Mohegan Indians. The petitioner's constitution establishes that descent from individuals on one of these lists is the primary criterion for membership. Evidence of this descent is based on the applications made by Mohegan Indians in 1901 to share in the monetary judgment award in the New York Indians' Court of Claims suit and a manuscript genealogy of the Mohegan Indians prepared in 1861 by a Mohegan Indian. Other Federal, State and local records, such as Federal population census schedules, nineteenth century petitions made by Mohegan Indians, probate records and vital records, corroborate this descent.

Fifteen percent of the membership (151 members) cannot establish descent from the historical tribe. The descent claimed by 118 members can be disproved by the evidence available to BAR. For the remaining 33 members, there was insufficient information to determine whether they descend from the historical tribe.

There is no evidence that any of the petitioner's members are enrolled in a federally recognized tribe. No congressional legislation is known to exist which has terminated or forbidden a Federal relationship with the petitioner or its members.

MEMBERSHIP CRITERIA

Governing Document

The petitioner's constitution and a set of bylaws were submitted with the documented petition (MT 1980a; MT 1980b; MT c.1980). The bylaws, which do not contain any membership provisions, have not been adopted by the petitioner and are not in effect (MT 1985c, I-B:84n., 114). The constitution was formulated by a seven member Constitution Committee elected by ballot vote of the petitioner's eligible voters in August 1979 (Cadwalader 1979). The constitution was duly approved by ballot vote of the eligible voters taking place at the end of January 1980. The meeting of the Constitution Committee on February 9, 1980, announced that the constitution was approved

by 92 percent of the eligible voters who voted (MT 1980c). The constitution defines the organization and the powers of the Mohegan Tribal Council, removal from office, the process of election, a process of initiative and referendum whenever "a matter of great importance" is to be submitted to the vote of the membership, and the process of amending the constitution (MT 1980a; MT 1980b).

Membership Criteria in the Constitution

Article III of the constitution deals with membership. Section 1, titled "Present Membership," states that "every living person whose ancestor's name appears on a Mohegan tribal roll as of or prior to 1861 shall not be deprived of such membership without his consent." Section 2, titled "Membership of Descendants," simply states that every child born to any member of the group shall be entitled to membership at birth. Section 3, titled "Loss of Membership," defines two means of losing membership. One is by personal request in writing by the member to the group. The other means is by tribal referendum either denying voting status by two-third's vote or termination of membership by three-fourth's vote because of an action taken by the member "which is considered to be so detrimental to the tribal welfare" (MT 1980a).

Amended Membership Criteria

The petitioner amended the membership article of the constitution by vote taken on November 16, 1985. Section 1, "Present Membership," was changed and expanded into three parts. Part 1 stated that the present membership consists of "those living persons whose names appear on the 'Tribal Roll' submitted to the United States Department of the Interior in Volume VII, dated April 15, 1985, of the Tribe's Petition for Federal Recognition." Part 2 stated that the present membership would include any additional living persons who had an ancestor on a

Mohegan tribal roll as of or prior to 1861 and who, together with his or her ancestors back to such list, can establish by clear and convincing proofs that they have maintained continuing tribal relations without 'inexcusable break therein back to such ancestor on such list, and who apply for membership in the Tribe.

Part 3 stated that persons "who are or may become members" will not be considered as a member if that person so indicates in writing.

Section 2, "Membership of Descendants," was changed to read that "every descendant born hereafter to any member, or to any descendant of any member" of the group shall be a member. "Member" was defined in this section as one who qualifies for membership under Section 1, and "who shall not sever tribal relations, nor whose antecedents or any of them shall have severed tribal relations, so as to maintain an unbroken line back to a present member" (MT 1985b).

The reference to the "Tribal Roll" made in Section 1, Part 1, of the amended membership criteria refers to the March 1, 1985, list of members and the undated addendum to the March 1, 1985, list, both submitted with the documented petition. The date April 15, 1985, mentioned in this part was the date the two lists were submitted to BAR.

The membership amendment appears to have been adopted as a result of BAR's letter of obvious deficiencies and significant omissions, dated June 26, 1985, three months before the amendment was adopted. The letter requested from the group a clearer description of how the group defines its membership

because the petition's narrative volume indicated that there was more to determining eligibility for membership than defined in the constitution (MT 1984, I:19, 89). BAR's letter made reference to tribal relations maintained by living members and their immediate ancestors.

Section 1, Part 2, and Section 2 of the amendment appeared to address BAR's reference to tribal relations. The wording change was suggested to the Tribal Council by the petitioner's attorney (MT 1985c, I-B:82). The amendment did not define what was meant by tribal relations. Neither was there a description in the documented petition that explained how the petitioner views tribal relations in this content. There is no evidence that the petitioner actually determines that a member maintains "tribal relations." The descendancy provision of the criteria appears to be the focus of the petitioner in determining the eligibility of members.

Enrollment procedure

The petitioner provided a description of how the enrollment process is to be conducted for those who seek membership in the group since the compilation of the membership lists submitted for acknowledgment purposes. Anyone seeking membership has to apply to the Tribal Council or its Chairman (MT 1985c, I-B:84). There is no specific form for applying for membership except that it must be in writing. The Tribal Council or delegated committee will review the application and any evidence submitted and may conduct its own investigation (MT 1985c, I-B:85). Any appeal of the decision by the Tribal Council or delegated committee will be referred to the Constitutional Review Board for final judgment. Article V, Section 1(7) of the constitution provides for the establishment of the Constitutional Review Board by the Tribal Council to receive cases and controversies arising under the constitution. Because decisions regarding membership are based on the membership criteria in the constitution, the petitioner interprets that the Constitutional Review Board has the authority to render any final judgment on the applications (MT 1985c, I-B:86). The petitioner states "No other person, entity, agency or authority has the power to act on membership applications" (MT 1985c, I-B:86).

Connecticut Indian Affairs Council

The petitioner is a state-recognized tribe and is represented on the Connecticut Indian Affairs Council (CIAC), a State agency charged with administering legislation concerning Connecticut Indians and their reservations. The CIAC recognizes the authority of each of its tribes to determine its own membership. However, there are provisions in the CIAC's rules and regulations allowing an applicant to apply for membership in one of the Connecticut Indian tribes through the CIAC. The application is referred to the tribe to which the applicant claims membership for its approval. However, the provisions allow the CIAC appeals authority over denials of membership by a tribe (CT Indian Affairs Council 1975, Article III, 47-59B.21-27).

In response to BAR's question whether the petitioner defers to CIAC's authority over appeals, the petitioner responded that it does not "accede to the CIAC's authority over its membership composition" (MT 1985c, I-B:87). The petitioner claimed that it has exclusive authority to determine its own membership (MT 1985c, I-B:89). The petitioner also stated that, as far as the Tribal Council knows, no person applied for membership in the group through the CIAC or appealed to the CIAC a decision by the group to deny membership (MT 1985c, I-B:87).

MEMBERSHIP LIST

Membership considered for acknowledgment purposes

The total number of members being considered for acknowledgment purposes is 1,032. This total is based on the number of members living as of November 3, 1987 (the date when the petition was placed on active consideration). The members appear on one of four lists submitted by the petitioner as part of its petition for Federal acknowledgment (Table 1). There are 42 individuals on the lists who have not been included in the total number of members being considered for acknowledgment purposes. Either the individual was not alive on the date the petition was placed on active consideration, or the Tribal Council notified BAR that the person should not be considered a member of the group and should be removed from the membership list.

Table 1: Membership Lists

Title of List	No. of people	No. deleted from list	Total for acknowledgment purpose
1. Membership Roll of Mohegan Tribe as of March 1, 1985	985	38*	947
2. Addendum #1 to Membership Roll of Mohegan Tribe as of March 1, 1985	30	1	29
3. Additional Membership Roll of Mohegan Tribe as of February 28, 1988	25	2**	23
4. Supplemental Membership Roll of Mohegan Tribe as of 11/3/87	34	1	33
TOTAL	1074	42	1032

*Five members not counted because they died before November 3, 1987 (date of active consideration).

**Two members not counted because they were born after November 3, 1987 (date of active consideration).

Membership Lists

The first two lists were submitted as part of the documented petition. The first list was approved by the Tribal Council on March 17, 1985. The second list was undated. The individuals on the second list consisted of 26 children of members on the first list, one grandchild of a member on the first list, and one family of three who are closely related to other families on the first list.

The third list, approved by the Tribal Council on February 28, 1988, was submitted in March 1988. This list was submitted in response to BAR's request for the names of additional people who should be considered as members for acknowledgment purposes who may have been inadvertently omitted from the first two lists, or may have been children born between the dates

the first two lists were submitted and the date the petition went on active consideration. All 25 people listed were children born between 1980 and 1988 to members on the first list. Two children have not been counted for acknowledgment purposes because they were born after November 3, 1987, when the petition was placed on active consideration.

The fourth list was submitted by the Tribal Council in response to BAR's questions regarding individuals or the families of an individual on the previous three lists. This list was approved by the Tribal Council in August 1988. Of the 34 individuals listed, 31 were children of members on the first list and two were the parents of members on the first list. The other individual on the list already appeared on the first list.

Deletions from the membership lists

The petitioner noted on the third list that five members who appeared on the first list had died between the date the first list was submitted and the date the petition went on active consideration. In its August 1988, response to BAR's questions regarding the three previously submitted lists, the petitioner notified BAR that nine individuals on the first list do not qualify as members and should be removed from the membership list. Of the nine individuals, four were determined by the Tribal Council not to have Mohegan ancestry, three were non-Indian spouses, and two were unknown to the Tribal Council. The petitioner also noted that 26 individuals named on the first two lists appeared twice (the majority being female members listed under both maiden and married names), and requested that the duplications be removed from the lists.

The Membership Lists as they pertain to the Membership Criteria

The first two lists are the "Tribal Roll" referred to in Section 1, Part 1, of the amended membership criteria (MT 1985b). According to the petitioner, these two lists contain "only names of those who can trace back to a required list, and who (and whose lineal antecedents) have maintained the required tribal relationships" (MT 1985c, I-B:84). "A required list" refers to Article III, Section 1, of the original membership provision in the constitution which required lineal descent from an ancestor who appeared on a list of Mohegans prepared in or prior to 1861.

The original membership provision did not make any reference to requiring tribal relations. However, the additional narrative volume submitted as part of the petitioner's response to BAR's letter of obvious deficiencies and significant omissions, states that the petitioner intended, but did not expressly state, that its members "must also be able to show continuous tribal relationships maintained by them and their antecedents" (MT 1985c, I-B:82). The petitioner does not define continuous tribal relationships and there is no evidence that the petitioner actually determines that a member maintains "tribal relations."

Although submitted after the adoption of the amended membership criteria, the third and fourth lists include persons who either should have been included on the first two lists or were children of members on the first two lists. Any child on the third and fourth list born after November 16, 1985 (the date the amended membership criteria was accepted), would qualify under Section 2 of the amended membership criteria as a descendant of a member.

MOHEGAN TRIBAL "ROLLS" AS OF OR PRIOR TO 1861

The membership criteria in both the original membership provision and the revised membership provision of the petitioner's constitution require descent from an ancestor who appears on a Mohegan tribal roll as of or prior to 1861. The year 1861 refers to the list of persons who "belong to, or are connected" with the Mohegan Tribe as of June 1861. This list appears in the Report of the Commissioners on Distribution of Lands of the Mohegan Indians (Hebard et al. 1861, 9-10). The 1861 list is the primary list used by the petitioner in determining whether a prospective member meets the membership criteria. Other lists are included in the membership provision of the constitution because "There were some Indians who had moved away by that time and we didn't want to exclude them" (J. Fawcett 1980, 43).

The 1861 List of Mohegans

By act of the Connecticut General Assembly, approved June 22, 1860, a new distribution was to be made among the members of the Mohegan Tribe of all the tribal common land (except Fort Hill Farm) (CT General Assembly 1860a). Three commissioners were appointed by the governor of Connecticut to make the distribution. In their July 1, 1861, report, the commissioners stated that they held a public hearing at Mohegan on January 11, 1861, for all claimants to prove their interest in the lands to be distributed. While the number of claimants was not given in the report, the commissioners commented that "many" had presented unsubstantiated claims (Hebard et al. 1861, 7). At the end of their report, the commissioners included a list of those who were considered to belong to the Mohegan Tribe.

The list of Mohegan Indians was divided into two parts, residents of the reservation and non-residents who were considered as belonging to the tribe. The total number of residents of the reservation was 63. Nonresidents numbered 17, although the commissioners in their report had estimated that the number of nonresident members was 25 (Hebard et al. 1861, 4, 9-10). The members were grouped by family and ages were given for 25 of the members. Also listed was total Indian blood and the specific tribal blood for all but 15 of the members. Fourteen of the 15 were children and the other person was the brother of three people on the list. One major error on the list regarding blood degree concerned Fidelia A. H. Fielding, considered to be the last speaker of the Mohegan language. She was not assigned any Mohegan blood, but her mother, Sarah Smith, was listed as possessing 3/4 Mohegan tribal blood (Hebard et al. 1861, 9). There were also some minor errors in the calculations of total Indian blood based on the specific tribal blood given on the list.

In addition to distributing the common lands of the tribe among its members, the commissioners also surveyed and recorded lands that the members of the tribe may have been entitled to as heirs of Mohegan Indians who had been allotted land in the 1790 partial distribution of tribal lands. The surveyor's map and the record of lands distributed among the members of the tribe were recorded in the Town Clerk's Office, Montville, Connecticut, on October 10, 1872, as required by the Connecticut General Assembly Act of July 31, 1872 (H. Baker 1872; CT General Assembly 1872). The record and the map of the distribution of tribal lands showed that heads of families and single adults received parcels of lands. Some female Mohegan spouses of tribal members and children of tribal members also received parcels. They probably did so as heirs of a 1790 distributee. No distinction was made on the map or record as to what were allotments from common land and what were lands that had descended to the heirs of the 1790 distributees.

Three persons who are not on the 1861 list participated in the distribution of lands (H. Baker 1872). There appears to be no reason why these three were omitted from the 1861 list other than an inadvertent omission. Polly Tantiqidgeon and Amy Cooper, both of Mohegan descent, were related to others on the list; the former having her son, grandchildren, and sister on the list, and the latter having a sister on the list. Polly Tantiqidgeon might be identical to Mary Dugeon who appeared on the 1861 list. Other than her appearance on the 1861 list, Mary Dugeon is otherwise unknown and did not receive any land. The third person, Eliza Uncas, was probably a nonresident and has not been further identified.

Overseers Accounts

The petition refers to the Overseer's Accounts for the years 1837, 1838, 1839 and 1849 as "earlier lists" used to determine membership eligibility (MT 1985a, I-A:2, ftn. 4), even though the accounts are not accurately termed lists. The accounts are the reports of the county-court appointed overseers of the Mohegan tribe to the county court showing revenues from rents of common lands and parcels assigned to individual Mohegans, and the expenditures paid out for the welfare of the Mohegans. Usually only adults and heads of households are listed in the accounts. The accounts did not list all members of the Mohegan Tribe. By act of the Connecticut General Assembly in 1819, the Board of Overseers for the various Connecticut Indian tribes were required to report their accounts of the concerns of the tribes to the County Courts in the counties where the tribes were situated (CT General Assembly 1819). Although only four accounts are referred to in the petition, the overseers provided to the New London County Court a yearly or biyearly account during this period (County of New London, Superior Court 1711-1867).

18th Century Lists

The petitioner submitted copies of four lists of members of the Mohegan Tribe prepared in the 18th century. The four lists date from about 1766, 1782, 1790 and 1799 (B. Uncas III c. 1766; Spencer et al. 1782; Anonymous 1790; Holmes 1804). The first list is undated, but was probably made about 1766 when William Samuel Johnson was the special agent for the colony regarding the Mohegan land claim. The list ends with the statement "make & taken by Me Ben Uncas, Sachem of the sd Tribe the Sachem made this in presence of Dr. Johnson" (B. Uncas III c. 1766). This list is the earliest known extant list of all persons, both adults and children, who were considered as belonging to the Mohegan Tribe. The original list is now part of the Connecticut State Archives' Indian Papers series.

The list of Mohegan Indians, dated August 5, 1782, was prepared by a state-appointed committee and sent to the Connecticut General Assembly. The purpose of preparing the list was to make a division of tribal lands (H. Baker 1896, 58). Both adults and children, grouped by family, were included on the list. The original list is now part of the Connecticut State Archives' Indian Papers series. This list was also published in Henry A. Baker's History of Montville (1896, 58-62).

The actual division of tribal lands was not made until 1790. The third list submitted by the petitioner is the January 1790 list prepared by the committee appointed by the General Assembly to make a partial distribution of tribal lands among the Mohegans. This list only names those Mohegans who

received land with the number of acres allotted to each Mohegan. The original list can be found in William S. Johnson's papers at the Connecticut Historical Society.

The fourth 18th century list submitted by the petitioner was prepared in 1799 and was given to Abiel Holmes by one of the overseers of the Mohegan Tribe. This list was published in 1804 as part of Holmes' history of the Mohegan Indians in the Collections of the Massachusetts Historical Society. The name of each head of household and the total number of persons in each family was given. The whereabouts of the original list is unknown.

Other Early Lists of Mohegans

Lists of Mohegan Indians not submitted by the petitioner include three lists prepared in 1774 (CT State Archives, CT Indian Records, 1st series, 2:315-17). These lists were compiled during a controversy raised by Zachary Johnson, a Mohegan elder, over who was or was not a proper Mohegan and eligible for tribal rights. A committee appointed by the State to investigate Johnson's charges determined that those whom Johnson complained about were connected by blood or marriage to the Tribe (De Forest 1851, 473). The three lists only show adults or heads of households. The lists are part of the Connecticut State Archives' Indian Papers series.

There is also at the Connecticut State Library an 1827 list of Mohegans showing both adults and children. Apparently this list was annotated for a few years after it was initially prepared. The original of this list was not seen by BAR, but information from this list was abstracted in Brown and Rose's Black Roots in Southeastern Connecticut, 1650-1900 (1980).

FORMER LISTS OF MEMBERS

The petitioner submitted copies of three lists prepared in (about) 1979, 1981 and 1982 (Gilman c. 1979; Sands et al. 1981a; MT 1982). According to the petition, these lists, as well as a list of Mohegans prepared by or for John Hamilton, were used to compile the membership lists submitted for acknowledgment purposes (MT 1985c, I-B:90). A copy of John Hamilton's list, prepared about 1977, was not submitted. The Connecticut attorney general, in response to the petition, submitted another copy of the 1981 list and a copy of a list prepared in 1983, which was not referred to by the petitioner (Sands et al. 1981b; Anonymous 1983).

According to the petition, the petitioner's attorney contacted the adults who appear on the three lists submitted by the petitioner as well as the list prepared by or for John Hamilton for further information about their families (MT 1985c, I-B:90). The responses to the requests for further information produced additional names to be included as members. The Tribal Council reviewed the compiled list and excluded the names of those whom the Tribal Council considered not to be of Mohegan descent (MT 1985c, I-B:91). This would account for some of the 86 people who appear on one or more of the lists submitted by the petitioner, but do not appear on the membership lists submitted for acknowledgment purposes. Ten of the 86 who appeared on former lists are known to have died. According to the petition, one person requested not to be listed on the membership lists submitted for acknowledgment, and the request was honored (MT 1985c, I-B:91).

The petitioner also submitted copies of four lists identifying Mohegans living in 1934 (Sword 1939). Other than the 1934 lists, no comprehensive lists of Mohegans prepared between 1861 and 1977 are known to exist. According to the petition, no formal, written lists of members had been kept for years because "The present elders knew each other and each other's families from approximately 1900.... These elders were well acquainted in their youth with most of the Mohegans who appeared on [the 1861 list of Mohegans].... Their children, grandchildren and great-grandchildren are known to them" (MT 1985c, I-B:89). The petitioner's current lawsuit against the State of Connecticut was the impetus to compile a complete and formal list of members (MT 1985c, I-B:90).

Lists submitted by the Petitioner

Copies of three lists prepared for or by the petitioner were submitted with the documented petition (Gilman c.1979; Sands et al. 1981a; MT 1982). The earliest of the three lists was one compiled by Ernest W. Gilman, Jr., a current Tribal Council member. Ernest Gilman began preparing the list as his own project to compile genealogies of those Mohegans descended from the 1861 list of Mohegan Indians (Gilman 1983, 9, 11). Although not formally assigned the task by the Tribal Council, he became responsible for keeping the genealogies for the Tribal Council (Damon 1981, 14). This list is undated; it may have been prepared in 1979, because one person listed as living on the list is known to have died in that year. The list contained 607 names with two members appearing twice on the list. The list includes the person's address and the name of the parent from whom Mohegan descent was claimed. Also included on the list are the names of individuals noted as deceased with the names of their parent from whom Mohegan descent was claimed (Gilman c.1979).

The second list is dated March 1981 and titled "Mohegan Tribe Names and Addresses." According to the petition the list was prepared by Stilson Sands, a current Tribal Council member, and others (MT 1985, XI; MT 1985c, I-B:92). The criteria for the list was descent from the 1861 list of Mohegan Indians (Damon 1981, 11; J. Fawcett 1980, 42). Descent was bilateral and no documentation was required (Damon 1981, 11, 13). The list was basically compiled through "word of mouth" since "we are all, more or less, related" and "we go back to the people, because there are people living today that know who the descendants are" (Damon 1981, 13).

The name and address of about 255 members appear on the March 1981 list. It appears that the list only included adult members, which would account for the discrepancy in the total number of people appearing in the March 1981 list and Gilman's list (Gilman's list included children). There are 55 people who appear on the March 1981 list that do not appear on Gilman's list. Over half of these people (39) are from one family whereas only two members of that family appear on Gilman's list.

The Connecticut attorney general submitted another copy of the March 1981 list (Sands et al. 1981b). This copy contained notations made by Rowland Bishop, a Mohegan who recognized John Hamilton as leader of the group. Rowland Bishop noted on this copy those individuals whom the Hamilton supporters considered as being group members. The majority of those noted as non-Mohegan by Rowland Bishop were members of the Niles-Cooper and Congdon families, who do not appear to have Mohegan ancestry, and the Tantaquidgeon family, who do have Mohegan ancestry. Others noted as non-Mohegan were some

members of the Fielding and Fowler families who share the same ancestry with others on the list whom Rowland Bishop noted as Mohegan. There were also notations that a few individuals had been "ejected" from membership in the group by John Hamilton. The "ejected" individuals were close relatives of John Hamilton.

The third list submitted by the petitioner is dated June 30, 1982, and titled "List of Persons Claiming to be Mohegan." This list was prepared in response to the State of Connecticut's request for a complete tribal list for use in the pending lawsuit (MT 1985c, I-B:93). There are 980 names appearing on the available pages of the list; one page is missing from the copy submitted by the petitioner. Approximately 48 people appear on the list twice. The list includes, for most members, the member's parent from whom Mohegan descent is claimed and the member's date and place of birth.

The list includes the names of people who appear on Gilman's list and the March 1981 list. Also appearing on the list are people, who the Tribal Council knew had Mohegan ancestry, who appeared on John Hamilton's list, but had not been placed on the Tribal Council's previous list(s) because they had not been active in the group (Damon 1981, 63-64, 65-66). The list also included people who are known to have appeared on John Hamilton's list, who other Mohegans had questioned as being non-Indian spouses or Pequots.

Lists prepared by or for John Hamilton

According to the petition, a list of Mohegans prepared by or for John Hamilton was used to compile the membership lists submitted for acknowledgment purposes (MT 1985c, I-B:90). A copy of the list was not submitted. The composition of this list is known from depositions taken of various Mohegans, including John Hamilton, in the early 1980's by the state attorney general (Bishop 1981, 7; Damon 1981, 60; J. Fawcett 1980, 9; Gilman 1983, 9; Hamilton 1981, 64-68 & 75).

John Hamilton, a Mohegan, had assumed the title of "Grand Sachem" and claimed to have imperial authority over the Mohegan Indians, causing dissension among the Mohegans. The group became split between those who recognized John Hamilton as leader and those who recognized Courtland Fowler as leader (see Historical and Anthropological Reports).

John Hamilton's criteria for membership varied from the petitioner's criteria which is based on descent from the 1861 and earlier lists of Mohegan Indians. John Hamilton's criteria included any person of Mohegan descent, any person who descended from Mohegans who joined the Brotherton Tribe of Wisconsin, and any person who was adopted into the tribe by the Grand Sachem (Bishop 1981, 37 & 38). Apparently those who were adopted by the Grand Sachem (John Hamilton) did not have to possess Indian blood.

Besides living Mohegan descendants, John Hamilton's list included people who were deceased, non-Indian spouses of Mohegans, people who were unknown to other Mohegans, people who were believed to be Pequot Indians, and possible duplications of names of people already on the list (J. Fawcett 1980, 9). According to John Hamilton, his list, containing about 267 names, was only a partial list of members (Hamilton 1981, 66). This list apparently excluded some Mohegans who were actively opposed to John Hamilton as leader of the group (J. Fawcett 1980, 8).

Lists submitted by the Connecticut Attorney General

The Connecticut attorney general, in response to the petition, submitted a copy of the petitioner's March 1981 list, and a copy of a list prepared in 1983 (Sands et al. 1981b; Anonymous 1983). The copy of the March 1981 list included notations made by Rowland Bishop, a Mohegan who recognized John Hamilton as leader of the group, and has been discussed above.

The 1983 list is titled "Revised List of Persons Claiming to be Mohegans January 83." No information was provided indicating who compiled the list, and the petitioner did not make any reference to this list. Comparing this list with the 1982 list, the 1983 list is basically a revision of the 1982 list containing the same information that appears on the latter list. There are 996 names appearing on the 1983 list; at least 13 people are listed twice. Some additions to the 1983 list are children of individuals who appeared on the 1982 list.

1934 Lists of Mohegan Descendants

The lists were found among the papers of a Storey descendant who is now deceased (Sword 1939). The lists do not indicate, nor does the petitioner explain, who prepared the lists and the purpose for preparing the lists. The lists are not dated with the exception that the first list has the year 1934 written in one corner. That year is probably when all four lists were prepared. This conclusion by BAR is based on other data, found in the petition and in the process of evaluating the petition, which identifies the birth and death dates for some of the individuals on the lists.

The lists are divided into those Mohegans living at Mohegan, relatives of those living at Mohegan who are living elsewhere, the descendants of the Baker family, and the descendants of the Storey family. Each list gives the names of adults and the name or number of their minor children, if any, with the town or state of residence. Thirty-two people are listed as living at Mohegan. Although there are some Mohegans listed as living in Massachusetts, New York or Rhode Island, the majority are shown to be living in nearby Connecticut towns.

Eight families on the 1861 list of the Mohegan tribe are represented on the 1934 lists. The 154 people listed as living are the descendants of the Baker, Cooper, Dolbeare, Fielding (and related families of Fowler and Tantaquidgeon), Hunter, Mathews, Peters or Storey families. Not all Baker descendants are listed. According to the lists, the whereabouts of some Baker descendants were unknown at the time.

All but three families that appear on the 1934 lists of Mohegan descendants are represented on the membership lists submitted for acknowledgment purposes. When asked about the three families on the 1934 list that are not represented on the membership lists submitted (the Dolbeare, Matthews and Peters families), members indicated that the three families had died out.

DESCENT FROM THE HISTORICAL TRIBE

To demonstrate how the membership traces back to the 1861 or earlier lists of Mohegans, the petitioner included, as far as possible, detailed information on the members and their parents on each membership list submitted for acknowledgment purposes and supplemented this data by including individual history and ancestry charts for its members (MT1985a, I-A:1; MT 1985a,

vols. VII-IX). Also provided in the petition for this purpose were family tree worksheets prepared by the petitioner's attorney (MT1985c, VII). Supplementing this data was evidence described in the next section of this report, copies of newspaper obituaries submitted with the petition, depositions of Mohegans taken by the state attorney general in the early 1980's, birth certificates of members on file with the petitioner's attorney, and the petitioner's response to specific questions asked by BAR regarding individual members on the lists submitted for acknowledgment.

To verify how the membership traces back to the historical tribe, BAR selected one line of descent within each family represented on the membership lists submitted for acknowledgment. For the majority of the families, the line of descent could be documented from the present to the historical tribe. As a whole, those families should be able to reasonably document descent from the historical tribe. For 15 percent of the membership, a line of descent could not be documented from the present to the historical tribe. The descent claimed by 118 members from families on the 1861 list or from the historical tribe through a family that does not appear on the 1861 list can be disproved by the evidence available to BAR. For 33 members, there was insufficient information to determine whether they descend from the historical tribe (Table 2).

Table 2: Descent from the historical tribe
(based on BAR's selection)

	Number of Members	Percentage of the total membership
Descent documented	881	85%
Descent not documented:	151	15%
Descent disproved (118)		
Descent unknown (33)		
TOTAL	1032	100%

Members who trace back to the historical tribe

Of the 881 members who are expected to reasonably document their descent from the historical tribe, 861 are the descendants of the Baker, Fielding, Hunter and Storey families who appear on the 1861 list of the Mohegan Tribe. There are 260 members who not only can claim descent from the Fielding family, but can also claim descent from either the Congdon, Fowler or Tantaquidgeon families on the 1861 list as a result of intermarriage between the three families and the Fielding family in the last half of the nineteenth century. One family, consisting of 20 people who appear on the membership lists submitted for acknowledgment purposes, can trace back to ancestors who appear on lists of Mohegan Indians made prior to 1861. This family descends from Amy Cooper who received land in the 1861 distribution of lands, but did not appear on the 1861 list.

Members whose descent can not be documented back to the historical tribe

The 118 members who claimed descent from the 1861 list through either the Congdon, Cooper, Mathews or Miller families or from the historical tribe through the Niles family can be disproved by the evidence available to BAR. Twenty three members claimed descent from the Congdon family. The Congdon family that appeared on the 1861 list were the descendants of Betsey Hoscott, a Mohegan Indian. BAR determined that the 23 members were not descendants of Betsey Hoscott. Their ancestor was John Bishop Congdon (1836-1898), a member of the non-Indian Congdon family of Montville (H. Baker 1896, 128). (Some of the descendants of the Fielding family are descendants of Betsey Hoscott through Betsey Congdon who appears on the 1861 list.)

There are 87 members who claim descent from the historical tribe through the Niles family, a family which does not appear on the 1861 list. A branch of this family (descendants of a Niles who married a Cooper) also claims descent from the historical tribe through the Cooper family. None of the Niles ancestors appear on any available list of Mohegan Indians, and no evidence was located that identified any of the Niles ancestors as Indian.

The branch of the Niles family which also claims descent from the historical tribe through the Cooper family did not provide enough information on their ancestry chart to demonstrate descent from a specific individual who would appear on the 1861 or earlier lists of Mohegans. BAR's research on this family concluded that the progenitor of this Cooper family was foreign-born and immigrated to the United States in 1882, and the family does not descend from the Mohegan Cooper family.

The members who claim Miller descent did not provide an ancestry chart, but the petition stated that they claim descent from Delanie C. (Fielding) Miller who appears on the 1861 list. Neither Delanie C. (Fielding) Miller nor her husband Lemuel Miller, a Mohegan who also appears on the 1861 list, had any children (E. Baker 1861). A recently published genealogy which includes the members who claim Mohegan descent through the Miller family does show that these members do have a Miller ancestor, but the ancestor was a native of Canada, and there is no indication that this ancestor was Indian (Keeler 1985, 333).

Although the member who claims descent from the Mohegan Mathews family does descend from a Mathews, the ancestor was born in Nova Scotia, as were his parents, according to the 1880 Federal census. The Mohegan Mathews family descended from Diana Tecoomwas (1798-1874), who appears as Diana Rogers on the 1861 list. The Mohegan Mathews were the descendants of Diana (Tecoomwas) Rogers through her first husband, Charles Mathews (E. Baker 1861; Matthews 1901). When asked about this family, other group members indicated that the descendants of Diana (Tecoomwas) Rogers by her first husband, Charles Mathews, have died out.

Regarding the 33 members whose descent could not be documented because there was insufficient information, the Tribal Council was unable to provide further information on 11 members which BAR had requested in order to determine how they descend from the historical tribe. Three families, representing 22 members, may trace back to the historical tribe, but there was insufficient information to determine how they descend.

EVIDENCE OF DESCENT FROM THE HISTORICAL TRIBE

Two major sources of documentation that demonstrate descent from the historical tribe are the applications made in 1901 to share in the monetary judgment award in the New York Indians' Court of Claims suit, Docket 17861 (BIA 1901), and Emma T. Baker's "Mohegan Indians and Their Descendants," written in 1861 (E. Baker 1861). The applications provide evidence of descent from the 1861 list of Mohegan Indians to the membership lists submitted for acknowledgment. Twenty-five of the applicants in 1901 appear on the 1861 list, and five members on the present membership list for acknowledgment appear as minor children on the applications. Mrs. Baker's genealogies of the Mohegan Indians demonstrate how the Mohegan Indians appearing on the 1861 list trace back to individuals appearing on earlier lists of Mohegan Indians. The information found in these two sources is substantiated and expanded by public records and published sources.

New York Indians Kansas Claims Applications

The U.S. Court of Claims awarded monetary damages to the New York Indians for the sale of Indian lands in Wisconsin and Kansas ceded to the Indians by the Treaty of Buffalo Creek in 1838 (E.B. Smith 1976, 2:108-112). In order for the New York Indians to receive any money appropriated by the U.S. Congress in 1900 for payment of the Court of Claims' award, individuals had to file applications with the Commissioner of Indian Affairs.

The Mohegan Indians filed applications on the basis that they had direct ancestors or collateral relatives who settled among the Brotherton Indians, one of the nine tribes party to the 1838 treaty. The applications filed by the Mohegan Indians were routinely turned down by the commissioner appointed to oversee the payment of the monetary award because the applicants were Mohegan Indians and not members of one of the nine tribes party to the 1838 treaty. When rejecting the applications made by the Mohegan Indians, the commissioner referred to the 1861 list of the Mohegan Tribe as the basis for stating that the applicants were Mohegan Indians (Miller 1904). Applicants who did have direct ancestors who settled among the Brotherton Indians were not eligible for payment because their ancestors had returned to Mohegan by the time the Brotherton Indians were party to the 1838 treaty.

The applications give detailed information on the applicant and the applicant's spouse and children. As requested on the application form, information regarding the applicant's parents and their children and the applicant's grandparents and their children was also provided. Some of the applicants provided further information on the application regarding their great-grandparents and other ancestors.

Baker's 1861 "Mohegan Indians and Their Descendants"

Emma T. Baker's "Mohegan Indians and Their Descendants" was probably prepared for the 1860 Commissioners appointed to make a distribution of the Mohegan common lands. In their report, the Commissioners acknowledged the assistance Mrs. Baker had given them in determining the heirs of the 1790 distributees (Hebard et al. 1861, 7). Dated "Mohegan, May 14, 1861," the document demonstrates how Mohegans on the 1861 list descend from specific individuals who can be identified on earlier lists of Mohegan Indians. The genealogies are written in narrative form with no dates given. The author, Emma Tyler (Fielding) Baker, born in 1828, was a Mohegan Indian and lifelong resident of the reservation area.

Federal Population Census Schedules

The Federal population census schedules provide further evidence regarding relationships between individuals, and identify ancestors as Mohegan Indians. Starting with the 1880 census, the relationships between the head of household and the persons in the household are specified. The 1870 census enumerates the population by household and relationships can be inferred. With few exceptions, the Mohegan Indians do not appear in the Federal population census schedules until 1870, when the census enumerators were required to enumerate Indians. The exceptions are Mohegans living outside the Town of Montville and one family living in Montville (the head of household was non-Indian). As "Indian" was not a classification for race in pre-1870 censuses, the Mohegans listed in the Montville enumeration are listed as white or mulatto (Bureau of the Census 1850, 1860).

The Mohegan reservation was enumerated separately from the regular population census schedule of the Town of Montville in the 1870 census. At the time of the enumeration, 59 people were living on the reservation. The census taker noted that "They are not taxed, and dont[sic] exercise the rights of Citizens" (Bureau of the Census, 1870).

The Indians are not separately enumerated in the 1880 census of Montville. They are enumerated among the other residents of the town and listed as "I" for Indian in the census schedule (Bureau of the Census, 1880). The 1900 and 1910 population schedules for Montville include the special forms for enumerating the Indian population. Families still residing within the parameters of the old reservation appear to have been the ones included on the special Indian schedule census form. Families living outside of the parameters, but in the Town of Montville, are included in the regular population schedule. Except for some Niantic spouses of Mohegans, the tribal affiliation for the Indians enumerated on the special Indian population forms is listed as Mohegan (Bureau of the Census, 1900, 1910).

Vital Records

Town vital records supplement or further corroborate the relationships. Prior to the 1850's only an occasional marriage record for Mohegans was found in the vital records of Montville or adjoining towns (Town of Montville n.d.; Barbour n.d.). The Mohegan Indians began appearing with greater frequency from the 1850's in the birth, marriage and death records kept by the Town of Montville (Town of Montville 1750-1937). Racial designations vary in the records from Indian to white or an indication of mixed blood (Town of Montville 1750-1922).

Probate Records

Wills and probate records which are genealogically useful do not, as a rule, appear for Mohegan Indians until after 1870 when the Mohegans were granted full citizenship by the State. Although the 1861 Commissioner's report states that many of the Mohegan Indians had made wills (Hebard et al. 1861), only two wills for Mohegans prior to 1870 were found in the estate files of the Montville Probate District (Town of Montville 1850-1880). After 1870, probate records are found for most Mohegan families residing in Montville (Town of Montville 1850-1880, 1881-1935).

Pre-1861 Lists of Mohegan Indians

Of the pre-1861 lists of Mohegans, the 1782 list and the 1827 list provide genealogically useful data. Both lists group the Mohegan Indians by family and provide for some of the Indians their age at the time the list was prepared. The originals of the two lists are at the Connecticut State Archives. The 1782 list is also published verbatim in Henry A. Baker's History of Montville (1896, 58-62). Information from the 1827 list is incorporated in Black Roots in Southeastern Connecticut (Brown & Rose 1980).

Petitions by Mohegan Indians

Petitions by the Mohegan Indians concerning real estate that were presented to the State (CT State Archives, CT Indian Records) or to the County Courts (County of New London, Superior Court 1711-1867) usually contain family information. The petitions are useful in locating evidence of relationships prior to the last half of the 19th century.

Published works

Black Roots in Southeastern Connecticut, 1650-1900 (Brown & Rose 1980) includes the Indians of the region. This book, which incorporated data taken from public and private records, was useful in locating data on Mohegan families living outside of Montville. The book also includes information found in the 1827 list of Mohegan Indians. Samson Occom and The Christian Indians of New England (Love 1899) includes an appendix of genealogies of the early Brotherton Indians. Included are some families of Mohegan descent, mostly families related to Samson Occom. An article on the Storey family and their descent from the Occom family appears in Genealogical and Biographical Record of New London County, Connecticut (Beers 1905, 551-552).

FEDERAL RELATIONSHIP

The petitioner provided in the petition a statement that the petitioner's membership is not composed principally of individuals who are members of a federally recognized tribe (MT 1984, I:163). No evidence was discovered to indicate that any of the members are enrolled in a federally recognized tribe.

Also provided in the petition was a statement that the petitioner or its membership is not subject to any congressional legislation that has terminated or forbidden a Federal relationship (MT 1984, I:164). No congressional legislation is known to exist which would terminate or forbid a Federal relationship with the petitioner or its members (Simmons 1987).

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Mohegan Tribe of Indians of the State of Connecticut

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FIELD DATA (abbreviated as "fd" in citations)

Interviews and research were conducted at Mohegan, Norwich, and East Hartford, Connecticut between July 24 and August 3, 1988 for the purpose of verifying and adding to the information submitted by the petitioner.

HISTORICAL REPORT ON THE MOHEGAN TRIBE OF INDIANS OF THE STATE OF CONNECTICUT

The petitioner, the Mohegan Tribe of Indians of the State of Connecticut, is based in the village of Mohegan, in the northeast corner of Montville township, within New London County, in southeastern Connecticut. Its remaining tribal land and buildings are situated along State Highway 32 and the Thames River, between the cities of New London and Norwich. The term "base village area," as used in this report, should be understood as encompassing Montville township and the city of Norwich.

SUMMARY OF EVIDENCE

Identification as an American Indian Tribe

Documentary sources have clearly and consistently identified a body of Mohegan Indians living in the general vicinity of the petitioner's base village from 1614, when Dutch traders first explored the region, to the present. The identification of a Mohegan tribal entity was established in the colonial records of the English Colony of Connecticut (1638-1776) and in the judicial records of England (1705-1773), including those of the King's Privy Council. The State of Connecticut has also identified a Mohegan group consistently from 1776 to the present. However, these identifications were less frequent for the period between 1872, the year in which the Mohegans were granted State citizenship, and 1973, when the General Assembly created an Indian Affairs Council with Mohegan as a member.

Mohegan has similarly been identified as an Indian group in certain records of the United States Government beginning in 1822, when the Rev. Jedidiah Morse reported its status to the Secretary of War. President Andrew Jackson mentioned the Mohegan in his annual message of 1829, Congress appropriated limited "Civilization" funds for the benefit of the "Mohegan Indians" from 1832 until perhaps as late as 1868, and a report of the Commissioner of Indian Affairs referred to the Mohegan in 1853. Certain individual residents of the township of Montville were identified as Mohegan Indians in Federal census records between 1870 and 1910, a bill was introduced in Congress on behalf of the Mohegan in 1900, and there has been subsequent correspondence between group members and Federal officials. However, these latter references do not constitute explicit identification of a Mohegan tribal group.

A Mohegan group has been identified in administrative studies conducted for the Bureau of Indian Affairs by Gladys Tantaquidgeon in 1934 and by Theodore Taylor in 1972. Records of the U.S. District Court relating to the group's pending suit against the State of Connecticut have also identified a Mohegan entity.

A Mohegan Indian group has likewise been identified in traveler's accounts, including Kendall (1809); local and regional histories, including Holmes (1904), Barber (1838), Hooker (1840), DeForest (1851), Fitch (1906), and Peale (1930); and in biographies, including Love (1899) and Voight (1965). Identifications in the ethnological literature have included Prince and Speck

(1903), Mooney (1907), Speck (1909 and 1928), Rouse (1947), Gilbert (1948), Swanton (1952), Schusky (1957), and Simmons (1986). There have also been numerous identifications in magazines and newspapers, particularly in the Norwich Bulletin and the New London Day.

Maintenance of an Indian Community

The Mohegan Tribe of Indians of the State of Connecticut is based on land which was traditionally and aboriginally Mohegan. The property on which the Mohegan Church is located, and some nearby plots held by individual members on Mohegan or Uncas Hill, including the site of the Tantaquidgeon Indian Museum, has been in the possession of Mohegans throughout history.

Members of the petitioning group have identified themselves as Indians continuously and have been identified consistently as Mohegan people by others. They have also been viewed as distinct from Pequot and other Indian populations in Connecticut, although outsiders have had some difficulty, in recent times, distinguishing the petitioning group from another group in the area which has also asserted a Mohegan identity. However, the Mohegan do not appear to be distinct socially from the non-Indian population.

Up until the early 1840's, the Mohegan appear to have maintained a cohesive Indian community on an ever-dwindling land base, despite the fact that its resident population was gradually surrounded and interspersed by non-Indian settlers. The 20,000-acre tract of aboriginal land sequestered by Connecticut officials for the use of the Mohegan in 1671 was all deeded away by 1721, when the General Assembly restored 4,700 acres to tribal possession. Although these lands were referred to commonly as the "Mohegan Reservation," they were never established legally as reserved lands. In 1790, the State allotted all but 500 acres of the remaining 2,600-acre tribal land base to individual Mohegan families. Most of these lands were sold to non-Indians after 1872, the year in which Connecticut terminated its guardianship over the Mohegan and granted them citizenship. However, the Mohegan as a group and some of its individual members continue to hold title to small parcels of the historic land base.

The Mohegan suffered a drastic population decline during the early period of European contact, perhaps as much as 93 percent by 1650. The resident tribal population was further reduced from approximately 1,000 in 1650 to 264 in 1774. A decline of approximately one-half (from 264 to 135) was also experienced in the Revolutionary War era (1774-1782), during which time a number of tribal members died in military service and an unknown number of Mohegan families emigrated to the Brotherton Indian settlement in New York. However, from 1809 to 1902, Mohegan population remained relatively stable, at between 50-69 resident members. In 1902, it was reported that half of the Mohegan no longer resided within the traditional community. Since that time, the percentage of non-resident members has increased steadily.

Missionary efforts to convert the Mohegan to Christianity began in the early 1660's, and a mission school was opened in the base village area in 1723. By the 1750's, a majority of the Mohegan had demonstrated at least nominal acceptance of Christian tenants. While political differences served to divide the Mohegan into rival villages for much of the 18th century, they were described by Edward Augustus Kendall as maintaining a single tribal

"community" in 1809. The continuance of a Mohegan tribal entity was also acknowledged in publications by John Warner Barber in 1838, Edward Hooker in 1840, and John W. DeForest in 1851.

By 1860, the Mohegan Church, established nearly 30 years earlier by Congregationalists, became a center of community activities. A Wigwam festival, which served as both a fund-raising fair to benefit the Church and a Mohegan homecoming event, was held on the church grounds almost every year between 1860 and 1927. This possible revival of the Mohegan's traditional Green Corn Dance was organized and sponsored by the "Ladies" of the Mohegan Sewing Society, an auxiliary of the church run by Mohegan women.

In 1931, the Tantaquidgeon family established their "Indian Lodge" on private property adjacent to the Mohegan church. Although this museum of Mohegan and other Indian artifacts, which is still in operation, has become an important symbol of the pride of the Mohegan in their ethnic heritage, it has never been a tribal institution in the sense of being run by the group. Neither has it served, except perhaps on rare occasions, as a political meeting place or social gathering point for the Mohegan.

The annual Wigwam festivals and homecomings in the Mohegan community began to decline in the late 1920's. References have been found for only three such community events between 1927 and 1941, when the last successful festival took place. These were in 1935, 1936, and 1938. The 1938 event was the last, apparently, to be sponsored by the Mohegan Sewing Society, and no further reference could be found for this organization after 1941. The 1941 Wigwam was sponsored by the National American Indian Defense Association (NAIDA) under the leadership of Mohegan member John E. Hamilton.

It has been alleged by John Hamilton, the organizer of this Wigwam, and his supporters that he was confirmed as "Grand Sachem" of the Mohegan at a general tribal meeting in 1933. As such, he became the leader of a separate Mohegan group which met on a regular basis outside of the Montville township area. This group excluded key Mohegan families and had only minimal contact with those in the base village area. While this separate group's existence can only be documented solidly after 1970, there is limited evidence that it may have been functioning since 1933.

The Wigwam festival of 1941 was the last Mohegan event at which all of the most important group leaders, representatives of most lines of the three primary families (Fielding, Baker, and Storey), and what may have then been or later became political divisions of the Mohegan were gathered together. Even allowing for the disruptive effects of World War II on the Mohegan, not enough documentary evidence has been found regarding group activities following the cessation of the Wigwam festivals in 1941 to conclude that the petitioning group has maintained a cohesive and interactive tribal community since that time.

Five years after the 1941 Wigwam, the Mohegan Church, which had served as a community center for the Mohegan for over a century, was compelled to close its doors. The church remained closed between 1946 and 1956.

For the 26-year period between 1941 and 1967, the documentary record reveals only two possible community events which may have served to bring group members together. These are an attempted revival in 1956 of the Wigwam

festival, which was unsuccessful apparently, and the rededication of the Mohegan Church in 1957. For the 32-year period between 1935 and 1967, there is only one documentary reference to a meeting of a tribal political body. This was the election of Harold Tantaquidgeon as group leader by the "Mohegan Tribal Council" in 1952. Details regarding the nature of all three of these events, and the extent of member participation in them, are not known.

If there were separate divisions among the Mohegan prior to 1967, they were brought together briefly in that year when John Hamilton emerged as the leader of a new organization called the Council of the Descendants of the Mohegan Indians, Inc. For the first time since 1941, this new body brought together a cross-section of Mohegan members, including representatives from all three of the primary families and those who had had previous leadership roles within the base village area. However, dissatisfaction with Hamilton's leadership led to the dissolution of the Council of the Descendants in 1970.

In an effort to deny Hamilton's broad assertions of power, which were based on his claim of being the Grand Sachem of all the Mohegan, his opponents nominated and confirmed Courtland E. Fowler, a base village resident who had led the effort to reopen the Mohegan Church, to be the primary leader of the Mohegan. In reaction to Fowler's confirmation, Hamilton formed a new organization called the Confederation of the Mohegan-Pequot American Indian Nation and Affiliated Algonquin Tribes, over which he again asserted his position as Grand Sachem of all the Mohegan. This new body met outside of the Montville township on a regular basis until at least 1981. Representatives from all three of the primary Mohegan families (Fielding, Baker, and Storey) were claimed to be among the Confederation's "councilors." However, the organization's membership also included some non-Mohegans and some non-Indians. Although the petitioner claimed Hamilton and his supporters of Mohegan descent as members, it has denied any affiliation with the Confederation.

The Mohegans in the base village area who had confirmed Fowler as the primary Mohegan leader remained relatively dormant during the years in which Hamilton's Confederation was most active. There is reference to only one possible meeting for the period between Fowler's confirmation in May 1970 and the organization of a constitutional committee at Mohegan in May 1979, and only limited evidence regarding one group activity: the possible initiation of an annual homecoming in 1977 (there is no reference to such an event in 1978). During this same period, the group at Mohegan, perhaps unwittingly, accepted members who do not appear to have any Mohegan ancestry, and subsequently appointed and/or elected some of these individuals to leadership positions within the group.

The lack of Mohegan tribal activities during the period between 1941 and 1967 and 1970 and 1979 is corroborated by the statements of the 23 selected group members deposed by the Connecticut attorney general between 1980 and 1983. These depositions were taken in conjunction with a land suit filed against the State on behalf of the Mohegan in 1977. Even though most of these individuals were more than 50 years of age, they did not specify or recall any social or cultural events or political meetings other than those listed above during these periods, and most stated that they had not attended more than one or two such activities prior to 1979. Some of the deponents of Mohegan ancestry, although listed as members of the petitioning group, indicated that they had had minimal or no social or political contact with

the petitioner, and had not previously maintained relations with the Mohegans in the base village area. Included among these deponents were some who claimed to be aligned with the tribal body in the Mohegan area, some who continued to be supporters of John Hamilton, and others who had had little or no contact with either of these Mohegan divisions. The group members who do not appear to be of Mohegan ancestry indicated that they had interacted socially and politically with members in the base village area, although only one of these five deponents claimed any contact prior to the early 1970's.

Some of the deponents who lived in or near the base village gave evidence that there has been some level of informal cohesiveness within the group, particularly among the Fielding descendants. Yet, even the statements of those members who had been most active in recent group events pointed to the paucity of Mohegan activities during the years between the 1941 Wigwam festival and the organization of the Mohegan Tribal Council in 1979.

The petitioning group has sponsored an annual homecoming event near the traditional Mohegan burial ground at Fort Shantok since the late 1970's, and has been governed since 1980 by a tribal constitution and a duly-elected Tribal Council which is scheduled to meet on a regular basis. However, little evidence is available to show how this formalized political structure interacts with the group's membership, or to indicate the extent to which the elected leadership directs community activities such as the annual homecoming. Given the dearth of information regarding Mohegan activities over the previous four decades, there is insufficient evidence to demonstrate that most of the group's membership considered for acknowledgment purposes has ever been part of a tribal community.

The available documentation shows that for most of the period since 1941 the Mohegan have had few community events or political meetings of a tribal nature. Neither has any evidence been submitted or found regarding other internal events which might have served to bring a substantial number of group members together, such as funerals, or birthdays, weddings, anniversaries, or other celebrations. Similarly, the historical record does not offer sufficient data to measure and evaluate visiting patterns or other lines of communication between members. The petitioner's acceptance of non-Mohegans as group members, and especially as leaders, is strong negative evidence of the existence of an Indian community whose historical continuity, tribal and cultural identity, and social distinction from others is concrete enough to know who its legitimate members are and to exclude from membership those who do not share the common tribal ancestry. In sum, the documentary history of the Mohegan Tribe of Indians of the State of Connecticut since 1941 is not indicative of a cohesive or interactive tribal community.

Maintenance of Tribal Political Influence or Other Authority

Aboriginal Mohegan leadership was provided by a chief sachem who made decisions in consultation with a council consisting of influential tribal members of similar social rank. Owaneco was the chief sachem of the Mohegan at the time of first European contact. He was succeeded by his son Uncas, whose loyalty to the English served to both expand the power of the sachemship and increase the dominance of the Mohegan over other Connecticut tribes between 1636 and 1684. Uncas was in turn succeeded as sachem by other males in his family line until 1769, when the Mohegan abandoned this leadership position.

John Mason, deputy governor of the Connecticut colony, assumed the position of "procurator" or guardian of Mohegan interests in the 1650's. This role was continued by other Mason family members for well over the next century; most often without official colonial sanction and, in fact, in opposition to Connecticut in a notorious land claim litigated by the Masons on behalf of the Mohegan between 1705 and 1773. The General Assembly appointed a special committee to serve as guardians of the Mohegan tribal lands beginning in 1719, and the Colony worked overtly thereafter to manipulate the internal political structure of the Mohegan by backing those sachems and candidates for the sachemship who disavowed the Masons and endorsed the Colony's positions. This led eventually to a severe tribal schism which divided rival Mohegan factions into separate villages throughout most of the 18th century. It also led to a growing dissatisfaction with the sachemship, to the extent that by 1736 the colonial-backed chief sachem no longer had majority support and could not function effectively in his role. Following the death of Ben Uncas III in 1769, the Mohegan finally abandoned this leadership position by declining to name a successor.

Connecticut continued to maintain a guardian system over the Mohegan Indians until 1875 (the law phasing it out was passed in 1872). By 1754, the duly appointed Mohegan guardians were officially termed "overseers" by the General Assembly, and in 1819 it placed the Mohegan overseers under the jurisdiction of the New London County Court. That the Mohegan continued to govern its affairs through some form of council in the years following the abandonment of the chief sachemship is evidenced by several documents either submitted to or generated by the General Assembly or the County Court. The factionalism generated by Connecticut's previous manipulation of Mohegan affairs continued throughout the remainder of the 18th century. Samson Occom, the Congregational preacher who was the most noted Mohegan of his day, emerged as the leader of what had been the majority anti-Colony and anti-sachem faction, while Zachary Johnson and other former members of the sachem's council led the opposition faction. However, a 1772 petition and minutes of a 1782 meeting give evidence that the factions could come together on some issues.

After Johnson died in 1787 and Occom moved in 1789 to the Brotherton settlement he had helped establish in New York, the names of Henry Quaquaquid, another former member of the sachem's council, and Robert Ashpo appeared most often as first signatures on Mohegan petitions. Traveler Edward Augustus Kendall wrote in 1809 that the Mohegan "have now no Indian practice except that of discussing their affairs in council," and a special committee of the Connecticut legislature reported in 1817 that the Mohegan continued to abide by the "rules and principles of the Ancients and Elders of the Tribe" in regard to defining tribal membership and distributing tribal resources.

Some level of dispute within the group regarding the overseers is evidenced by petitions submitted by opposing factions between 1822 and 1851. A 1823 Mohegan petition described Samson Occom's son Benoni as "Our Headman" and the 10 other signers as "the rest of the male members of said tribe." In 1859 a special legislative committee met with the "chief men among the Mohegans," of whom Henry Matthews was described as "the best man . . . in the tribe." There is also some evidence that the tribal group maintained some control over the land redistribution of 1861, and provided the impetus for the legislation terminating the guardian system and granting State citizenship to the Mohegan in 1872.

Group representatives did not petition the General Assembly between 1872 and 1899, and there is little explicit evidence of political activity during the intervening years. However, the continuance of the annual Wigwam festivals during this period indicates that some level of group organization and decision making persisted. The Sewing Society remained active and group members were officers in the Mohegan Church. There is limited evidence of some continuity of leadership as well. Henry Matthews, who had been described as the Mohegan's best man when he spoke for the group at a legislative hearing in 1859, was also identified in 1903 by ethnologist Frank Speck as the "chief" of the Mohegan. Speck's identification of a tribal council also suggests the historical continuity of this form of political organization among the Mohegan.

Between 1896 and the mid to late 1930's, the Mohegan made intermittent efforts to maintain some kind of tribal organization under various leaders and various organizational names, including the Mohegan Indian League, the Mohegan Indian Association, the Tribal Council of Mohegan Indians, the Tribal Social Club, the Mohegan Descendants Association, and the League of the Descendants of the Mohegan Indians of Connecticut. However, there is no documentary evidence of any effort to maintain a functioning tribal governing body and little evidence of individual political leadership between the late 1930's and 1967. A similar documentary gap exists for the period between 1970 and 1979.

Lemuel M. Fielding was identified as a group leader between 1896 and 1902, and as head of the Mohegan Indian Association formed in 1920. In 1896, Emma F. Baker, president of the Mohegan Sewing Society which sponsored the annual Wigwam festival, was elected president of the Mohegan Indian League, an organization formed apparently to pursue certain Mohegan land claims. On behalf of the Mohegan, the League petitioned the General Assembly in 1899 for permission to sue the State. Speck observed in 1903 that the tribal group was governed by a chief and an advisory council of three which held meetings, sometimes at the Mohegan Church, dealing with both internal and external matters. In 1909 he also wrote that the council was elected by the membership for a set term.

The Mohegan Indian Association formed in 1920 was led by various Fielding family members, including Lemuel Fielding as chief, Everett M. Fielding as assistant chief, and Gladys Tantaquidgeon as secretary. Influenced perhaps by the pan-Indian movement, these individuals played a very visible ceremonial role throughout the 1920's. The Mohegans reorganized again sometime prior to 1928, electing a new chief and council and drawing up articles of incorporation. Everett Fielding was elevated to the chief's role, and Gladys Tantaquidgeon continued as secretary.

A 1933 petition, drafted at a general meeting of the Mohegan at Mohegan Church, was signed by four "officers of [the] Tribal Council." Julian Harris, who had served as a councilor on both the Mohegan Indian Association and the reorganized council of 1928, signed this document as chairman. John Hamilton, who had taken over responsibility for pursuing the Mohegan land claims in the 1930's, later claimed that he was confirmed as "Grand Sachem" of the Mohegan at a general tribal meeting in 1933, and that Julian Harris was merely the chairman of the Rules Committee. Neither of Hamilton's claims have been substantiated.

Gladys Tantaquidgeon, a socio-cultural leader of the group, identified Everett Fielding as chief of the Mohegan in 1934. She also reported that tribal meetings were held at least once a year and more often "if necessary," but that for more than 20 years the Mohegan had not had a resident chief. At the behest of Gladys's brother, Harold Tantaquidgeon, 19 adult members met at the Mohegan Church in 1935 and formed a Tribal Social Club in order "to do things that need doing," including many functions that might be carried out by a tribal council. These included efforts to organize another Wigwam festival, to add improvements to the Mohegan Church, and to continue the Mohegan claims. Burrill H. Fielding, a resident of Mohegan, was elected president, and Gladys Tantaquidgeon again served as secretary.

No other references have been found regarding the Tribal Social Club. Although Burrill Fielding was also identified as a Mohegan leader in documents from 1936, 1941, and 1947, and kept the honorary title of "Chief Katagha" until his death in 1952, the available sources do not offer any explicit examples of his political influence over group members.

There is a newspaper reference to a "Mohegan Descendants Association" with Julian Harris as chief in 1938, and a 1939 membership application to the "League of Descendants of the Mohegan Indians of Connecticut." However, the nature of these organizations and their relation to previous or subsequent Mohegan bodies is not known, although one group member testified in 1981 that the Council of the Descendants of the Mohegan Indians, Inc., formed in 1967 was a successor to the League of Descendants of the Mohegan Indians of Connecticut.

In 1941, 18 Mohegans, with John Hamilton as their representative, petitioned the Connecticut General Assembly for land compensation. Hamilton also served as president of the National American Indian Defense Association (NAIDA), which sponsored the 1941 Wigwam festival at Mohegan. Except for its avowed purpose of pursuing Mohegan land claims, details regarding the origin, nature, and membership of NAIDA and its relationship, if any, to subsequent tribal organizations headed by Hamilton are not known. As NAIDA president and "grand sachem of the tribe," he appeared before the Judiciary Committee of the General Assembly in 1943. Each of the three Mohegans who appeared with Hamilton in 1943, including his chief councilor, Rowland Bishop, were, like himself, Storey family descendants who resided outside of the base village area. Hamilton continued to seek a legislative remedy for the Mohegan land claims until 1951.

It has been alleged by Bishop that Hamilton led a separate Mohegan group which met on a regular basis outside of the base village area, beginning as early as 1933, and that Bishop served as Grand Sachem over this group during Hamilton's absence in California and elsewhere from perhaps as early as 1948 until 1967. However, the existence of a separate Mohegan group has not been verified prior to 1970.

Secondary references published in 1965 and 1976 refer to the fact that Harold Tantaquidgeon was selected by the "Mohegan Tribal Council" to be chief in 1952, following the death of Burrill Fielding. Although the Mohegan acknowledgment petition asserts that the Mohegan have always had a chief and council in this century, these are the only sources between 1933 and 1980 that refer specifically to the existence of a Mohegan Tribal Council. They are also the only sources that mention Tantaquidgeon's election.

Since Harold Tantaquidgeon was stationed in 1952 with the U.S. Army in Japan, it may have been two or three years before he returned to Mohegan. Although he served with Courtland Fowler and others on the steering committee for the reopening of the Mohegan Church (a body which cannot be considered, because of its narrow goals and non-Indian membership, as a representative tribal organization), and also worked reportedly with Fowler in an attempt to revive the Wigwam festival in 1956, no documentation has been found to show that Tantaquidgeon either presided over or was otherwise involved in a tribal meeting during the years in which he was the designated group leader (1952-1970). Neither have any tribal council members been identified for these years, or for the broader period between 1935 and 1920 (excepting, of course, the officers of the Council of the Descendants which functioned between 1967 and 1970). Although Harold Tantaquidgeon performed certain ceremonial and cultural functions, most often related to the non-Indian community, such as serving as a 4-H and Boy Scout counselor, there is not enough documentary evidence to measure the extent to which he may have exerted political influence or authority over the Mohegan, including a single example of a decision he made which might have affected the entire tribal group.

Whether or not there was an existing tribal governing body functioning in the base village area in 1967, the Council of the Descendants of the Mohegans Indians, Inc., formed in that year under John Hamilton, attempted to function as a tribal council for the Mohegan. The minutes of this organization's meetings reveal that it discussed and decided issues of a tribal nature which might otherwise have been dealt with by a group's governing body. Its primary purpose was to pursue the Mohegan land claims, and it was chartered as a corporation under Connecticut law because it was believed that incorporation was necessary in order to file litigation. However, it also addressed such issues as the sale of tribal property and maintenance of the tribal burial ground at Fort Shantok. Its members met regularly at the Mohegan Church and included some individuals who had previously had leadership roles both within and outside of the base village area, including Hamilton, Loretta Schultz, and Courtland Fowler. Yet, it was viewed by Mohegans as being "a separate entity" from the Mohegan tribal group, "because it was a corporation" to which "not all of the Mohegans belonged." Among those not involved were Harold Tantaquidgeon, who continued to serve as the Mohegan's elected chief, and his sister Gladys, who as keeper of the Tantaquidgeon Indian Museum had long been considered the group's cultural custodian.

Perhaps because the Council of the Descendants was relatively short-lived, there is not enough known about it to measure its level of influence over or support from the Mohegan tribal group. Evidently, it did not generate enough interest to be continued for more than a three year period (1967-1970). Its primary issue, the Mohegan land claims, likewise failed to stimulate further tribal activity until 1977.

Dissatisfied with Hamilton's leadership and upset by his claim of being the "Grand Sachem" of all the Mohegan, his opponents replaced him as president of the Council of the Descendants in 1970. They also initiated a referendum among the heads of families on the question of whether or not Courtland E. Fowler should be named as primary leader of the Mohegan. Since there were no negative responses, a select group of members were called together to confirm the nomination. Fowler was endorsed unanimously at this meeting, after Hamilton's supporters walked out.

In reaction to Fowler's confirmation, Hamilton filed papers with the State to dissolve the Council of the Descendants as a corporation. This action was taken without the knowledge of some of its officers. Yet, no effort was made by others to continue the organization after this was discovered. The attempt to maintain a broad-based council at Mohegan thus came to an end after just 34 months of operation. Within three months of the dissolution, Hamilton formed a new organization called the Confederation of the Mohegan-Pequot American Indian Nation and Affiliated Algonquin Tribes, over which he again asserted his position as Grand Sachem of all the Mohegan. This new body, which met outside of the Montville township on a regular basis until at least 1981, consisted of those Mohegans who supported Hamilton and who, for the most part, did not recognize the leadership of Courtland Fowler. This included some who had been involved in the Council of the Descendants and some who may have also been affiliated with other Mohegan organizations under Hamilton's leadership going back to the 1930's or 1940's. Representatives from all three of the primary Mohegan families (Fielding, Baker, and Storey) were claimed to be among the Confederation's "councilors." However, the organization's membership also included some non-Mohegans and some non-Indians. Although the petitioner claimed Hamilton and his supporters of Mohegan descent as members, it has denied any affiliation with the Confederation.

Acting on behalf of all the Mohegan, but without tribal-wide consultation or consent, Hamilton filed certain land claims in the U.S. District Court in 1977 and petitioned the Department of the Interior for Federal acknowledgment of the Mohegan as a tribe in 1978. Although these actions were denounced initially by some of the Mohegans not aligned with Hamilton, particularly those resident in the base village area, they were endorsed subsequently by the new governing body in Mohegan which was established under Courtland Fowler in 1980.

The Mohegans in the base village who had confirmed Fowler as the primary Mohegan leader were inactive, comparatively, between 1970 and 1979. The Council of the Descendants died shortly after Fowler's election in 1970 and there is no evidence that he presided over or was a part of any other tribal governing body prior to 1980. By his own admission, his leadership was minimal prior to the drafting of a tribal constitution in 1979. He stated in 1980 that as tribal spokesman he "didn't have to speak at anything" before then, and that there were no affairs for a Mohegan leader to run. There is reference to only one possible meeting involving Fowler between 1970 and 1979, and his only documented political act during this period was to appoint an individual who appears now not to have any Mohegan ancestry as the group's representative to the Connecticut Indian Affairs Council.

This same non-Mohegan individual served as one of the officers of still another fledgling Mohegan organization, Native Mohegans Inc., which was formed in 1974 in an effort to disseminate general information about Indian programs and establish lines of communication between Mohegan families regarding group functions and history. Again, this is a role which might have been carried out by a tribal council if such a governing body was in place. The 15-20 people who were active in this organization held semi-annual meetings between 1974 and 1979. Although they apparently recognized Fowler's leadership position and viewed themselves as an organization within the tribal group, there is no evidence that Fowler was ever involved in their activities.

The petitioning group drafted and approved a constitution and elected a Tribal Council under its provisions in 1980. Under the chairmanship of Courtland Fowler, this governing body has assumed a more active role in directing Mohegan affairs. However, there is evidence from the depositions taken between 1980 and 1983 by the attorney general's office that the membership of the new tribal organization, as determined by its governing body, has included the names of individuals, such as John Hamilton and others, who did not recognize the authority of Fowler and the Tribal Council. It also has included the names of many other persons of Mohegan descent who have had minimal or no social or political contact with the new tribal organization, and/or who have not previously maintained tribal relations with the Mohegan. Our research has also discovered that three of the persons that have been elected to the Tribal Council and two of its appointed representatives to the Connecticut Indian Affairs Council do not appear to have any Mohegan ancestry and therefore do not meet the group's membership requirements.

While the petitioner now has the most formalized and long-standing political structure it has had since the 1930's, the available evidence regarding the Tribal Council's interaction with the Mohegan membership is not sufficient to determine the extent of its political influence or other authority. For example, there is no evidence to indicate that the limited political issues focused on by the Tribal Council, such as the land claim and Federal acknowledgment, are considered to be important by the membership. The extent to which the elected leadership has been involved in the preparation and production of community activities, such as the annual homecomings, is also unknown. Because of the lack of documentation regarding Mohegan political activities over the previous four decades, there is little or no evidence that those group members who are not actively involved in the recent revival of Mohegan activities have ever maintained a bilateral tribal relationship with the petitioner.

The petitioning group is based on land which was aboriginally and historically Mohegan, and its Mohegan membership has been identified throughout history as being American Indian. However, the documentary history of the petitioning group since 1941 is not indicative of a cohesive or interactive tribal community. Neither does the available documentation indicate that the petitioner has maintained continuous tribal political influence or other authority over its defined membership since that date.

EUROPEAN CONTACT & INTERTRIBAL WARFARE, 1614-1643

The Mohegan first appear in the documentary record on a map of 1614, from the expeditions of the Dutch trader Adriaen Block, and in the Dutchman Joannes de Laet's descriptive volume on the New World in 1625. These documents locate the tribal group between the Thames and Connecticut rivers, and just west of the Pequot, who lived on Mystic River, in what is now southeastern Connecticut (Salwen 1978, 172, 175; Salisbury 1982, 82). That the Mohegan and Pequot were described as two distinct groups living east of the Connecticut in the early Dutch records conflicts with the picture which emerged from early English observations of the mid 1630's and became the prevailing wisdom of subsequent scholars: that there was a single Pequot tribe with a Mohegan branch that invaded the lower Connecticut valley in a late prehistoric migration from the upper Hudson River valley of New York

(Salisbury 1982, 83). The similarity in the names Mohegan and Mahican has contributed much to this widely-held belief.

Mahican was the language of the Mahican Indians who lived in the upper Hudson Valley, whereas the dialects of the Indians of Connecticut east of the Connecticut River were classified together as a single language, Mohegan-Pequot. Although Mahican and Mohegan-Pequot were both part of the Eastern Algonquin sub-group of the Algonquin language family, they were too distinct from each other to support a migration hypothesis: Mohegan-Pequot was more closely connected to Massachusetts and other southern New England languages than to Mahican (Goddard 1978, 72; Snow 1978, 65; Snow 1980, 331). Thus, despite frequent assertions by scholars that the Mohegan were originally a Hudson Valley group (e.g., DeForest 1851, 59-60; Swanton 1952, 32), the best conclusion which can be drawn from recent linguistic and archeological research is that the Mohegan-Pequot culture as well as that of the other native peoples of southern New England developed in situ from a common origin (Salwen 1969).

Ethnohistorian Neil Salisbury maintains that the English and subsequent observers assumed that the Mohegan were a band of the Pequot because they misperceived the nature of tribal political structures in southern New England. The Mohegan, Pequot, Narragansett, and other groups were linked by a complex network of marriages. Alliances between the groups were often dominated by single individuals through the strength of their personalities, plus the advantages they might be able to extend to allied groups. Although these leaders, who were called sachems, might be widely revered and/or feared, they had no institutionalized authority over other groups. The uniting of groups was accomplished through some form of ritual exchange, such as the payment of tribute, rather than by centralized authority. These arrangements led Euro-Americans to assume that leadership was permanently and hierarchically arranged with a system of greater and lesser sachems, when in fact a tribal group could withdraw its loyalty if it felt that it was no longer receiving adequate benefits from an alliance and direct it to another partner, as the Mohegans did many times (Salisbury 1982, 48).

The best genealogical and ethnographical data available on the traditional socio-political structure within the Mohegan group itself indicates all the features of fully developed social stratification, with political and military leadership and land ownership generally restricted to a small upper class or caste (Brasser 1978, 5; Speck 1928, 26). The title of sachem signified the right to ownership of land but not necessarily to political authority. Ranking occurred among sachems within the group in regard to their authority, with most power being vested in what might be termed a chief sachem (Williams 1972, 20-22). Chief sachems maintained their influence through persuasion and generosity. Their actual coercive power was limited by that fact that all important decisions were supposed to be made in consultation with the sachem's council. This more or less formal body was comprised of other powerful personages of similar social rank (Salwen 1978, 167).

A 1679 genealogy of Uncas, the chief Mohegan sachem, traces his descent both matrilineally and patrilineally from Pequot, Narragansett, and Long Island sachems. This unique document can be used to support either line of inheritance. While some scholars have concluded that the Mohegan utilized a matrilineal system of tracing ancestry prior to European contact, and

gradually modified that system to conform to the patrilineal English system (Williams 1972, 22-27), others have maintained that various relationships could be a claim to the chief sachemship and that lineage was of little consequence in determining qualifications for leadership (Burton & Lowenthal 1974, 595). Nevertheless, the historic record up to 1769, the year in which the Mohegan sachemship was abandoned, makes it clear that descent from a previous chief sachem was at least the first requirement for any claim to leadership.

Beyond the ties of kinship and politics, the southern New England tribal groups had many cultural similarities. All spoke a closely related language, obtained food by combining a maize-beans-squash horticulture with the collection of fish, game, and wild plants, and engaged in similar social and religious practices which centered on the village as the basic socio-political and subsistence unit. Such villages were small settlements of perhaps a few hundred inhabitants organized into extended kin networks and utilizing the resources of a limited territory. The village was also a component of the larger sovereign entity whose domain, under the chief sachem, encompassed all of the territory of other constituent villages (Cronon 1983, 37-38; Salwen 1978, 160, 164).

The subsistence pattern of the villages demanded seasonal mobility. Summer activities included planting, hunting, and fishing. Hunters went into the forests in search of game after the harvest, while winter camp was established in sheltered locations with good access to firewood. Spring thaws signaled the movement to fish-spawning areas. Villagers tended to use the same sites every year, and their territorial rights were either recognized tacitly by other villages or challenged by an enemy (Cronon 1983, 59).

The Mohegan-Pequot population in 1600 has been estimated to have been between 3,500 and 13,300 (Snow 1980, 35). The Mohegan alignment with the Pequot was enhanced in 1626 by the marriage of a daughter of Tatobem, the chief Pequot sachem (listed as Wopigwooit in some histories), to Uncas, son of the chief Mohegan sachem Owaneco. This and similar alliances allowed the Pequot to become the dominant tribal group within its sphere of influence. Later it consolidated its control, in the Long Island Sound area, of the Indian-Dutch trade in wampum. Wampum were the specially crafted strings of shell beads which became the primary currency among the tribal groups during this period. In the early 1630's, the Mohegan began to challenge Pequot authority by expanding its bounds both eastward and westward. At about the same time, the Dutch gained the approval of the Narragansett and other tribal groups to displace the Pequot from its monopoly over the Connecticut River trade. The collapse of the Narragansett-Pequot alliance stimulated English interest in the region, which led eventually to an alliance between the English and all of the other tribal groups against the Pequot (Salisbury 1982, 148, 150, 206-208).

The Pequot made a desperate attempt to regain their favored position, but after Tatobem (a.k.a. Wopigwooit) was killed in battle and succeeded by his son Sassacus, many of the tribal groups, including the Mohegan, defected to the Narragansett. Although Uncas, who had by this time become the chief Mohegan sachem, initially paid homage to Sassacus, his brother-in-law, he switched loyalties five times between the Pequot and Narragansett before finally joining the English against the Pequot in 1636 (Salisbury 1982, 210).

In his first appearance in English records, Uncas, in the spring of 1636, is providing intelligence on the Connecticut River to traders from Plymouth Colony. He thus began the role in which he would become very skillful over the next four decades - that of furthering his own ends by manipulating the deep English fear of inter-tribal conspiracies (Salisbury 1982, 215). Whatever its previous history of shifting alliances between both Indian and European partners, however, the Mohegan remained loyal to the English up until the time of the American Revolution.

In what became the first great Indian war in New England, the so-called First Puritan Conquest or Pequot War of 1637, Uncas and 60 Mohegan men joined the English under Captain John Mason and hundreds of other Indian allies in an attack on the Pequot village at Mystic, in which up to 700 men, women, and children were slaughtered (Washburn 1978, 89-90; Vaughan 1965, 141-47; Jennings 1975, 178-79, 213-227).

A primary base of Mohegan operations before, during, and after this conflict was Uncas's palisaded fort at Shantok Point, on the west bank of what is now the Thames River, about four miles south of present-day Norwich (Williams 1972; Salwen 1969; Crofut 1937, 717; Barber 1836, 290-91). Now a state park, the Fort Shantok site, with its Indian burial ground, remains an important cultural focal point for the Mohegan group.

Many of the surviving Pequot either hid themselves among the Mohegan or were assigned formally as prisoners to the tribal group, with the result that Uncas soon filled the power vacuum created by the decimation of the Pequot. The most dramatic effect of the conflict was to shift the balance of power from the native groups to the English colonies and to clear away the major obstacle to Puritan expansion (Vaughan 1965, 150-53; Jennings 1975, 226-27). Far more devastating than warfare were the epidemic waves of European diseases which began to crest through native villages as early as 1615. By 1650, the combined Mohegan-Pequot population, which has been estimated to have been as much as 13,300 in 1600, was reduced to as little as 1,000, indicating a mortality rate as high as 93 percent (Snow 1980, 32, 39).

The English organized a government for the Connecticut Colony in 1638, with legislative and judicial power vested in a General Court, and executive power in a governor and magistrates. Soon thereafter, the General Court ordered that no person could buy, lease or receive Indian land in the colony without its approval (CR 1769, Chrony, 2).

As soon as the Pequot conflict was over, in June 1638, Uncas and 37 of his men proceeded to Boston where they entered a covenant with Governor John Winthrop of the Massachusetts Bay Colony, pledging to accept English authority over disputes with the Narragansett and over the disposition of Pequot captives (Vaughan 1965, 156). On September 21, 1638, Uncas also signed a covenant with the Governor and Magistrates from the Connecticut Colony and with the chief Narragansett sachem Miantonomo. This Treaty of Hartford abolished legally the Pequot as a political entity and established provisions for maintaining peace and equity among the victors in the Pequot War. Connecticut assumed ownership over the lands and persons of the abolished tribal group, parcelling out the surviving Pequot men among the Indian allies and providing that no part of the former Pequot territory could be occupied by these allies without permission of the Colony (Uncas et al. 1638; Vaughan 1965, 150-51; Jennings 1975, 259).

These peace covenants with Massachusetts and Connecticut represent the first English recognition of the Mohegan as a sovereign polity. They also fostered complicated jurisdictional disputes which led to friction between the colonies and hostility between the Mohegan and Narragansett. The subsequent seizure of the former Pequot lands by Uncas contravened a 1636 treaty whereby Massachusetts had granted permission to the Narragansett to hunt and fish in that territory (Jennings 1975, 259). From the onset of the intertribal power struggle which ensued, Uncas held a clear diplomatic advantage over Miantonomo. Of the two chief sachems, Uncas had played a larger role in the Pequot War, which earned him the sincere gratitude of Connecticut settlers. He had also been the most cooperative with colonial leaders. Miantonomo, on the other hand, alienated his supporters within the Massachusetts Bay Colony, violated the peace covenants, and was rumored repeatedly to be the prime instigator of a vast Indian conspiracy against the English (Vaughan 1965, 156-57, 162).

The antagonism between the two native leaders came to an abrupt end in 1643. Following a Mohegan attack on a Connecticut Valley tribal group aligned with the Narragansett, Miantonomo, who had previously been foiled in an attempt to have Uncas assassinated, asked colonial authorities if they would take offense if he retaliated against the Mohegan. He was told by Governor Winthrop to take his own course if he had been offended. In the battle that followed, Miantonomo, handicapped with a suit of armor given him by a colonial supporter, was easily captured by Mohegan forces. A ransom of wampum worth £40 was paid for the Narragansett sachem, who proposed an alliance through marriage to a daughter of Uncas. Yet, Uncas decided ultimately to turn the prize captive over to English authorities, who determined that for violation of the Hartford treaty Miantonomo should be put to death discreetly by Uncas after he had been returned to Mohegan territory (Salisbury 1982, 232-35; Washburn 1978, 90, 92; Vaughan 1965, 163-170; Jennings 1975, 266-69).

The execution of their leader by a brother of Uncas enraged the Narragansett, who sought revenge against the Mohegan for their violation of the ransom custom. Under threat of an English invasion, the Narragansett were eventually compelled to submit to King Charles I of England and accept terms of peace with the Mohegan in 1644 (Washburn 1978, 90; Simmons 1978, 194; DeForest 1851, 212-13). Nevertheless, sporadic fighting continued between the two groups up until the outbreak of King Philip's War, or the Second Puritan Conquest, in 1675. This conflict erupted after Philip, a Wampanoag sachem, launched an attack on Puritan villages in Massachusetts. Uncas quickly dispatched six envoys to the Bay Colony to offer immediate aid to the English settlers. Led by his oldest son Owaneco, Mohegan warriors, along with those from other pro-Puritan tribal groups, contributed to the defeat of the Wampanoag and allied Narragansett, Nipmuc, and Pocumtuck forces in a devastating war which left much of New England in shambles (Vaughan 1965, 314; Barber 1836, 337; Leach 1958, 56, 76, 127). In order to further secure Mohegan loyalty following the war, Connecticut entered into Articles of Mutual Friendship and Defense with Uncas and his son Owaneco in 1678 (Uncas and Owaneco 1678).

COLONIAL EXPANSION & LAND CONVEYANCES, 1644-1702

The elimination of Indian warfare in Connecticut spurred colonial immigration and expansion. Much of the former Pequot territory was parcelled out to non-Indian veterans of the Pequot War. By the 1650's, there were extensive coastal settlements (Vaughan 1965, 152-53) bringing pressure upon the Mohegan to cede its land holdings. Although Connecticut tolerated the Mohegan occupation of former Pequot lands, as early as 1640 it commissioned Deputy Governor John Mason, the erstwhile commander of the Mystic massacre, to purchase Mohegan lands (Bowen 1882). Since the collective territorial rights of the Mohegan were deemed by English authorities to be vested in the chief sachem, the series of negotiations which followed served to elevate the position of the chief Mohegan sachems, at least in the minds of potential colonial grantees who desired to maximize the legality of any conveyance. Accordingly, Uncas allegedly granted to the Governor and Magistrates of Connecticut all of the uncultivated or unimproved tribal lands by a 1640 deed, the authenticity of which was later challenged by some Mohegans and their self-styled protectors (Smith 1950, 423). Other grants of portions of the Mohegan lands followed in what one historian has described as "bewildering profusion" (Wood 1921, 443), because the repetition of deeds and the ultimate conveyance of the same property to separate grantees became common.

In 1646 several English persons established the settlement of New London on Long Island Sound at the mouth of the Thames in the former Pequot territory (Barber 1836, 271). In what is the earliest Mohegan deed in the town records of New London, Uncas, in 1650, conveyed a large neck of land across the Thames from the Mohegan village at Shantok to Jonathan Brewster, on condition that he and his heirs maintain a trading post with the Indians (Uncas 1938, 10; Butler n.d.). Eight years later, Uncas deeded tracts west of the Thames in the New London area to Richard Haughton and James Rogers, and despite the colonial law prohibiting Indians from selling land to individuals, these grants were confirmed subsequently by the Colony (Butler n.d.; Crofut 1937, 716).

In June, 1659, Uncas and his sons Owaneco and Attawanhood conveyed to Thomas Leffingwell and 34 other proprietors a nine square mile tract lying on the east bank of the Thames approximately four miles north of Shantok. This deed formalized a previous gift to Leffingwell for his service in rescuing Uncas when besieged at Shantok fort by Narragansett forces in 1645. First settled in 1660, this plot eventually became the town of Norwich (Barber 1836, 290-91; Crofut 1937, 717; Butler n.d.).

In August of 1659, Uncas and his brother Wawequa deeded all of the remaining Mohegan lands to John Mason, who continued to serve as deputy governor of the Colony (Uncas & Wawugray 1659). This deed became a primary bone of contention in litigation which continued almost to the time of the American Revolution. The document was viewed by the Mohegan as a trust allegedly executed at Mason's suggestion in order to protect the native land base from unscrupulous colonists who might be prone to take advantage of Mohegan leaders by plying them with liquor and obtaining deeds for little or no consideration. It provided that no future conveyance could be made without the consent of Mason, to whom the Mohegan looked as its guardian. The Colony alleged that the 1659 grant was made in order to facilitate Connecticut's application for a royal charter by overcoming certain objections to the 1640

grant. In 1660, Mason, without consulting the Mohegan, surrendered his jurisdictional power as trustee over its lands to the General Court (again presumably to facilitate negotiations for a charter), reserving sufficient agricultural lands for the Mohegan as well as for himself. Whether this deed constituted a conveyance of the lands themselves became another point of controversy (CR 1769, Chrony, 2; Smith 1950, 423).

The 1659 grant to Mason was confirmed by Uncas and his sons in subsequent deeds in 1661 and 1665, the latter of which also provided that Mason and his heirs were entitled to half of the profits and values of Mohegan land and resources. The Colony later considered these grants to be an imposition by Mason on the ignorance of the sachems in leading them to believe that they retained any land rights (CR 1769, Chrony, 2-3; Smith 1950, 423).

In 1662, King Charles II incorporated the Connecticut colonists as "The Governor and Company of the English Colony of Connecticut in New England in America," lodging executive power in a governor and 12 associates and legislative power in a General Assembly. This charter also confirmed to the Governor and Company all of the land in the colony (CR, Chrony, 3).

Despite the 1659 grant, Uncas continued to make further conveyances of Mohegan lands, presumably under Mason's guidance, until Mason decided in 1671 that in view of his advancing age the Mohegan land base might be better secured if he reconveyed to Uncas a 20,000-acre tract between the settlements at Norwich and New London. Because he wanted this portion of the tribal lands to be sequestered so that even the chief sachem could not convey them, the deed of reconveyance provided that this tract, which thereafter became known as the "Sequestered Lands," would remain inalienable (CR 1769; Mason 1671; MT 1984, I:10; MT 1985c, I-B:43). These lands were thus added to two other tracts claimed by the Mohegan: the so-called "hunting grounds," and a parcel of land north of the town of Lyme (Smith 1950, 424).

Although the Colony approved of Mason's role as "procurator" of the Mohegan and let this duty pass to his son Samuel, Connecticut tolerated encroachment on the sequestered lands following the death of the elder Mason in 1672. Uncas petitioned the General Court to settle and record boundaries, but the legislature required that the Mohegan leaders sign a League of Amity with the Colony in 1681 before it would order a survey (Smith 1950, 424). This pact, whereby the Mohegan pledged loyalty and military support to the Colony, included provisions which confirmed all previous conveyances, resigned the remaining Mohegan lands to Connecticut, and empowered the General Court to dispose of them at its own discretion, as long as the chief sachem received "reasonable Satisfaction" for the property (Uncas 1867-69). Uncas died in 1684 and his son Owaneco, who succeeded him as chief sachem, deeded his right to the sequestered lands to the Mohegan group itself (CR 1769, 28; Chrony, 5; Williams 1972, 25).

The Colony then proceeded to make generous grants of Mohegan land to both towns and individuals. The town of Lyme, for example, received a nine-by-two mile tract in 1685, and the town of Colchester was allowed to annex all of the Mohegan hunting grounds in 1699. The granting of the sequestered tract itself to New London in 1704 left the Mohegan technically without a legal land base as far as the Colony was concerned. This systematic dispossession of land was complicated by the actions of Owaneco. In 1692 he petitioned the General Assembly to convey his father's land rights to him and his son

Mahomet I, to be disposed of only with the consent of guardian Samuel Mason. It is not known what, if any, action was taken on this request, except that the Assembly did order immediately that Mahomet I ought to be the next rightful sachem in the event of Owaneco's death. Owaneco then proceeded, over the next 13 years, to make a dozen spurious grants to various towns and individuals, only two of which were approved by the Mohegan (CR 1769, Chrony, 6, 7, 10).

PROTRACTED LITIGATION & THE DECLINE OF THE SACHEMSHIP, 1703-1769

The most documented aspect of Mohegan existence during the 18th Century is the series of land suits that were litigated both in the colony and in England between 1705 and 1773. For the purposes of this report, this legal battle is important not only because it demonstrated exterior recognition of the Mohegan as a legal and sovereign entity, but also because of its dynamic social and political ramifications within the tribal community itself.

The irregularities and disputed claims involving Mohegan lands, which are much too complex and confusing to relate in detail here, prompted Owaneco to petition the Queen in Council in 1703, complaining that Connecticut had deprived the Mohegan of lands reserved to it by treaty (Smith 1950, 424-25). The next year, he requested his "Loving Neighbor" Nicholas Hallam to go to England and petition the Queen for an investigation (MT 1985c, I-B:13; Oanhokoe 1704). Hallam alleged that the unlawful confiscation of lands by the Colony had so angered the Mohegans that they were on the verge of joining the Maine Indians who were then harrassing the Massachusetts border. Moved by the spectre of another Indian war, the Privy Council in 1705 ordered a commission under Massachusetts Governor Joseph Dudley to examine whether or not the Colony had violated native property rights (Taylor 1979, 201; Smith 1950, 425).

The claims against Connecticut were brought forward by members of the Mason family and their partisans, who asserted that the Mohegans still held legal rights to a 120-square mile tract. The Colony, in its defense, argued that the Masons were just looking out for their own vested interests and maintained that by his 1660 deed John Mason had conveyed to Connecticut all Mohegan lands granted him by Uncas in 1659. The Masons held that only jurisdictional rights and not property rights were conveyed by this deed. The Dudley Commission, in 1705, found for the Mohegan (and the Masons), ordering the restoration of the lands in question and, at Owaneco's request, confirming John Mason as its trustee and guardian (Taylor 1969, 202; Wood 1923, 444; CR 1769, Chrony, 8-9; Bowen 1882). This John Mason was the son-in-law of Samuel Mason. Samuel Mason had succeeded his father John Mason, the former deputy governor and military commander, as the Mohegan guardian.

Connecticut refused to abide by this decision, maintaining that the unjustified Dudley Commission did not constitute a proper court. Its agent in England succeeded in blocking confirmation of the decree by obtaining a right of appeal to a Crown-appointed Commission of Review, which neglected to take any further action until 1738 (Taylor 1979, 202; Wood 1923, 444; Bowen 1882; CR 1769, Chrony, 10). In the meantime, the Colony tried to strengthen its case against the Masons, who continued to press the claim, by manipulating the internal political structure of the Mohegan.

It was during the sachemship of Caesar, who succeeded his father Owaneco in 1715, that the Colony began to tighten its control over the Mohegan. In 1719, after receiving an inspection report it had ordered on Mohegan lands, the General Assembly appointed a special committee to serve as guardians of the tribal lands, and authorized its members to grant leases in their own names to "suitable persons." This same act also ordered the committee to select a minister to settle among the Mohegan for the purpose of converting and "civilizing" these Indians (CT General Assembly c.1719; MT 1985c, I-B:10, 12). Two years later, in 1721, the legislature defied the Dudley decision by upholding the legality of numerous prior grants of Mohegan lands to both towns and individuals (CR 1769, Chrony, 11).

Following the death of Caesar in 1723, succession to the chief sachemship was continually disputed by tribal factions until 1769, when this leadership role was abandoned by the Mohegan. It was during this period that the influence of colonial politics on tribal politics became most apparent. In the 1723 selection, Ben Uncas I, a son of Uncas who supported and was endorsed by the Colony, was chosen over the much younger Mahomet II, a grandson of Owaneco who was aligned with the Masons in the claims case. When Ben Uncas I died three years later, his son Ben Uncas II, with the backing again of Connecticut officials, was selected over Mahomet II, who was supported, allegedly, by the "greater Part of the Moheagan Tribe" (CR 1769, Chrony, 13).

In 1736, John Mason, who had been acting as a guardian and schoolteacher to the Mohegan, took Mahomet II with him to England to challenge the lawfulness of Connecticut's claims to tribal lands. Although both men died while abroad, they succeeded in getting the Board of Trade to name a new commission to review the claims (CR 1769, Chrony, 13; Taylor 1979, 202).

Much of the hearing by the Commissioners of Review, which began in May, 1738, was preoccupied with the issue of who was the rightful chief sachem. The majority of the Mohegans had formally renounced Ben Uncas II as their chief sachem at a general meeting held in September, 1736. When tribal members asked for protection of the Colony against the potential invasion of hostile Indians in 1737, they were told that as a condition for such aid they must agree to acknowledge Ben Uncas II as their chief sachem. They did so in August, 1737, although at least one witness thought they did not understand what they were signing (CR 1769, Chrony, 13-14; Wood 1923, 450). After Ben Uncas II and as many as 17 other tribal members signed quitclaims recognizing Connecticut's right to the disputed lands and denying that Mahomet II was a sachem (Talcott 1896, 40-45, 485-489), a large number of Mohegans signed a statement in March, 1738, repudiating their earlier acknowledgment of Ben Uncas II (CR 1769, Chrony, 14; Wood 1923, 450).

Later that year, John Uncas, a grandson of the original Uncas, and 55 other Mohegan men petitioned King George directly to appoint one of the Masons as their guardian and thereby relieve them "from the Tyranny of Connecticut Government." This petition declared Ben Uncas II an imposter "set up" by colonial officials and bribed to give them quitclaims (Talcott 1896, 159-163).

Legal counsel for what might be called the pro-Mason faction declared in the claims hearing that John Uncas was "chief sachim [sic] if any there was," but that for some time the majority of the Mohegans had determined not to have a sachem. They argued that the Mohegans had for many years been dissatisfied

with their sachems, who had repeatedly betrayed tribal interests to the Colony, and that there had been several long intervals during which no chief sachem functioned as such (Wood 1923, 447). While dissatisfaction with the sachem is also apparent from other sources, there is not enough corroborative information available to judge whether or not the chief sachem ever failed to fulfill his role.

The Commissioners of Review denied the right of the Masons and the John Uncas faction or its legal counsel to testify or have motions published in the proceedings, including one which requested that those tribal members present be allowed to declare whether or not there was a chief sachem. Swayed by the quitclaims signed by Ben Uncas II, they overturned the decision of the Dudley Commission, without ever citing what its judgment had been, and declared Ben Uncas II to be the true chief sachem (CR 1769, Chrony, 14-15; Taylor 1979, 202).

The irregularities in this hearing prompted the Privy Council to rule it invalid and to order another commission to review the claim in 1743. This hearing again overturned the Dudley judgment and held valid the questionable deed, not recorded until 1736, whereby Uncas allegedly conveyed all Mohegan lands to the Colony in 1640. It concluded further that the lands conveyed by Uncas to Mason in 1659 belonged to Connecticut, interpreting that Mason received the deed in his official role as deputy governor and not as an individual grantee or trustee, and that, furthermore, right to all Mohegan lands was vested in the Colony by the King's 1662 charter (CR 1769, Chrony, 15; Taylor 1979, 203).

Protracted efforts on the part of the Masons to obtain a reversal, appeals which were in fact financed by the English Crown itself, proved fruitless. Had it not been for the American Revolution, the claim might have been continued into the 19th Century, but the Masons made no further appeals after the English government affirmed the 1743 judgment on January 15, 1773 (Wood 1923, 451-52; Bowen 1882; Munro 1912; Smith 1950, 437-442).

Despite these decisions and the fact that most of the disputed lands had long since been settled firmly by Anglo-Americans, the Mohegans were never deprived of all their lands. By an act of May 11, 1721, the General Assembly had secured to them, out of the "sequestered lands" previously granted New London, approximately 4,700 acres in the north part of that township for planting purposes, of which only 100 acres were reportedly under crops in 1736 (CR 1769, Chrony 21; Taylor 1979, 202; Smith 1950, 429). The Mohegan as a group and some of its individual members continue to hold title to small parcels of this historic land base.

The tribal quarrel between the Ben and John Uncas factions over the chief sachemship became so intense that it divided the rival supporters into separate villages. The village on Uncas Hill which eventually became known as Mohegan was called "Ben's Town," in distinction from "John's Town," which was about a half mile south of it, both lying on the east side of the road that ran from New London to Norwich (Love 1899, 22).

Early efforts by Puritan missionaries to educate and convert Mohegans, begun in the early 1660's by William Thompson and continued by James Fitch in the early 1670's, met with little success. The Boston-based commissioners of the Society for the Propagation of the Gospel in New England (commonly known as

the New England Company), which sponsored these missions, complained in 1705 that the Mohegan remained "Obstinate in their Paganism" (Szasz 1988, 107, 179, 184). The nominal success of renewed Christianization and schooling efforts, visited upon the Mohegan community in the early 1720's, was symbolized by Jonathan Barber's conversion of chief sachem Ben Uncas II in 1736 (Love 1899, 23-24; Szasz 1988, 187). The acceptance of Christianity by most of the Mohegan in the 1740's, during the so-called "Great Awakening," came late by New England standards. The Wampanoag of Massachusetts, for example, had been converted some 75 years earlier (Simmons 1986, 259).

John Mason, chosen by the chief sachem and his council to serve as tribal guardian, was granted permission by the General Assembly and the New England Company in 1723 to establish a Christian school among the Mohegan. A modest structure was built by the Colony and the Mohegan-Pequot-Niantic school was in session by the end of 1726. However, Mason's work became entangled in the animosities generated by the land claims and the mission had to be abandoned in 1738. The chief sachem's son, Ben Uncas III, having gained benefit of a basic Christian education from Eliphalet Adams in New London, then became the schoolmaster at Mohegan and served until 1749, when he succeeded to the chief sachemship. The most successful product of the missionary effort and the most renowned Mohegan of this era, Samson Occom, was ordained as a Presbyterian minister in 1759. As a 19-year-old youth, he had been named by Ben Uncas II in 1742 to serve on the sachem's council of 12 (Love 1899, 23-24, 27, 29-31; Szasz 1988, 186-87, 196-98; these are the earliest found references to a sachem's council, which evidently varied in size over the years).

Ben Uncas II died in early 1749, having three years earlier drawn up a will declaring Ben Uncas III to be his successor (B. Uncas II 1745). Because of the John Uncas faction's opposition to this succession, a number of months passed before Ben Uncas III was selected and confirmed. When "about 7 or 8 of the Chiefs or heads of the Tribe" expressed to the colonial guardians their anxiety about not having a chief sachem, they were told that the matter "did not pertain to [the guardians] Either to Consent or dissent in the affair" (Lynde & Richards 1914). Governor Jonathan Law was also advised to leave the Mohegans "to their free choise" (Wadsworth 1914). After several meetings, a group of 40 Mohegan men (none of whom had the surname Uncas) signed a document in June declaring Ben Uncas III to be their selection (Moyauhegunnehcag Indians 1749). Nearly a year later, the new chief sachem petitioned the General Assembly to approve his selection and that of the seven men he had chosen for his council (expanded from the four councilors utilized by his father; see MT 1743), explaining that succession was "Elective within the Family," and that the Mohegan had convened in accordance with "ancient Custom and Usage," and had duly elected him by a "great Majority" (B. Uncas III 1750).

By 1754, the General Assembly had begun to use the term "overseer" rather than "guardian" to refer to the Colony's Indian agents. The significance of this change in terminology, if any, is not known. The duties of the overseers, as briefly described in that year, were "to assist the sachem of the said Indians in leasing out their lands, and to have charge and oversight of the Mohegan affairs" (Hoadly 1877, 282). The documentary record is not sufficient to determine the extent to which the overseers may have been involved in the internal affairs of the tribal group.

The Mohegans became even more dissatisfied with the chief sachemship during the tenure of Ben Uncas III. In a 1758 petition to the Governor and Assembly urging the replacement of one of the overseers, seven Mohegan signers noted that "as there is division subsisting amongst us, numbers have no regard to the Sachem and his Council but does what is right in their own eyes" (MT 1758).

By the time of Ben Uncas III's death in 1769, Samson Occom had become a leader of a majority faction opposed to both the chief sachem and the Colony (Hillhouse 1769; Love 1899, 123). The dynamic and popular preacher had been aligned previously with the minority Ben Uncas pro-Colony faction (having lately served on the original council of Ben Uncas III, see B. Uncas III 1750). Recently returned from a successful and widely-publicized trip to raise funds in England and Scotland for Indian missions (monies that were eventually used to establish Dartmouth College), he had gained even more influence among his own people (Love 1899, 136-52). Occom and many other Mohegans had grown to resent the "meddlesomeness" of colonial officials in tribal affairs and felt that the overseers were manipulating the chief sachem for their own ends (Love 1899, 123). Just prior to the death of Ben Uncas III, Occom had petitioned the King of England to bring the Mohegans under "his more immediate protection" and remove them from direct control of the Colony if the Indians were successful in reclaiming lands under the pending suit (Fabcock 1921, 179).

CONTINUED FACTIONALISM & THE DISTRIBUTION OF LANDS, 1770-1800

A special committee appointed by the General Assembly to visit the Mohegan just after the death of Ben Uncas III in 1769 and ascertain the desires of its members regarding the sachemship and a proposal to allot tribal lands to individual members, found that the John Uncas faction wished to postpone discussion of both issues until after the land claim was resolved in England. While the Ben Uncas faction thought that the chief sachemship should be passed on to the late sachem's eldest son Isaiah, this faction was likewise not inclined to discuss the distribution of lands (Saltonstall et al. 1769; Gersth et al. 1769; Hoadly 1885, 187-189). The Colony, in light of the pending claims, also had a vested interest in Isaiah's candidacy and provided Isaiah and his attendants with cash payments (Anonymous 1769), but found its position weakened further by his death in 1770 (Barber 1836, 337; Love 1899, 204). By 1774, the year after the land claims were settled, it became obvious to Connecticut officials that the Mohegan had abandoned the role of chief sachem by declining to name a successor. In that year, the General Assembly empowered the Indian's overseers to distribute lease payments and make land assignments to individual tribal members (Hoadly 1887, 350-51), duties which had previously been the prerogative of the chief sachem, after an investigative committee found that "farr the greater part [of the Mohegan] Declare against a Sachem" (Hamlin et al. 1774, 3).

This action was taken by the Colony in response to two petitions submitted to the General Assembly in 1774 by the Ben Uncas faction complaining of both internal and external "difficulties and disputes" which had arisen since the death of Ben Uncas III (MT 1774; Johnson et al. 1774). One of these petitions blamed these problems specifically on Samson Occom and his followers, stating that they were determined to seize control of Mohegan

lands in spite of the Colony's intentions, and that they had "laid aside there old Counsellors and pay no attention to them" (Johnson et al. 1774). At least four of the six signers of this petition, including Zachary Johnson, Simon Choychoy, John Tantaquidgeon (a brother-in-law to Occom), and Moses Mazzeen had previously served as members of the sachem's council (B. Uncas III 1750). Despite this evidence of continued factionalism, a petition submitted two years earlier requesting that certain debts of the late chief sachem be paid out of tribal rents had been signed by representatives from both camps, including John Uncas, Samson Occom, John Tantaquidgeon, and Moses Mazzeen (MT 1772).

From his base at Mohegan, Samson Occom served as a missionary to all of the tribal groups in southern New England. His experiences convinced him that the Indians could never accept or practice true Christianity nor advance greatly until they were isolated from whites and compelled to become self-supporting farmers. Having protested for years that they had become too democratic to live under traditional tribal rule by an hereditary elite, he decided to form a new group of Christian Indians under a democratic government patterned after that of the Connecticut townships. Because he envisioned that the members of this new group would live as brothers, he named his Indian utopia Brothertown (eventually shortened to Brotherton). A plan to request suitable land from the Oneida in New York was launched at a meeting at Mohegan in March 1773, attended by men, women, and children from several tribal groups (Love 1899, 122, 204, 209-10).

The concept of a new homeland for the New England Algonquian among the Iroquois probably originated with Occom's mentor, the Rev. Eleazer Wheelock. Much of the early work of organizing this new tribal community was carried out by Occom's son-in-law, Joseph Johnson II, who had also been a student of Wheelock's and had taught briefly among the Oneida. Johnson was a nephew of Zachary Johnson and the son of another of the councilors of Ben Uncas III (Szasz 1988, 247-48, 252; Love 1899, 209-10, 349; B. Uncas III 1750). His stirring speech convinced the Oneida to adopt the Brothertown group and grant them a ten-square mile tract of land. Although the first emigration began in 1775, the Revolution delayed the establishment of the Brothertown settlement until 1785. Occom remained at Mohegan in an effort to raise more funds for his fledgling community until 1789, when he too moved to New York (Love 1899, 248-49, 253; Peale 1939).

It is not known precisely how many Mohegans emigrated to Brothertown. Several sources state that it was a "considerable number" (e.g., Mooney 1907, 926; Wood 1923, 452). However, of the 53 families listed by W. DeLoss Love in the appendix to his 1899 biography of Occom, only 4 are identified as Mohegan: Brushel, Cohegan, Johnson, and Occom (Love 1899, 335-367). Love also indicates that some of the descendants of Samson Occom (who died at Brothertown in 1792) and Joseph Johnson II (who vanished mysteriously in 1776 after being commissioned by General George Washington as a peace emissary to the Iroquois) either continued or returned to live at Mohegan in the 19th Century (Love 1899, 229, 253, 350, 354). In 1833, when confronted again with white encroachment, what had by then become known as the Brothertons moved with the Stockbridge Indians from New York to Wisconsin (Speck 1928, 212).

There was a significant decline in Mohegan population during the Revolutionary War period. This decline may have been due to emigration to New York, attrition caused by the War, or a combination of these and/or other

factors. At least 26 Mohegan men enlisted in the American army or were recruited to serve on privateer ships during the Revolution (Anonymous n.d.), and at least 17 of them were either killed in battle or otherwise died in service (S. Cocom 1789). While the membership was estimated to be 264 in 1774 (Mooney 1907, 926), only 135 names appear on the tribal census that was prepared for the General Assembly in 1782, of which only 18 were adult males (Baker 1896, 58-62). This is in contrast to the 351 Mohegans that were counted in 1725 (Talbot 1896, 397-99).

The Revolution had little effect on Connecticut government. The General Assembly, which had long since endorsed the Continental Congress, approved the Declaration of Independence in October of 1776 and voted to keep its existing charter and laws. The new State of Connecticut did not adopt a constitution until 1818 (Taylor 1979, 244, 248, 250).

That the Mohegan continued to govern their affairs through some form of council in the years following the abandonment of the chief sachemship is evidenced by several documents either submitted to or generated by the General Assembly during the last quarter of the 18th Century. In 1778, Zachary Johnson petitioned as the "Eldest Counsellor of the Mohegan Tribe," complaining of interlopers and trespassers encroaching on tribal lands (Johnson c. 1775-1783; Johnson et al. 1778; Hoadly 1895, 422-23). In October 1783, he was the single signer of a petition requesting that the Mohegan lands be established as a Connecticut township (MT 1783). The year before he had been described as the "Old Councillor" on a list of Mohegan members sent to the Assembly for the purpose of making a division of tribal lands (Baker 1896, 58). After several non-Indians requested permission in 1784 to build wharves and stores on tribal land along the Thames, the Assembly appointed a committee to negotiate a sale or lease with the Mohegan and required that the settlement be consented to by "the Major Part of said Tribe or their Council" (Labaree 1943, 416).

The minutes of a 1782 meeting of Mohegan "Landholders" (essentially all of the resident male members) indicate that they voted 12-3 in favor of a proportional division of the tribal lands; those opposed being Zachary Johnson, Samson Cocom, and Jonathan Cooper, Jr. (Mohegan Landholders 1782). In response to this vote and the Johnson petitions, the General Assembly passed a resolution in 1783 outlining and clarifying the duties of the government's overseers at Mohegan. This law provided that they were to keep a census of tribal members, lease out tribal lands to the best advantage of, and to tenants acceptable to, the Mohegan, distribute rents or incomes in due proportion among members with special regard to the indigent, keep fair accounts, protect tribal persons and property, control access to tribal lands and resources, and assign to tribal members their proportion of fence, wood, and unoccupied lands "with the Consent of the Major Part of the Male Inhabitants of Lawful Age." The Assembly also directed the overseers to use some of the land proceeds to supply Zachary Johnson "with all the necessities and comforts of Life, since he is old and unable to work and has been ever a fixed Friend to this Colony and State" (Labaree 1943, 155-56).

Zachary Johnson died in 1787 (Love 1899, 349; Baker 1896, 62), the same year in which he again complained to the Assembly of encroachment on Mohegan lands (Johnson 1787). A 1789 tribal petition to the General Assembly lamenting the decline of communal resources and requesting that the Mohegan lands be divided in severalty was signed by Henry Quaquaquid and Robert Ashpo

(Quaquaquid & Ashpo 1789). Quaquaquid had been another of the councilors of Ben Uncas III (B. Uncas III 1750). His mark also appeared as the first signature on petitions in 1790 and 1795 asking permission to sell small parcels of tribal land (Labaree & Fennelly 1951, 202), as well as on one in 1791 praying that the State retain certain laws beneficial to Indians, such as those prohibiting the contracting of legal debts (MT 1795). He was likewise the first signer of a 1799 petition requesting that the allotted property of members who died without issue be inherited by others of their family rather than escheat to the Mohegan. This latter petition was signed by 12 other Mohegan men (again, probably all of the resident males), including Robert Ashpo and Jonathan Occom, a brother of Samson (MT 1799; Love 1899, 354; Baker 1896, 59). Quaquaquid and Ashpo's names were also the first cited on the 1790 land distribution list described below.

In response to the 1789 petition of Quaquaquid and Ashpo, the Connecticut legislature authorized the government's four overseers to make an equitable division of Mohegan lands and improvements among tribal families, again with the consent of the "Major part of the Male Inhabitants of Lawful Age." It also empowered the overseers to make regulations to improve the government and subsistence of the Mohegan, as long as such rules were "agreeable to their Customs and Usages" (Labaree 1948, 37). By January, 1790, the overseers had assigned rights to 29 parcels of land, totaling 2073 acres (CT General Assembly 1790). Approximately 500 additional acres were reserved as tribal land (Holmes 1804, 3). All of this land, which was often referred to as the "Mohegan Reservation" in State and other documents (although it was not legally established as such), was within the northeast part of the township of Montville, which had been carved out of the original New London township and incorporated in 1786 (Barber 1886, 334). An overseer's report later recalled in regard to the land distribution that "the ancient rules and principles" of the Mohegan "were by the overseers adopted and strictly pursued" (Griswold et. al. 1817).

FURTHER POPULATION DECLINE & THE ALLOTMENT OF COMMON LANDS, 1800-1861

The condition of the Mohegan during the first decade of the 19th Century was related by two outside observers: Abiel Holmes and Edward Augustus Kendall. Holmes visited Mohegan in 1803, collecting data that was published the next year by the Massachusetts Historical Society. He observed that the group still held about 2700 acres, on which the State had built a school, that John Cooper was the richest member, and that there were "not more than 80 persons of this tribe remaining" (Holmes 1804, 3). Reflecting the racial views of that era, he added further that despite the progress they had made "in agriculture and other useful knowledge," the Mohegans "were still distinguished by the characteristic indolence, intemperance, and improvidence of Indians" (Holmes 1804, 4).

Kendall visited what he described as the Mohegan "community" in 1807 or 1808 as part of his travels throughout the northern states, and his observations were published in 1809 in the form of a travelogue. He found that there were "sixty-nine souls remaining," consisting "for the most part" of "very aged persons, widows, and fatherless children. The young men go to sea, and die" (Kendall 1809, 301). He noted further that part of the lands were occupied by the Mohegans themselves and part by their tenants, that the rents were

deposited in a "common fund" which was distributed annually among individual members, and that part of the lands had lately been sold in order to finance housing construction and establish a permanent tribal fund (Kendall 1809, 301-302). Of the people themselves, it was his view that they had become "dispirited" and had "rapidly decayed," and that "they have now no Indian practice except that of discussing their affairs in council" (Kendall 1809, 302).

The nature of the continuing political structure of the Mohegan during the early 19th Century is, again, best evidenced by petitions submitted periodically to the Connecticut General Assembly on behalf of the group or its individual members. An 1806 petition announcing that the Mohegans had agreed, "having consulted together," that James Fitch would be "the most eligible person" to replace the late John G. Hillhouse as one of the State's overseers was signed by Robert Ashbow (a.k.a. Ashpo), Andrew Ashbow, and John Cooper as the "Committee for the tribe" (MT 1806). The Assembly appointed Fitch, stating that it did so "according to the Memorial of said tribe by their Committee of Old Men." A few days later, a petition requesting that Lucy Cooper be allowed to sell certain lands was endorsed and approved by these three men as the "Indian Overseers appointed by the Mohegan Tribe" (L. Cooper 1806). John Cooper and Andrew Ashbow also endorsed two 1807 petitions as the "Indian overseers or head men of said tribe" (B. Occom & T. Cooper 1807; Pegee et al. 1807). The signatures of at least one of the three designated Indian overseers had earlier appeared on an 1802 petition (MT 1802), as well as on three that were submitted in 1804 (MT 1804; S. Ashbow et al. 1804; R. Ashbow & T. Cooper 1804).

However, the State's overseers forwarded petitions regarding Mohegan lands on behalf of individual members in 1807, 1808, and 1820, without the approval or endorsement of any group leaders (Joyjoy et al. 1807; Mazzeen 1808; Shantup & Shantup 1808; Tocomewas 1820) and there is no reference to Indian overseers in the legislative documents after 1807.

The General Assembly appointed a committee in 1814 to investigate certain problems at Mohegan; primarily complaints arising from the overseer's management of the leases. The committee found that the land base had shrunk to approximately 2,400 acres, and that there were 52 persons listed in the overseer's records. Although its report makes no direct mention of any group leaders, its presentation of the Mohegan view regarding certain issues implies that at least some, and perhaps several, spokesmen for the group had made these views known, either to the overseer or to the committee directly (Griswold & Shapman 1814).

The Connecticut legislature ordered another committee investigation in 1817 to determine the necessity of any new legislation regarding Mohegan affairs. This committee, comprised of the three State overseers, reported that "we met said tribe at Montville . . . and we find said tribe-although now greatly reduced in numbers have from time immemorial been considered by and among themselves and by other natives a separate and distinct tribe of people-that from time immemorial they have held and preserved certain Rules and Principles by which to determine the identity of said tribe and members thereof" (Griswold et al. 1817).

The committee found further that in the distribution of lands the "rules and principles of the Ancients and Elders of the tribe have uniformly been tenacious," and that these dictates were also "adopted and strictly pursued"

by the State's overseers (Griswold et al. 1817). According to the rules of inheritance, fathers had to be group members, females who married outside the group, even to other Indians were excluded, as were their children, and mothers who were not group members still had to be "one of the pure aborigines" (Mohegan genealogy indicates that these rules have not been followed strictly). The committee found that about 50 persons met these membership and inheritance requirements in 1817, but that approximately 32 individuals who claimed a connection with the group were descendants of females who had mated outside the group and were therefore not eligible to inherit any Mohegan interests (Griswold et al. 1817).

Regarding members in extreme need, the committee noted that the Mohegan general fund had been "sparingly expended" for their solace in accordance with the "language of the Ancients and Elders [which] has been 'Give them something from the general fund out of charity'. . ." (Griswold et al. 1817). On the basis of these findings, the committee concluded that it was not "necessary or expeditious" for the General Assembly to enact "further provisions of law" regarding Mohegan affairs and "the management of their concerns" (Griswold et al. 1817).

In 1819, the General Assembly enacted legislation requiring overseers of the various tribal groups within Connecticut to report and settle their annual accounts with the County Court where the group was located (CT General Assembly 1819). This brought the Mohegan under the jurisdiction of the New London County Court, which was thus empowered to appoint its overseers. Group representatives and individual members thereafter petitioned the Court in the same way that they had previously petitioned the State legislature. An 1822 petition complaining of the actions of the overseer and requesting that the Mohegans be allowed to choose their own agent was signed by 25 men and women, the first signature being that of Benoni Occom, son of the late Samson Occom (MT 1822). A petition submitted the next year described Benoni Occom both as "one of the Headmen and Elders" and as "Our Headman" (B. Occom et al. 1823). This petition, signed by Occom and 10 other men, described as "the rest of the male members of said tribe," expressed the view that the State's guardianship was of a "Parental character alone," and that the Court should consult with the Mohegans prior to appointing overseers (B. Occom et al. 1823).

Some level of dispute within the group is evidenced by two other petitions received by the Court in 1823. The first, submitted in February under the signature of Benoni Occom and 23 other men and women, requested that overseer Nathaniel Bradford be removed and that they be given the "Liberty to Choose our own overseer" (MT 1823a). The second, received in June, supported Bradford and asked that the first petition be denied. This petition was also signed by 24 men and women, the first signature being that of a Samson Occom, whose relationship, if any, to the original Samson could not be determined from the available documentation (MT 1823b). However, it included only four of the names on the first petition, only five of the 25 on the 1822 petition noted above, and none of the 11 "male members" on the other 1823 petition, described above, which had been submitted only a week earlier. There is not enough information available to determine whether this apparent factionalism was based on longstanding differences over membership and/or property rights or other issues. However, it can be concluded from the fact that he continued to sign the overseer's account books (Bradford 1826), that Bradford was not removed from his post.

The Mohegan group was first identified in Federal documents during the 1820's. Reporting to the Secretary of War on his recent tour of Indian settlements, the Reverend Jedidiah Morse wrote in 1822 that the Mohegans were "wasting away, after the manner of other tribes now extinct" (Morse 1822). In his first annual message to Congress in 1829, President Andrew Jackson noted the Mohegan among tribal groups doomed to "weakness and decay" by the advance of white "civilization," and suggested that they should either emigrate beyond the Mississippi or submit to the laws of the State (Jackson 1829, 1021).

In 1831, two group members, Lucy Teecomewas and her daughter Cynthia Hoscott, with the approval of the General Assembly, deeded a parcel of their individually-held land to the "Mohegan Tribe of Indians" for the purpose of constructing a Congregational "chapel or meeting house" (CT General Assembly 1831). This lot was located on the east side of the Norwich-New London turnpike, in Montville township, opposite Fort Hill in what became the village of Mohegan (Baker 1895, 679). Funding for the establishment of what thereafter became known as the "Mohegan Church" was raised by a non-Indian missionary from Norwich named Sarah Huntington, who had earlier established first a Sabbath school and then a day school in the nearby house where Samson Occom once lived, then occupied by his sister, Lucy Tantaquidgeon (Fitch 1906, 3-5; Love 1899, 22, 204-205). Still extant, this church has always had a congregation comprised of both Indians and non-Indians, the former being in the vast minority for many years (DeForest 1851, 487).

The only documented case in which Federal funds were expended specifically to benefit the Mohegan, albeit indirectly, evolved from the establishment of the Mohegan Church. In her vigorous effort to secure monies for her mission, Sarah Huntington requested Government assistance from Secretary of War Lewis Cass in a 1831 letter. With the help of her kinsman, Congressman Jabez W. Huntington of Connecticut, she succeeded in persuading Congress to appropriate \$300 for the construction of a teacher's residence, and to grant an annual allowance for the support of a teacher out of the Indian Civilization Fund. This grant began with an annual appropriation of \$400, but was reduced to \$100, compelling the teacher to resign in 1848 (U. S. Congress 1843, 23-40; Fitch 1906, 5; Hooker 1840, 118-121). It has been speculated that the funding was scaled back because the school served so few Indians (DeForest 1851, 487). Although Congress specifically listed the "Mohegan Indians" among the "associations" receiving such an allowance (U.S. Congress 1834), no evidence has been found to indicate that group leaders played any role in either the receipt or disbursement of these funds (U.S. Congress 1843, 23-40). Neither is it known just when the appropriations were halted.

In the name of the "Mohegan Tribe of Indians," group members petitioned the County Court in 1834 to complain of trespassers who were cutting and selling their wood (MT 1834a), and to report that they were "well satisfied" with John G. Fitch, the State's overseer (MT 1834b). The first petition was signed by 19 men and women, the second by 24, only half of whom had signed the first (there does not appear to be any conformity in the arrangement of signatures or enough other information to determine a significant pattern). The Court evidently passed the trespassing complaint on to the General Assembly, which enacted a law establishing fines for taking wood "from the land of the Mohegan tribe of Indians in the town of Montville" without permission of the overseer (CT General Assembly 1834). Upon receipt of a

petition from Jacob Cooper and other Mohegans in April 1838, the legislature authorized the sale of two tracts of Mohegan land "for the benefit of said tribe" (CT General Assembly 1838).

The Mohegan group and its lands were identified in two historical works of this period. In 1838, John Warner Barber published his history of Connecticut townships, and in 1840, Edward Hooker brought forth his second edition of the memoirs of Sarah Huntington, founder of the Mohegan Church. Barber, in his summary of Montville township, referred to the "Mohegan reservation," which he described as "a tract of land reserved by the state for the maintenance of this tribe of Indians, a remnant of which still remain in this town, on the land of their fathers" (Barber 1838, 335). Several of the letters of Sarah Huntington also serve to identify, locate, and describe the Mohegan; she being the only observer of this era to note that some of its families were "large and increasing" rather than becoming extinct (Barber 1838, 119). While some individual families may have been expanding, this was not true of the overall Mohegan population.

On July 4, 1842, the "Ladies of Norwich" dedicated a monument memorializing Uncas which they had erected at the Mohegan "burial grounds" within that city. A souvenir newspaper published for this occasion noted that the Mohegans continued to own 2,500-3,000 acres within Montville township on which 13 families, comprising between 60-70 individuals still resided. It reported further that two weeks prior to this a "Mohegan Fair," at which the Indian people sold native foods and crafts, was held at the Mohegan Church in order to help defray the recent expense of its repair, enlargement, and remodeling (Uncas Monument 1842).

John W. DeForest, in his definitive history of Connecticut Indians published in 1851, stated that in 1849 the reserved land of the Mohegan consisted of about 2,300 acres, of which 460 were used by group members, 600-700 were woodlands, and approximately 1,140-1,240 were cultivated by non-Indian tenants. He estimated that there were 60 group members on or near the reserved lands and perhaps another 85 that had moved away. While he found that Mohegans occupied 11 of the 18 houses on the reserve, he noted that only 9 of the 40 or so members of the Mohegan Church were Indian (DeForest 1851, 487-88). Formal membership in the church may not reflect accurately the attendance or other involvement of group members at the local church.

DeForest observed that the rents from the leased lands were distributed to group members by the overseer in cash and/or provisions, and that special rations of beef and flour were issued to each member at Thanksgiving and Christmas; events which stimulated the homecoming of some non-resident members (DeForest 1851, 488-89). These observations are corroborated by the extant overseer's account books for the years 1823-24, 1826, 1834-39, 1841, 1845-49, 1851-52, and 1857-58, which also indicate that the overseer kept track of the interests of non-resident group members, including those who joined the Brothertons, and managed other tribal funds used for the care of children and the elderly (John Fitch 1837-1839; 1849; New London County Court 1823-58).

On December 2, 1851, a dozen "members of the Mohegan tribe of Indians" petitioned the New London County Court to remove overseer John G. Fitch and "appoint some suitable man in his place" (MT 1851a). Three days later, a petition bearing the signature of 39 other Mohegans requested the Court to

deny the first petition, which they claimed "was started by evil minded persons not members of said Tribe" (MT 1851b). Again there is not enough information available regarding the facts of this issue to understand the nature of the apparent factionalism. Apparently, however, no action was taken against Fitch.

In 1853, the General Assembly, responding to the petition of Martha Uncas and other Mohegans (whose names are not known to us), authorized the sale of a small tract of tribal land to Dr. Samuel E. Maynard, who served as a physician and surgeon to the Mohegans, so that his residence would be more accessible to group members. The legislative committee investigating the request had recommended that the Assembly "carry into effect the wishes of said tribe" (CT General Assembly 1853). In that same year, the U.S. Commissioner of Indian Affairs, in a report on native populations, listed the Mohegan among those New England tribes, including the Narragansett of Rhode Island and the Indians of Marthas Vineyard, Massachusetts, that had "either become extinct or so reduced in numbers as to be lost sight of by the government in their tribal character" (U.S. House of Representatives 1894, 16).

On June 6, 1859, a special legislative committee conducted a hearing at the Mohegan Church on the expediency of disposing of the Mohegan common lands. The committee later reported that the "chief men among the Mohegans were assembled, and the chief women were not far off" (Norwich Daily Courier 1859). Testimony was taken from about 18 group members, including both men and women, as well as some non-Indians. Henry Matthews, who was described by one of the committee members as "the best man or among the best men in the tribe," stated that he knew "of no one in the tribe who would wish to have the lands sold, except the very contrary" (Norwich Daily Courier 1859). Group member Anson Cooper, in a long and impassioned speech, argued not only for the retention of the common lands but also for the right of the Mohegans to control their own affairs completely. The physician Samuel Maynard, who was by then also serving as the overseer, told the committee that there were then 102 Mohegans, of which 58 (11 families) were resident, that they used 1,000 acres, that the timberland had all been stripped, that about 300-400 acres were not being cultivated, and that the annual rents were distributed on a per capita basis every Christmas. Another individual corrected Maynard's population estimate, stating that there were 60 resident members and 17 families (Norwich Daily Courier 1859).

In 1860, the General Assembly authorized a special commission to make "a new distribution" of the Mohegan lands which would allot most of the common lands to individual group members (CT General Assembly 1860). This action was taken in part because many of the families that shared in the 1790 distribution had become extinct, their individual lands escheating to the tribal group. Finding no documentation of the earlier allotment or any subsequent title records, the commission appointed by the Governor to survey and redistribute the lands was compelled to consult with the Mohegans regarding the history of their occupancy and the genealogy of their member families. After publishing public notices of the redistribution in several newspapers, the commission met with all prospective claimants at the "Mohegan meeting-house." Many of those who came before the commissioners failed to substantiate their claims (Hebard et al. 1861, 3-7). Because the claim of one family to be descendants of Robert Ashbo "was denied by the tribe

generally," the commissioners held a special meeting with family and group representatives to resolve the matter. The conclusion that the family had no claim, they later reported, "was forced upon [them]" by the testimony of Mohegan members (Hebard et al. 1861, 8). The available documentation does not reveal why others may have been rejected.

The commission finally compiled a census of the eligible Mohegans in June 1861 and proceeded to divide and distribute the 2,089 acre tract "among the several members of the Tribe" (Hebard et al. 1861, 9; Anonymous Map 1860-1861). This membership list, which now serves as the primary historic roll for the petitioning group, consisted of 63 residents and 17 non-residents (Hebard et al. 1861, 9-10). The commission's final report, submitted to the General Assembly the following month, also provided much general information about the Mohegans and their affairs. It related, for example, that the Mohegans occupied 14 of the 18 dwellings on their land, that the ration system, which at first made distributions only to full-blooded Mohegans but was eventually extended to mixed-bloods, had been abandoned, and that there had been such "an unwarrantable and reckless waste of wood" that the Mohegans no longer had their own fuel supply (Hebard et al. 1861, 4,6).

The commissioner's report of 1861 noted that through the efforts of General William Williams, who had charge of the Mohegan Church from 1851 to 1868, "money has occasionally been obtained from the General Government, a part of which had been appropriated to the support of the Gospel, and a part to support a school in Mohegan" (Hebard et al. 1861, 4; James Fitch 1906, 3). James W. Fitch, in his brief 1906 history of the church, likewise implied that the Rev. Joseph Hurlburt, who preached there from 1860-1863, had obtained Federal funds for Mohegan. Fitch also stated that it was during Hurlburt's ministry that the first Wigwam Festival was held at the Mohegan Church grounds in September, 1860 (James Fitch 1906, 9). However, a similar kind of Indian fair was held at the church as early as 1842 (Uncas Monument 1842), and other sources have described the 1860 festival as a "revival" of the Wigwam or Green Corn festival (e.g., G. Tantaquidgeon 1981, 8).

The festival, which continued to be held every harvest up until 1927, and sporadically thereafter until 1941, featured the construction of a large wigwam (a traditional shelter made of birch straplings). Within this structure, Mohegans, sometimes adorned in native dress, exhibited and sold their craft goods and served native foods such as succotash (a mixture of beans and corn) and yokeag (pounded, parched corn). The annual event was organized and sponsored by the "Ladies" of the Mohegan Sewing Society of the church, which had also been started in 1860 under the leadership of group member Delania Miller (Schultz c.1935; Rogers 1935a, 1935b, 87), with proceeds going toward the support of the church. Although a Norwich reporter wrote in 1874 that the festival had by then lost "that wild and novel character" which had made it distinctive from other church fairs (Norwich Bulletin 1874), ethnologist Frank Speck concluded in 1909 that the festival represented a "degraded survival" of the Mohegan's traditional Green Corn Dance (Speck 1909, 194). The fact that it took place at the height of the corn season and that corn products played an important part in it, was seen by Speck as clear indications of the early nature of the festival. Although the Sewing Society clearly aimed to attract non-Indians to the event from Norwich, New London, and elsewhere, Speck found that the Mohegans made it "a sort of tribal holiday." "The days of the festival," he wrote, "are merely

the occasion for a general informal gathering of the Indians from far and near . . . " (Speck 1909, 194).

STATE CITIZENSHIP & WITHDRAWAL OF OVERSEERS, 1872-1899

The Mohegan apparently petitioned the General Assembly in 1872 to terminate the State's guardianship (see Kingsbury 1872, the actual petition has not been found). In response to this, the legislature passed an act in July of that year conferring all the privileges of citizenship upon the Mohegans and granting them title, in fee simple, to the individual allotments made in 1861. This action may have also been part of a general re-evaluation of citizenship which many states experienced during and just after the Civil War. Neighboring Massachusetts, for example, had extended citizenship to many of its Indian groups in 1862. The law also provided for a public sale of the remaining tribal lands (with the exception of the church grounds and Fort Shantok cemetery), with a distribution of proceeds to group members, and the gradual elimination within three years of all of the official duties of the State commissioners and overseers representing Mohegan. The stated aim of this legislation - to make the Mohegans "a part of the people of the state . . . entitled to all the rights . . . of natural born citizens" - made it clear that Connecticut had heretofore considered these Indian people to be separate and distinct (CT General Assembly 1872). They were, however, the first of the State's Indian groups to be granted citizenship (CAG 1985, 23).

Documentation of the Mohegan for the quarter century following the 1872 citizenship act is meager. Group leaders did not petition the General Assembly again until 1899, and there is little evidence of group activity during the intervening years, aside from newspaper descriptions of some of the annual Wigwams. However, subsequent historical records offer some clues regarding general developments. There appears to have been a steady increase in the number of group members who sold their allotted lands and moved away from the original land base. The ethnologist Frank G. Speck counted 50 resident and 50 non-resident Mohegan members in 1902 (Prince & Speck 1903, 193). The 1900 Federal census of Montville township counted only 23 Indian residents. However, some Mohegans were not identified as Indians (Bureau of the Census 1900). The only common land the group continued to hold was the Mohegan church grounds and the Fort Shantok cemetery (MT 1984, I:6). The last of the tribal agricultural lands, the 427-acre Fort Hill Farm, was auctioned off in 1874 (J. Hooker 1960).

As the last remaining parcel of tribally-owned property, the Mohegan Church gained symbolic importance. Because of this ownership, its missionary founding, and its continued role as a Mohegan meeting place, the church was viewed as an Indian church, despite the fact that its membership always included non-Indians. Group members came to hold most of the leadership roles in the church, other than the ministry itself, although the formal membership of the church never included more than a small minority of the Mohegans (Fitch 1906, 12-13; Mohegan Congregational Church 1870-1956). Anthropologist William S. Simmons has noted in a study of the history of New England tribes, that the church was "less a cohesive factor at Mohegan" than it was at Narragansett or in the Wampanoag communities at Mashpee and Gay Head (Simmons 1986, 259).

In what the petitioner describes as a "series of interlocking directorates"

between the church, the annual Wigwam, and the group, leaders of one were associated with leaders of another in the leadership of a third (MT 1984, I:137). This analogy to a corporate structure, however, should not obscure the fact that the number of participants in any and all of these institutions was small. The membership of the church probably never exceeded more than 20 adults during this period (17 members were reported in 1906, 6 of whom were "absent;" see Fitch 1906, 11), and not all of these were Mohegan. Furthermore, while some individuals, such as Emma F. Baker, were leaders in all three institutions, not all church leaders were group leaders, and vice versa. Lemuel M. Fielding, for example, who was consistently identified as a group leader, if not the group leader, between 1896 and 1928, was not a member of the Mohegan Church (Mohegan Congregational Church 1870-1956, 110; Norwich Bulletin n.d.).

In 1896, Fielding, "in behalf of his tribe," accepted an invitation to participate in festivities in New London surrounding the dedication of a monument honoring John Winthrop, Jr., the town's founder. At least 22 Mohegan men, some dressed in native attire handed down from their ancestors, took part in the ceremonies and parade. Among them was Lemuel's father, Eliphalet Fielding, a group elder and leader of the Mohegan Church choir for nearly 40 years (see Fitch 1906, 12). The elder Fielding was described as having been present at the dedication of the Uncas monument in Norwich in 1833 and as having been a guest of that town's bicentennial in 1859. "No occasion in modern times has witnessed [the Mohegan's] presence in a body in New London," wrote a local reporter, "and . . . it is doubtful if a company could again be gathered" (New London County Historical Society 1897, 306, 321).

In May of 1897, at what was described as a "regular meeting of the Mohegan Tribe of Indians," Emma F. Baker was elected president of an organization known as the Mohegan Indian League (MT 1899; League of Descendants of the Mohegan Indians c.1897). This organization was formed apparently for the purpose of pursuing certain tribal claims and had been collecting funds from group members for attorney's fees since at least January of 1897 (Babbitt 1899). Emma Baker also headed the Mohegan Sewing Society at that time (Schultz c.1935) and was described by Fitch in 1906 as "long the presiding spirit in the church" (James Fitch 1906, 12).

A hand-written notice signed by A[delaide]. V. Babbitt as "Secretary Per Order of the Council" on June 8, 1897, stated that there would be a League meeting at the Mohegan Church on June 14 to discuss a matter of importance, and related that the "Attorney's have begun on the case" (Babbitt 1897). Sometime prior to 1899, a suit was filed in the Superior Court of New London County on behalf of the Mohegan against an individual property owner and the city and township of Norwich to quiet title to a 16-acre tract in Norwich, which included grounds where Uncas and other Mohegans were buried, and to recover \$1,000,000 in damages. In January or February, 1899, a petition was submitted to the Connecticut General Assembly on behalf of the "Mohegan tribe" requesting the right to file suit against the State, to waive the statute of limitations, and to maintain the suit then pending before the New London County Court. This petition was signed by Baker and Babbitt and seven other group members, (Anonymous 1899). One of the signers was Lemuel M. Fielding, who was described in a 1902 article as "the present leader for the Mohegan tribe" (Norwich Bulletin 1902). It was reported in an undated newspaper article that when the judiciary committee took up

consideration of the petition, six Mohegans made an appearance with their attorney, Francis W. Morrison of Worcester, Massachusetts, who specialized in Indian claims (Anonymous 1899).

On May 8, 1899, what was again described as "a regular meeting of the Mohegan Tribe," was held in Norwich. A resolution was passed authorizing Baker to execute a power of attorney with Morrison to pursue Mohegan interests (as Brotherton descendants) in the U.S. Court of Claim's recent \$1.9 million award to New York Indians. This judgment granted compensation for Kansas lands set apart by the 1838 Treaty of Buffalo Creek (MT 1899; Tonner 1899). The Mohegan resolution was signed by Baker and Babbitt in their capacity as League officers, and by three other group members, two of whom (including Lemuel Fielding) had also signed the earlier petition to the legislature (MT 1899.). A contract was signed with Morrison on June 8, 1899, and was submitted subsequently to the U.S. Secretary of the Interior for approval. On July 10, the Commissioner of Indian Affairs, William A. Jones, replied to Morrison that the Secretary lacked authority to approve such a contract since it was presumed that the Mohegans were citizens of the United States, subject to the laws of Connecticut, and "entitled to the rights and privileges of such citizenship" (Jones 1899). In other words, since they were not considered wards of the Government, as were non-citizen Indians, they could employ counsel without Federal sanction.

NEW CLAIMS & NEW ORGANIZATIONS, 1900-1929

On May 19, 1900, a bill was introduced in the U.S. Congress, probably at the urging of attorney Morrison, to create a commission to investigate the status of claims made by the Mohegan and other New England Indians (U.S. Congress 1900; Kane 1900). In September of that year, a hearing on the bill was conducted by a Senate subcommittee in New York City, at which Lemuel M. Fielding of Norwich represented "the Mohegan Council" (Norwich Bulletin 1900; New York Times 1900). Another group leader, Julian L. M. Harris, later recalled that a Mohegan delegation also made a trip to Washington that year, dressed "in their ancestral costumes," but that their efforts proved to be "futile" (Kelly 1928).

Congress took no further action on this legislative proposal, the Mohegan petition to sue Connecticut was evidently denied by the General Assembly, and the suit before the Superior Court of New London County was prolonged for many years before being either denied or dismissed. On October 22, 1903, Commissioner of Indian Affairs William A. Jones wrote Adelaide Babbitt, in response to her letter of May 12 on behalf of the Mohegan Indian League, that none of the Mohegans were entitled to participate in the New York Indian judgment award as Brotherton descendants, since only those who continued to be affiliated with the Brotherton tribe at the time of the 1838 treaty could be considered Brotherton beneficiaries. He advised "that no further money should be paid out on account of this claim by your association" (Jones 1903). In 1906, Guion Miller, Special Agent for the Office of Indian Affairs, reported that approximately 80 Brotherton award applicants were rejected because they were found to be Mohegans (Miller 1906). Appeals were made on behalf of the rejected claimants (Robeson et al. 1905), and as late as 1920, group member Elmer Fielding told a Hartford reporter that the Mohegans did not want to focus on the Norwich burial ground suit "until we were sure of securing the New York Claim" (Fielding 1920).

Ethnologist Frank G. Speck began his anthropological inquiries among the Mohegan around 1900, while still an undergraduate student at Columbia University (Simmons 1985, 155). In an introduction to a 1903 article, he wrote that "a most interesting survival of the old tribal government is still to be found in the existence of the chief and his advisory council of three." He further described the chieftaincy as a "life office . . . largely nominal as far as authority goes," the primary duty of which was "to preside over the council meetings which deal with internal matters or with affairs relating to other eastern Indian remnants." He identified the then current Mohegan chief as Henry Matthews, a "venerable man" who was also the deacon of the Mohegan Church (Prince & Speck 1903, 195; Fitch 1906, 13). Speck related further that the group's council met occasionally in the Mohegan Church with representatives of the Montauk and Shinnecock of Long Island and the Narragansett of Rhode Island, and that they had been negotiating for a share of the New York Indian claims award (Prince & Speck 1903, 195-96). He later wrote, in a 1909 article, that the Mohegan council was "elected by the people for a term" (Speck 1909, 193). The petition asserts that since 1900, the Mohegans have always had "a Chief and council" (MT 1985c, I-B:114).

Speck reported in 1903 that a "colony" of some 50 Mohegans still resided in the village of Mohegan, and that an additional 50 group members lived in adjacent towns, from which "they only visit their people occasionally" (Prince & Speck 1903, 193). Regarding the survival of Mohegan culture and language, he noted in 1909 that while some Indian craftwork was still carried on and some memorates, legends, myths, and folktales were still remembered, knowledge of native customs was "lamentably meager," there were few remaining vestiges of traditional material culture, and that the last individual to retain knowledge of the Mohegan-Pequot language, Fidelia Fielding, had died the previous year (Speck 1909, 183-204). Her diary, published by Speck in 1928, constitutes one of the very few pieces of Indian autobiographical writing in New England, and demonstrates the extent to which traditional Mohegan concepts had persisted among her generation. Unfortunately, as anthropologist William S. Simmons has noted, much of that tradition died with her (Simmons 1986, 82, 273).

Based on Speck's earlier research, ethnologist James Mooney of the Smithsonian Institution's Bureau of American Ethnology, in his summary of Mohegan history published in the 1907 Handbook of American Indians North of Mexico, wrote that a tribal remnant continued to reside at Mohegan, "but are now reduced to about 100 individuals of mixed blood." He noted further that "they still keep up a September festival" (Mooney 1907, 926).

In 1907, William F. Cody (Buffalo Bill) visited the Uncas gravesite in Norwich with an entourage of Plains Indians on horseback and "in full regalia." The spectacular display of early pan-Indian dress on this occasion created a stir among the Mohegans and other local Indians, and may have inspired the adoption of stereotypic "Indian dress" for subsequent meetings and ceremonial events (Simmons 1986, 34; Conkey et al. 1978, 185).

Frank Speck made many friends among the Mohegans and continued to visit them periodically. He reported that in 1920 the "leading members" formed the Mohegan Indian Association "to preserve the integrity of the tribe and to effect certain aims along social and legal lines." The officers of this new organization, which eventually "enrolled" 122 members (Gilbert 1948, 410),

were Lemuel M. Fielding, chief, Everett M. Fielding, assistant chief, Albert E. Fielding, treasurer, Gladys Tantaquidgeon, secretary, and four councilors: Julian Harris, Edith Gray, Mary V. Morgan, and Hattie Morgan [Gray] (Speck 1928, 213). Some of these individuals lived outside of the base village area. Most of the Association's officers were Fielding descendants and a few were from the Storey line. However, the other primary Mohegan family, the Bakers, were not represented. The secretary, Gladys Tantaquidgeon was then an anthropology student at the University of Pennsylvania. With the encouragement of Speck, who was then a junior faculty member there, she had become the first American Indian woman ever to enroll at the Philadelphia school (Philadelphia Public Ledger c. 1920-1925).

The formation of this new association may have been stimulated by the so-called pan-Indian movement which was then much in evidence. In New England, as elsewhere, this phenomenon led Indian descendants to renew their interest and activity in tribal culture, to reorganize their own tribal groups, and to create new organizations which sought to link Indians of various tribal origins through mutual activities such as "powwows" (Hertzberg 1971, viii, 299-301). In 1923, some Mohegans became affiliated with the Algonquin Indian Council of New England, which had been organized in December of that year in Providence, Rhode Island. A Narragansett, Alfred C.A. Perry, served as the "Chief Sachem" of the council, and three Mohegans were also officers. Lemuel M. Fielding and Julian A. Harris were among the 12 "Tribal Chiefs," and Gladys Tantaquidgeon was the secretary (Bicknell 1924; Algonquin Indian Council of New England c.1925). Tantaquidgeon later reported that old animosities between the group representatives caused nearly all to drop out after the first year. She did not explain the nature or origin of this antipathy. Although the organization survived with a following of both non-Indians and Indian descendants, it never functioned as a council of New England Indians (G. Tantaquidgeon 1934).

Perhaps in the spirit of pan-Indianism, the Mohegans, under the leadership of Lemuel Fielding, who became known as "Chief Occom," and Gladys Tantaquidgeon ("Princess Red Wing"), assumed a more active and visible ceremonial role during this period: hosting a powwow in 1917, in cooperation with the Norwich Chamber of Commerce, for an auto caravan that stopped at Mohegan as part of the dedication ceremonies for the "Mohegan Trail" highway (Branche 1917; Peale 1930, 27-28); dressing up in full regalia for an Indian-theme movie filmed at Mohegan in 1920 (Fielding 1920; Fielding 1921); participating in launching ceremonies at the Lake Torpedo and Submarine Corporation in Bridgeport in 1921 (Fielding 1921); riding on a float in the Gloucester, Massachusetts Tricentennial parade in 1923 (Gloucester Daily Times 1923); hosting 400-500 boys, in cooperation with Rotary International, who made a pilgrimage to Fort Shantok from New London in 1925 (Peale 1930, 27-28); highlighting the ceremonies dedicating Fort Shantok as a State Park in 1926 (Peale 1930, 30, how the State acquired the Mohegan burial ground could not be determined from the available documentations); taking part with Narragansetts in the 1927 pageant held at the Norwich fairgrounds in conjunction with the annual Wigwam festival and commemorating the 1643 Battle of Great Plain between the two native groups; and helping the Boy Scouts dedicate their memorial to Mahomet at the Mohegan burial grounds in Norwich in 1929 (Peale 1930, 43).

Sometime prior to 1928, the Mohegans reorganized again, electing a new chief and council and drawing up articles of incorporation. Chief Occom's son, Everett M. Fielding, was chosen to be chief, Gladys Tantaquidgeon was continued as the secretary, and the council was reduced to two members: incumbents Julian Harris and Edith Gray. An anonymous and undated typed document, similar in form to a press release, found in the Speck papers at the American Philosophical Society, refers to the recent 300th anniversary of the Pilgrim landing at Plymouth and notes that "the Mohegans have chosen this year as the time of their own revival." Regarding the annual Wigwam at the Mohegan Church, it stated further that "this event has kept together the remnants of the tribe even while their numbers have been slowly decreasing," and that "it was at this reunion this fall that the spirit of the Mohegan became finally aroused, while their leaders gathered the families about them, restoring their officers and the modern organization." The document also noted that 35 members had already subscribed to the new articles of incorporation (Anonymous n.d.).

Despite the optimistic tone of this announcement, Julian Harris was quoted in a 1928 newspaper article, in which he was described as "Chief Begee Uncas" and "the leader of the Mohegan Indians," as stating that the annual Wigwam festival would probably not be held that year (Kelly 1928). In 1934, Gladys Tantaquidgeon, who was then employed as a special agent for the Bureau of Indian Affairs, reported to the Commissioner of Indian Affairs, John Collier, that the Wigwam had not been held for "about six years" (G. Tantaquidgeon 1934). A publication describing the 1935 Wigwam noted that the festival "was conducted annually until the last eight years, when the members were too few to attempt such a large undertaking" (Rogers 1935a, 1935b, 93).

CLOSING OF THE WIGWAM & CHURCH, 1930-1950

During the early 1930's, some group members became affiliated with the American Indian Federation, Inc., a pan-Indian organization based in Rhode Island. At its fourth annual powwow, held near Wickford, Rhode Island in 1934, Loretta Schultz served as chair of the Social Committee and Gladys Tantaquidgeon, described as a "Mohegan Princess," was on the program (American Indian Federation, Inc. 1934). This organization was not the same as the American Indian Federation which became the major voice of criticism of Federal Indian policies during the New Deal era (La Potin 1987, 28).

The Mohegan renewed efforts to have their claims resolved in the early 1930's. Edith B. Gray and other members filed suit in 1930 against the State of Connecticut, its attorney general, the city of Norwich, the Masonic Temple, and other parties, seeking again to quiet title to the so-called "Royal Burial Ground" in Norwich. This action before the Superior Court of New London County, which also sought the recovery of \$1 million in damages (Norwich Bulletin 1930; Norwich Record 1930), was eventually dropped for lack of prosecution (New London Day 1941), apparently because the plaintiffs could not continue to employ counsel. At about the same time, group member John E. Hamilton tried to arrange a meeting with the Commissioner of Indian Affairs to discuss the Mohegan land claims. Although Hamilton was not discouraged from coming to Washington, Assistant Commissioner Henry Scattergood advised Hamilton's attorney, Alexander L.W. Begg of New York City, that the Federal Government did not exercise any jurisdiction over Indians in Connecticut (Scattergood 1930). Hamilton later claimed that he

had met with Vice President Charles W. Curtis (Hamilton 1981, 87).

As late as 1931, some Mohegans were trying to find a way to share in the New York Indian judgment award; this time as Stockbridge descendants. Hamilton had Begg inquire of the Office of Indian Affairs regarding the standing of Mohegans in this claim. In response, Commissioner Charles Rhoads wrote Hamilton, who then resided in Bridgeport, that only those of Mohegan descent who may have moved to New York and become and remained Stockbridge members would be considered eligible as beneficiaries (Rhoads 1932).

In what is the only entry in the minister's record book of the Mohegan Church between 1906 and 1943, Pastor Loring D. Chase wrote in October, 1930 that attendance at Sunday services, which had reached as many as 16 the previous winter, had "dropped down again to three or four." He also noted that Sunday school participation had "dropped until only one came" (Mohegan Congregational Church 1870-1956, 89).

In July, 1931, 50 Mohegans and 150 of their guests attended a celebration marking the 100th anniversary of the Mohegan Church. Gladys Tantaquidgeon gave an address on the history of the church and was in general charge of arrangements, while Burrill H. Fielding was responsible for constructing a white birch wigwam in which the anniversary supper was served (New London Day 1931). In that same year, Gladys Tantaquidgeon's father, John, and brother, Harold, built "Tantaquidgeon Lodge" on their family lot near the Mohegan Church. This granite boulder structure became a museum for Mohegan and other Indian artifacts (G. Tantaquidgeon 1947, 22).

At what was described as a "general meeting" of the Mohegan at the Mohegan Church on November 18, 1933, members voted to petition the Missionary Society of Connecticut for the release of trust funds with which to hire legal counsel to investigate their claims. Since 1925, the Society had served as trustee for the fund which had been established in 1871 for the benefit of the Mohegan in accordance with the will of missionary Sarah Huntington. The resolution was signed by four "Officers of [the] Tribal Council of Mohegan Indians," with Julian Harris as chairman, Raymond Harris as secretary, Marion Capwell as treasurer, and Loretta Schultz as assistant treasurer (Officers of Tribal Council of Mohegan Indians 1933).

John Hamilton claimed in 1981 that he was confirmed unanimously as "Grand Sachem" of the Mohegans, a title bestowed on him by his mother in 1924, at a meeting attended by 85-100 members at the Mohegan Church in this same year (1933). He identified the four signers of the Missionary Society petition as other officers, and explained that Julian Harris was merely chairman of the Rules Committee (Hamilton 1981, 14-19). These claims have not been substantiated, and are disputed by other group members.

In December, 1934, Gladys Tantaquidgeon reported to the Commissioner of Indian Affairs that Everett Fielding was the leader of the group (Gladys Tantaquidgeon 1934). In her report to the Commissioner, Tantaquidgeon stated that the chief "does not exercise any authority over the members of the group but acts as the presiding officer at tribal meetings, ceremonies, and public gatherings." Regarding the frequency of tribal meetings, she stated that at least one was held every year, "and if necessary, other meetings are called during the year." "For more than twenty years," she noted further, "the chief has not been a resident of Mohegan and

certain other officers have been absentee Mohegan," and that "a move is being made on the part of certain members of the tribe to have a resident chief" (G. Tantaquidgeon 1934).

A few weeks later, in January, 1935, Tantaquidgeon's brother Harold circulated a letter among members calling for a meeting at the Mohegan church to discuss "the revival of our local tribal organization . . . the possibility of holding the Wigwam festival next August, and the recent developments in connection with the Mohegan Claims etc." "In the past we have been inactive," he noted. "We have existed merely by name. . . ." Among the members suggested by Tantaquidgeon to be officers in the organization were Burrill H. Fielding (a Mohegan resident), chief, Everett M. Fielding and John Tantaquidgeon, second chiefs, and seven councilors, including Everett Fielding, and non-residents Julian Harris, John Hamilton, and Edith Gray (H. Tantaquidgeon 1934). Although this letter is dated 1934, it corresponds in every other way with Edith Gray's minutes of a 1935 meeting cited below.

Harold Tantaquidgeon's meeting, attended by 19 adult members, resulted in the formation of a Mohegan organization known as the Tribal Social Club. The aim of this club was "to do things that need doing," such as building a new stone wall around the church. Burrill H. Fielding, who resided in Mohegan, was elected to serve as president, Gladys Tantaquidgeon as secretary, and Rowland Harris as treasurer. The officers were then given permission to appoint their own committee on affairs. The Mohegan claims were also discussed at this meeting. Edith Gray reported on the status of the pending suit, members were given assurances that the Tribal Social Club would enhance rather than interfere with the work of John Hamilton, their "Representative on Indian Claims," and a collection was taken to help finance Hamilton's research in connection with the suit (Gray 1935).

Although Burrill H. Fielding was president of the Tribal Social Club, the group's petition states that Julian Harris was the primary leader between 1935 and 1937 (MT 1984, I:150). It may be significant that Harris was the first member called upon to address the January meeting (Gray 1935). Unfortunately, there is no further documentation available regarding the Tribal Social Club.

The Wigwam festival was revived successfully in August, 1935, as a way of celebrating the Connecticut tercentenary. Governor Wilbur L. Cross gave a brief address at the event, which was once again sponsored by the Mohegan Sewing Society under the leadership of Phoebe (Mrs. Edwin C.) Fowler (a.k.a. Nettie Fowler). Another participant, former lieutenant governor Ernest E. Rogers of New London, who knew the Mohegans well, noted that the visiting dignitaries were greeted by Burrill H. Fielding (Nettie Fowler's brother), who was called "Chief Fielding" since the death of his brother Lemuel, or Chief Occom, in 1928. Rogers also stated that the white birch wigwam for the celebration had been constructed by Burrill "with but little assistance." The number of group members then resident at Mohegan was estimated by Rogers to be 31, 9 of whom belonged to the Mohegan Church, and 16 of whom were part of the John Tantaquidgeon family (Rogers 1935a, 1935b, 87-88, 93, 95). A newspaper article on the festival noted that "a number of persons with Mohegan Indian blood from the Mohegan community and other places will be on hand to welcome guests" (Norwich Record 1935).

In 1947, Gladys Tantaquidgeon described the 1935 festival as "the last traditional wigwam" (G. Tantaquidgeon 1947). Although "the Ladies of the Mohegan Church" posted flyers announcing another to be held in August 1936 (Ladies of the Mohegan Church 1936), no other evidence was found to indicate that a Wigwam was actually held that year. Neither was documentation of a festival found for the years 1937, 1939, or 1940. However, a 1981 brochure describing the Tantaquidgeon Indian Museum, presumably written by Gladys Tantaquidgeon, stated that the last "Green Corn Festival" was held in August 1938 (Tantaquidgeon Indian Museum 1981). Tantaquidgeon is alleged to have made a similar statement to representatives of the Connecticut Attorney General's office around 1980 (Bishop 1981, 60).

In May of 1936, several Mohegans, including Burrill H. Fielding (a.k.a. "Chief Xautag"), took part in a ceremony at the Mohegan burial ground at Fort Shantok Park dedicating a tablet in memory of Fidelia Fielding, the last Mohegan-Pequot speaker, who died in 1908. This project was sponsored by a local council of the Daughters of Pocahontas, the ladies auxiliary of a secret organization known as the Improved Order of Red Men, which, ironically, did not admit Indians. However, several Mohegans served on its various program committees, including Julian Harris, Loretta Schultz, Gladys Tantaquidgeon, and Courtland Fowler (the grandson of Nettie Fowler) (Norwich Bulletin 1936a; 1936b; La Potin 1987, 67-68). The available documentation does not indicate whether these Mohegans were considered members of the Order.

In June of 1937, an "Indian Night" dinner was held out-of-doors at Tantaquidgeon Lodge. The entertainment included lectures by Gladys Tantaquidgeon, who was then working as a social worker for the Bureau of Indian Affairs in South Dakota, and Ta-de-win, an Indian author and lecturer from Boston. Clam chowder and yokeag were among the foods served, and an admission fee was charged. Whether this was considered a tribal event or merely an activity for the community at large is not known (Tantaquidgeon Lodge 1937).

Julian Harris was interviewed by a Hartford reporter in 1938 at the State Library, where he was conducting research, presumably on the Mohegan claims. He was then described as being the chief of the "Mohegan Descendants Association" and quoted as estimating that there were 200 Mohegan descendants in Connecticut, most of whom were children (the 1930 Federal census enumerated a total of 162 Indians in the state [Gilbert 1948,410]). The article, which is the only source to make reference to a Mohegan Descendants Association, also noted that Harris had grown up in Norwich and was presently an accountant (Norwich Bulletin 1938).

A 1939 membership application submitted to the "Executive Council of the League of the Descendants of the Mohegan Indians of Connecticut," and an undated application form for membership in "The League of the Descendants of the Mohegan Indians," which had to be filed with an "Executive Council," are extant (League of the Descendants of the Mohegan Indians of Connecticut 1897; Sword 1939). There is not enough evidence to indicate that this organization was the same as the "Mohegan Indian League" established in 1897, as the petitioner asserts (MT 1985c, I-B:45), or the "Mohegan Descendants Association" headed allegedly by Harris in 1938. However, in a deposition given in 1981, group member Virginia H. Damon stated that an organization known as the "Council of the Descendants of the Mohegan Indians, Inc.,"

established under the leadership of John Hamilton in 1967, was the successor to the "Council of the League of the Descendants of the Mohegan Indians" (Damon 1981, 136).

What was billed on publicity flyers as the "76th Annual Mohegan Indian Festival & Wigwam" and in the press as the "corn festival" was staged at the Mohegan Church in 1941 (the 1935 event had been called the "75th annual wigwam festival" [Norwich Record 1935]). This festival was sponsored by a pan-Indian organization known as the National American Indian Defense Association (NAIDA), of which Mohegan member John Hamilton, was president. This organization was based in Hartford, where Hamilton was then residing (National American Indian Defense Association 1941; Norwich Record 1941; New London Day 1941b; Hartford Times 1941). It is not known whether this association was related in any way to the National Indian Defense Association that was founded in 1885 as a so-called "friends of the Indian" group opposed to cultural assimilation (La Potin 1987, 121-22).

Although the 1941 festival appears to have been more of an intertribal powwow (with Seneca, Winnebago, Cree and other Indian visitors) than the previous wigwams had been, it did feature a prayer service at the Mohegan Church and engaged the participation of most of the leading Mohegans. In addition to Hamilton, who gave the opening address, this included Edith Gray (as chair of the Festival Committee) and Burrill H. Fielding and Julian Harris (among the 26 members of this committee). Newspaper accounts noted the presence of five Mohegan "chiefs" (Norwich Record 1941; New London Record 1941b; Hartford Times 1941). Another Mohegan member stated later that Harold Tantaquidgeon had also been present (Bishop 1981, 60).

While the Mohegan Sewing Society did not sponsor the 1941 festival, a letter sent earlier that year to its leader, Nettie Fowler, regarding certain bonds held for it by the Norwich Savings Society, gives evidence that the Sewing Society may have continued to exist (Wilkinson 1941). No later references to the Society have been found. Under the leadership of Reverend Arthur G. Haberlus, who served as pastor of the Mohegan Church between October 1941 and August 1943, the congregation reportedly "grew in numbers and in interest" (Mohegan Congregational Church 1870-1956, 91). In 1941, the church clerk reported 8 resident and 5 absentee members, representing 11 families in the parish, and 20 students in the Sunday School (Congregational Christian Church 1941).

In May of 1941, a petition was submitted to the Connecticut General Assembly requesting that the Mohegans be paid for lands in a three-county area taken allegedly from their ancestors without just compensation. This request was signed by 18 Mohegan descendants, including John Hamilton, as their representative. If the legislature chose not to provide compensation, the petition requested the State to waive its sovereign immunity and permit the Mohegan to bring their claim to court (New London Day 1941a).

This petition was denied apparently, for a bill (H.B.100) encompassing a similar request was introduced at the next session of the State legislature in 1943. John Hamilton, described as the "grand sachem of the tribe" and president of the National American Indian Defense Association, was called upon to testify before the Judiciary Committee. A newspaper photograph indicates that group members DeLana Bishop of Boston, and Edith Gray and Rowland Bishop of Groton were also in attendance (Anonymous 1943). After

requesting and receiving a "Bill of Particulars" outlining the basis of the claim (Mohegan Indians 1943), the committee reported the bill unfavorably (CT General Assembly 1943). Yet, Hamilton continued his efforts to gain legislative action on the Mohegan claims until at least 1951 (New London Day 1951).

There is limited evidence that Hamilton may have become the leader of a separate Mohegan group during this period. His cousin, Rowland Bishop, who also became his chief councilor, claimed in a 1981 deposition that he first became involved in a Mohegan-Pequot organization headed by the "Grand Sachem" in 1943. The group with which he claims to have affiliated, referred to only as the "Council" or "Royal Council" in his deposition, was alleged to have consisted of "Councilors who represented tribal family groups in the different New England States and New York," and to have met on a regular basis outside of the Montville township area over the next four decades. Bishop claimed that the Tantaquidgeons and Fowlers were excluded from this group by Hamilton because they were not considered to be true matrilineal Mohegan descendants, but were rather of Narragansett and Montauk stock, and that consequently the group did not meet at the Mohegan Church because it had been taken over by these allegedly non-Mohegan families. According to Bishop, this group was still functioning as an organization in 1981 (under the name of the Confederation of the Mohegan-Pequot American Indian Nation and Affiliated Algonquin Tribes, see below) when he gave his deposition (Bishop 1981, 29-31, 35, 43-58).

Although there is some limited evidence which might be interpreted as complementing Bishop's assertion that there was a separate Hamilton-led group prior to 1967 (such as newspaper references to both Hamilton and Bishop functioning as "grand sachems" during the 1940's and other obscure references to a Mohegan council which was not necessarily linked to the base village area), his claims have not been substantiated.

Gladys Tantaquidgeon wrote an article in 1947, in which she stated that 17 Mohegans served in every branch of the armed services during World War II, including one woman who was an Army nurse. This article included a photograph of Burrill H. Fielding, then aged 83, who was described as carrying the 'honorary title of 'Chief Matagha'' (G. Tantaquidgeon 1947, 5). It also included photos of Tantaquidgeon's father John, who died two years later at age 84 (Anonymous 1949-1979), and of her brother Harold, who was described as a "Lecturer and Instructor in Indian Lore, Arts and Crafts" (G. Tantaquidgeon 1947, 5, 21-22). In an article on Indian basketmakers of southern New England, also published in 1947, local historian Eva L. Butler noted that Harold had revived the art of Mohegan basketmaking in the early 1930's by teaching this craft to Boy Scout groups (Butler 1947, 43). Harold, who had previously served for nine years in the Coast Guard, was among those group members who enlisted in the Army and saw combat throughout World War II. During his absence from Mohegan, the museum at Tantaquidgeon Lodge remained closed (Voight 1965, 56, 86-174).

William Harlan Gilbert, Jr., a Library of Congress scholar, identified the Mohegan as a "distinct tribe" in an article on surviving Indian groups in the East, published in the 1948 Annual Report of the Smithsonian Institution. He also noted that "Some survivals of Indian arts are to be found . . . among the Mohegan . . ." (Gilbert 1948, 410). In a 1949 publication of the State of Connecticut, Irving Rouse, a professor of anthropology at Yale University, stated that a "small group of Mohegans still live at Montville, near

Norwich," in what had been their "tribal territory" (Rouse 1949, 413). In his 1952 survey of North American Indian tribes, ethnologist John R. Swanton of the Smithsonian Institution's Bureau of American Ethnology also noted that "in their old town at Mohegan . . . a remnant of mixed bloods still survives" (Swanton 1952, 30).

For lack of congregants, the Mohegan Church was closed around 1946. A 1956 article in the Hartford Times stated that the building had been abandoned "about 10 years ago" (Curlau 1956), and Courtland Fowler testified in a 1981 deposition that the church had been closed for ten years when he began efforts to restore it in 1956 (G. Tantaquidgeon 1981, 26).

On February 22, 1948, an article appearing in the Bridgeport Herald declared that Rowland Bishop was the new sachem of the Mohegan Indians and was renewing their land claim (Damon 1981, 131). Bishop stated in a 1981 deposition that while Hamilton was in California "he turned over to me the powers of the Grand Sachem while he was absent, according to our constitution" (Bishop 1981, 50). However, Hamilton was reported to be in Connecticut as late as 1951 (New London Day 1951), although there is no reference to his being there between 1951 and 1967 and there was no known Mohegan constitution operative at that time.

RESTORATION & REORGANIZATION, 1951-1970

Following the death in 1952 of Burrill Fielding, who was described in his obituary as "the last surviving chief of the Mohegan Indians" (Norwich Bulletin 1952), his daughter, Loretta Schultz, allegedly told a reporter that the election of a new chief would take place at a group meeting (MT 1984, I-B:155). The petition states that Harold Tantaquidgeon was "chief" of the group between 1952 and 1970 (MT 1985d). According to Virginia Voight's biography of Tantaquidgeon, first published in 1965, Gladys Tantaquidgeon notified her brother that he had been selected by the "Mohegan Tribal Council" to succeed his uncle as chief. At the time, Harold was on maneuvers with the U.S. Army in northern Japan as part of the Korean War effort (Voight 1965, 130). A 1976 article in the Chicago Tribune described Tantaquidgeon as "the last Mohegan chief, an honor that was bestowed upon him while he was a tailgunner in the Pacific during World War II." The article also stated that the "Mohegan Tribal Council" took into consideration the fact that he was a descendant of Uncas (Bello 1976). These are the only sources between 1933 and 1980 that make specific reference to the existence of a "Mohegan Tribal Council."

They are also the only sources to mention Tantaquidgeon's election. A 1957 newspaper article focused on Harold, his sister Gladys, who had returned to Mohegan after retiring from Government service with the Bureau of Indian Affairs and Indian Arts and Crafts Board, and the Mohegan museum which they ran. The article noted that group members looked "to the Tantaquidgeons to preserve their traditions and customs," but does not describe Harold as a chief, stating instead that the "last chief of the tribe was elected in 1937. He was Burrill H. Fielding . . ." (New Haven Register 1957). Fielding was also described as "the last elected Sachem" in a 1961 edition of Connecticut Highways, a bimonthly publication of the State Highway Department, which featured his photograph on the cover (CT Highway Department 1961). In 1970, Courtland Fowler, the current leader of the group, also

identified Fielding as "the last sachem" (Norwich Bulletin 1970), although he later stated that Fielding had often said that Tantaquidgeon should succeed him (MT 1985c, X-B:57).

When asked to recall group leaders prior to 1970 in a 1981 deposition, Gladys Tantaquidgeon identified Lemuel and Burrill Fielding but did not mention her brother (Tantaquidgeon 1981, 29). However, Virginia Damon, who became secretary of the Mohegan council elected in 1980, stated (also in a 1981 deposition) that before Fowler was elected, "People used to look to Harold Tantaquidgeon," and that "he was recognized not only by the Indians but by the white community too" (Damon 1981, 41-2).

In December of 1953, Fowler, who was then living in Norwich, wrote to the Bureau of Indian Affairs regarding claims of the Mohegan, Montauk, and Oneida Indians. In reply, the Chief of the Branch of Land stated that Oneida claims were pending before the Indian Claims Commission, but that the Bureau knew nothing about Mohegan and Montauk claims. After pointing out that the Federal Government had had "little or no supervision" over Connecticut Indians, he advised Fowler to "employ a reputable attorney" if he felt that his ancestors had been deprived of property unjustly (Dwight 1954).

Fowler, who had acquired or inherited 45 acres of the original Mohegan lands, moved back to Mohegan around 1955, built a new house, and became the leader of a project to restore the Mohegan Church (Curlau 1956; Norwich Bulletin 1957), which commenced in April 1956 (Mohegan Congregational Church 1870-1956, 161). A 15-member steering committee was formed, consisting of both Indians and non-Indians, but including Fowler (as president), Gladys Tantaquidgeon (as secretary), and Harold Tantaquidgeon. With the aid of funds which the Congregational Christian Church still held in trust for the Mohegan parish, the building was refurbished extensively and rededicated at Sunday services in November 1957, attended by "an overflow congregation" (Cureau 1956; Norwich Bulletin 1957). Since its restoration, the Mohegan church has again become a gathering place and social and political focal point for the Mohegan group.

Voight's biography of Harold Tantaquidgeon implies that one of first things Tantaquidgeon did upon returning to Mohegan after being discharged from military service in the mid-1950's was to work with Courtland Fowler in planning and holding another Wigwam festival (Voight 1965, 183). Fowler stated in a 1981 deposition, in reference to the Mohegan Church, that after he and Tantaquidgeon built a brush arbor in 1956, "we had a wigwam" (Fowler 1981, 26). Group member Florence Rundell also recalled, in a 1983 deposition, that she attended a summer "pow-wow" during the 1950's, but that this event was held at Fort Shantok Park (Rundell 1983, 15). Faith Davison, another Mohegan member, stated in another 1983 deposition that she attended a "Strawberry Festival" at Fort Shantok in the early 1960's, at which there were also Narragansetts and Eastern Pequots (Davison 1983, 8). No other sources, including the petition narrative, refer to any Mohegan wigwams, homecomings, or pow-wows during the 1950's or 1960's.

Voight describes Harold Tantaquidgeon's activities in opening the museum on a full-time basis and serving as an Indian counselor to 4-H Clubs and the Boy Scouts after his return (Voight 1965, 183-192), but provides no examples of his political leadership. Neither does she make any further reference to a tribal council.

It was estimated in 1957, probably by the Tantaquidgeons, that there were less than 200 group members "spread throughout the United States with some 25 still living in or around the ancestral village" (New Haven Register 1957). In September of that year, anthropologist Ernest L. Schusky, then a doctoral candidate at the University of Chicago, visited Mohegan as part of a brief survey of Eastern Indians and talked at length with Gladys Tantaquidgeon. Schusky noted the Mohegan cemetery at Fort Shantok, the Tantaquidgeon museum, and the fact that only three families remained in the traditional village: the Fowlers, the Fieldings, and the Tantaquidgeons. He observed further that the only organization apparent was the Mohegan Church, which then had a membership of 32 Indians and a number of non-Indians. Schusky concluded his fieldnotes by stating that the Mohegans had held their last fall festival in the 1930's, "but now there is no reason for them to gather so that it appears as a community, at any rate, the Mohegans will disappear" (Schusky 1957).

In 1959, at least 9 group members, including Fowler and Gladys Tantaquidgeon, took part in the Norwich tercentenary celebration, appearing in native attire (MT 1984, I:116). Fowler was profiled in a 1961 article in the Sunday magazine section of the Hartford Courant. It was noted in one of the photo captions that he was "one of about 150 Mohegan Indians still living, about a dozen of them on the old tribal lands near Montville," and that his Indian name was "Little Hatchet." The article also mentioned Fowler's efforts to preserve Mohegan history, his cousins Harold and Gladys Tantaquidgeon and their museum, and the restoration of the Mohegan Church, but made no reference to group activities or leadership (Kenney 1961). Gladys Tantaquidgeon communicated with anthropologist Nancy Lurie in April 1961 regarding the American Indian Chicago Conference, which was held at the University of Chicago in June, under the coordination of anthropologist Sol Tax (G. Tantaquidgeon 1961). There is no evidence that the Mohegans were among the 90 tribal groups that participated in this historic conference, which resulted in the famous statement known as the Declaration of Indian Purpose (Prucha 1984, II:1089).

In 1967, John Hamilton, who had been living in California and elsewhere for a number of years (Damon 1981, 33), emerged among the Mohegans again as the leader of the Council of the Descendants of the Mohegan Indians, Inc. This association was organized at a meeting in the home of Hamilton's niece, Virginia Damon, in August of that year (Damon 1981, 12). One of the main purposes of this organization, which was chartered as a domestic nonstock corporation under Connecticut law, was to again pursue the Mohegan land claims (Hamilton 1968; Council of the Descendants 1967; Damon 1981, 18). It was believed, apparently, that incorporation was necessary in order to file litigation (MT 1985c, I-B:49; Damon 1968). An election of officers took place at a November 25 meeting at the Mohegan Church, attended by approximately 50 people (Damon 1981, 16). Among the officers elected at this meeting, at which bylaws were also adopted, were Hamilton as president, Virginia Damon as secretary, and Loretta Schultz (Burrill Fielding's daughter, who had previously served on the Tribal Council of Mohegan Indians in 1933 and, according to Rowland Bishop, as secretary of Hamilton's alleged prior organization) and Courtland Fowler as two of the six directors (Council of the Descendants 1967). According to a deposition given by Virginia Damon in 1981, the bylaws of this corporation dissolved any previous Mohegan councils (Damon 1981, 9). The reason for this dissolution was not given. Neither is it known whether she was referring to councils based at Mohegan and/or the alleged separate council formed by Hamilton in the 1930's or 1940's.

Rowland Bishop implied in a 1981 deposition that this Council did not replace the Mohegan council alleged by him to have operated outside of the Montville township area, which he claimed to have headed during Hamilton's absence. Bishop, who was not involved initially with the new organization, stated that upon the formation of the Council of the Descendants, Loretta Schultz, who he claimed was secretary of the alleged prior organization, became a director of the new Council. She was then replaced as secretary of the prior organization by her niece, Loretta Fielding Roberge (Bishop 1981, 47-49, 63). However, Roberge also served as secretary for the Council of the Descendants after October 1968, when Damon resigned that position (Council of the Descendants 1968c). As detailed below, Hamilton and Bishop formed yet another organization in 1970, comprised in part of Hamilton supporters who had previously been involved with the Council of the Descendants and those whom Bishop claimed had been active in Hamilton's prior organization, including both Schultz and Roberge (Bishop 1977).

Meetings of the Council of the Descendants were held on a regular basis for a time, at least among the officers and directors, and one of the other directors, Faith Davison, later recalled that they were attended generally by 10-15 members (Davison 1983, 17). Membership dues were collected and contributions were solicited for a legal fund (Council of the Descendants 1968a). A notice for an August 1968 meeting at the Mohegan Church indicated that the Mohegan membership records were "quite outdated" (Damon 1968). Attorney Jerome M. Griner, who later prepared the Mohegan acknowledgment petition, was hired to represent the Council (Damon 1981, 98). He discussed land claims at a September 1968 meeting in Mohegan, at which Courtland Fowler also addressed issues regarding the Mohegan Church and the Fort Shantok burial ground (Council of the Descendants 1968b). The organization's October 1968 meeting, attended by about 50 members, included a succotash supper at the Mohegan Church (Council of the Descendants 1968c).

In December of 1967, "Chief" Harold Tantaquidgeon, who was not apparently a member of the Council of the Descendants, took part in ceremonies marking the opening of the Mohegan-Pequot Bridge across the Thames River, not far from Fort Shantok (Thames River Bridge Commission 1967).

According to her 1981 deposition, Virginia Damon and other Mohegan "elders" viewed the Council of the Descendants as being "a separate entity" from the Mohegan tribal group, "because it was a corporation" to which "not all of the Mohegans belonged." Likewise, they did not consider Hamilton to be the primary leader or "chief" of the Mohegans in the same way that the Fieldings had been (Damon 1981, 137-38). Thus, they became disturbed when he asserted, in the media and elsewhere, that he was the "Grand Sachem of the Mohegan-Pequot Indian Nation for life," and named Rowland Bishop, his designated "chief counselor," to succeed him in this role. These elders claimed that Hamilton also dissolved the Council of the Descendants' constitution and bylaws arbitrarily, naming his own officers and directors to replace those elected (Andrews 1970a; Norwich Bulletin 1970). However, three of his supporters, Albert Baker, Florence Rundell, and Viola Cholewa, stated in affidavits that the governing documents had been "unanimously repealed" on November 30, 1969 (A. Baker 1970; Rundell 1970; Cholewa 1970). Rowland Bishop also claimed later that the directors were changed at a meeting that took place at Connecticut College in New London (perhaps the same one at which the governing documents were repealed), to which Virginia Damon, Courtland Fowler, Faith Davison, and others were not invited,

because they had been kicked out of the organization. Bishop, who had not previously been involved with the Council of the Descendants, also stated that he and others were named as the new directors so that the corporation could be dissolved (Bishop 1981, 68, 70, 72-74).

Claiming that Hamilton also failed to inform the organization's members of his actions and expenses regarding the Mohegan claims, his detractors moved first to elect new officers for the Council of the Descendants and then to "establish once and for all just who had the right of succession to the leadership" in order "to stop this business of people naming themselves sachem" (Andrews 1970a; Norwich Bulletin 1970).

At a board meeting of the corporate officers of the Council of the Descendants, Charles Harris (whose identity could not be determined from the available documentation) was elected to replace John Hamilton as president. Hamilton's cousin, Virginia Morgan Goodman was elected vice-president, Virginia Damon was retained as secretary, and Roberta Cooney, daughter of Loretta Schultz and granddaughter of Chief Burrill Fielding, was elected treasurer. Charles Harris resigned subsequently and Virginia Damon's daughter, Cheryl Harris, was elected by the board to replace him as president (Norwich Bulletin 1970). The available documentation did not indicate the relationship, if any, between Charles Harris and Cheryl Harris.

Regarding the selection of a new Mohegan leader, Virginia Damon stated in her 1981 deposition that she was asked by "all the elders of the Tribe" to send letters to the 38 heads of Mohegan families asking them "if there was any reason why Courtland Fowler could not be Sachem" (Damon 1981, 18; what is meant by the term "elders" here and who they all were could not be determined from the available references). She explained that it was "traditional to notify heads of families, and then [have] the heads of families notify the rest of the people" (Damon 1981, 18). A date was set in May 1970, by which time those against Fowler's selection were supposed to return their letters and state in writing why they were opposed. Those who had no objections did not have to take any action. "We did that," Damon testified, "so that people wouldn't have to spend money for postage." She also reported that "there were no negative letters" (Damon 1981, 18, 22-23; see also G. Tantaquidgeon 1981, 28).

A meeting was then held at the Mohegan Church on May 17, 1970, attended reportedly by between 20 and 37 group members (Andrews 1970b; Norwich Bulletin 1970; Fowler 1980d, 15-16; Bishop 1981, 32). Damon stated in her deposition that this meeting was for the original board of directors of the Council of the Descendants and the Mohegan elders and that John Hamilton did not attend, even though an announcement had been sent to him (Damon 1981, 19-20). Three Hamilton supporters who did attend later stated in affidavits that they considered the meeting illegal because of the repealed constitution. They also stated that of the ten so-called "elders" who called the meeting, only one, Beatrice Labensky, who was Hamilton's sister and Damon's mother had been previously considered to have elder status, and that she "had been removed by the Grand Sachem's Edict of May 10, 1970" (A. Baker 1970; Rundell 1970; Cholewa 1970). Rowland Bishop, who was also present, stated in a 1981 deposition that two days prior to the meeting the Hamilton organization also issued an "encyclical" against Courtland Fowler, considered by it to be a non-Indian, denying him "adoption into the Mohegan tribe" (Bishop 1981, 32).

Cheryl Harris presided over the meeting and Virginia Damon told those gathered that it had been called at the request of herself and seven other Mohegan elders, including Virginia Goodman, Loretta Schultz, Hamilton's brother Roy, and his sister, Beatrice Labenski (Harold Tantaquidgeon and his sister Gladys appear not to have played a role in any of this). Damon stated that she nominated Courtland Fowler to be the Mohegan leader or "sachem" because he met what was purported to be the traditional lineage requirement, and because he was "an honest man." According to a newspaper report, no further nominations were made, although Rowland Bishop spoke in defense of Hamilton and displayed a notarized document signed by six group members attesting to Hamilton's claim of having been elected Grand Sachem in 1933 (Andrews 1970b). Damon later denied that Bishop or any reporters had been present (Damon 1981, 20-21).

After the discussion became heated, the Hamilton supporters present, all of whom claimed to be legitimate "elders," walked out of the meeting (again, what is meant by the term elders in this context is not known). According to varying accounts, this protesting faction consisted of between 4 and 27 Mohegans. Fowler's nomination was then endorsed unanimously by between eight and twelve group members (Andrews 1970b; Norwich Bulletin 1970; Fowler 1980d, 15-16; A. Baker 1970; Randell 1970; Cholewa 1970; Bishop 1981, 34). Although it was reported in a local newspaper that "ballots would be sent through the mail so all 300 Mohegans will be able to vote" (Andrews 1970b), no evidence was found or provided to indicate that such post-meeting balloting ever took place.

PURSuing LITIGATION & ACKNOWLEDGMENT, 1971-1979

When asked about the nature of his leadership in a 1980 deposition, Courtland Fowler stated that he considered himself to be a "spokesman for the Mohegan people." Yet, he stated that between his election in 1970 and the drafting of a constitution in 1979, during which time he did not attend any group meetings, "he didn't have to speak at anything" (Fowler 1980d, 18-19). When asked to describe Fowler's role, Virginia Damon stated in a 1981 deposition that

He doesn't control our lives, but there are lots of times when we need information that I call him or there are other people that contact me that need information, and I call him or send them up there [to Mohegan] (Damon 1981, 41).

Damon's daughter, Faith Davison, stated in a 1983 deposition that Fowler "always seemed like a gathering point" (Davison 1983, 21). Jayne Fawcett, a Mohegan resident and member of the 1980 Tribal Council, also testified that

If there were questions as to what the Mohegans should do or not do, there were several of the older people, and Mr. Fowler, we would consult before doing it, whether it was a parade or to support something. I would not do certain things without consulting Mr. Fowler or my uncle and aunt [Harold and Gladys Tantaquidgeon]. . . . If they said something, it was to be that way, whether I agreed with them or not (Fawcett 1980, 31-32).

Fowler continued to be active in efforts to further restore the Mohegan Church, which was estimated in 1972 to have 24 members (Johnson 1972). A month after his election, in June 1970, Hamilton and Bishop filed a certificate of dissolution for the Council of the Descendants with the State of Connecticut (Bishop & Hamilton 1970). Apparently, this action was taken without the knowledge of Virginia Damon and other of the original officers (Damon 1981, 48). A different set of officers and directors were listed on the dissolution certificate, not all of whom were Mohegans, and some of whom claimed that they were not made aware of being designated as Council officers until many years later (Rundell 1983, 24; Hennessy 1981, 27). No evidence has been presented to indicate that the Council of the Descendants continued to function after it was discovered that it had been dissolved as a corporation. However, Virginia Damon implied in her 1981 deposition that she continued to be "looked on . . . as Secretary for the Tribe" (Damon 1981, 8).

In September of 1970, Hamilton and Bishop drew up a constitution and bylaws for a new organization called the Confederation of the Mohegan-Pequot American Indian Nation and Affiliated Algonquin Tribes. Hamilton, or "Grand Sachem Rolling Thunder," was designated as president and "Supreme Ruler," and Bishop, or "Sagamore Chief Wounded Wolf," was named vice-president and "Chief Counselor to the Grand Sachem." Membership, which required a registration fee of \$15.00 and monthly dues of \$2.00, was open to all persons of American Indian blood, and to others by adoption (Confederation of the Mohegan-Pequot 1970). A number of Hamilton's Mohegan followers were among the 25-50 members who attended the meetings of the Confederation, which were held primarily at St. Mary's Church in Stonington, Connecticut, but were also held on occasion at the Mohegan Church and at an Episcopal church in Groton, Connecticut. It has been estimated that an average of less than six meetings were held each year between 1970-1979 (Hennessy 1981, 22, 26; Rundell 1983, 21; Hamilton 1981, 28, 75-76).

Rowland Bishop implied in a 1981 deposition that this organization was merely a continuation of the separate council that had been in place since at least 1933, when Hamilton was confirmed allegedly as Grand Sachem. He claimed that the members met at St. Mary's beginning in 1977, because most of them were Roman Catholic and because they had become too numerous to be accommodated any longer in private homes. He estimated average attendance to be between 51 and 63 members (Bishop 1981, 22, 43-54, 58-59). The organization's 26 "councillors," as listed on letterhead stationery used in 1977, included representatives from the three major Mohegan descendant families (Fielding, Storey, and Baker). It also included several individuals who had been involved with the Council of the Descendants. Among them were Loretta Schulz, Charles Harris, Roberta Cooney, and Albert Baker. Also listed was Donnell Hamilton, a nephew of John Hamilton who is now a member of the present Mohegan Tribal Council (Bishop 1977). Whether these listed councillors were actually involved in Confederation activities is not known. As was demonstrated in the matter of the dissolution certificate for the Council of the Descendants, Hamilton and Bishop had previously used the names of individuals without their knowledge or consent.

In a 1981 deposition, Hamilton reviewed a list of the 267 individuals whom he considered to be Mohegans, although he stated that there might be as many as 400 members. Among those excluded from Hamilton's list were Courtland Fowler, the Tantaquidgeons, and two members of the Mohegan Tribal Council elected in 1980 (Hamilton 1981, 70-71, 75).

After Hamilton continued in media appearances to claim to be "grand Sachem of the Mohegans," describing his role to one reporter as "basically that of an emperor," Jayne Fawcett, a school teacher and niece of the Tantaquidgeons, and her non-Indian husband Richard, who was the assistant superintendent of schools in Montville township, circulated a form letter to Mohegan families asking them to declare that Hamilton was not so recognized (J. Fawcett 1972). She later claimed that 166 Mohegans made such a declaration (Trimel 1977a).

A Mohegan tribal group was identified in a publication of the Bureau of Indian Affairs in 1972. In the appendix of his academic study entitled The States and Their Indian Citizens, Bureau official Theodore W. Taylor listed the Mohegan under the category of "Indian Groups Without Trust Land." This publication, which was prepared in part while Taylor was a Fellow at the Brookings Institution, estimated the population of the "Mohegan Community, New London County" to be 150. It also noted that most of the Indians in Connecticut received no special services from the State because of their status as Indians (Taylor 1972, 215, 228).

In 1973, the Connecticut legislature enacted a bill creating an Indian Affairs Council (CIAC) consisting of representatives from the five Indian groups in the state, including the Mohegan (CT General Statutes 1983). Hamilton fought against the creation of this council and refused to recognize it (MT 1984, I:156), but Fowler appointed an individual to serve as its Mohegan representative (CT Indian Affairs Council 1973-1983; Murtha 1983, 17; Myles 1980, 10). In a deposition taken in 1980, the group's representative to the CIAC stated that the only Indian Affairs Council activity that "really concerned Mohegans" was protection of the burial grounds at Fort Shantok" (Myles 1980, 11).

Although this individual was later elected to the group's constitutional committee and the 1980 Mohegan Tribal Council, no evidence has been found that this person meets the group's membership requirement of being of Mohegan descent. In 1974, this individual became the co-founder of an organization in Meriden, Connecticut known as American Indians for Development (AID). This non-profit corporation has administered assistance programs for Connecticut Indians with funds provided by various Federal and State agencies, as well as by private donations. A Mohegan representative sat on the Board of Directors of AID for at least its first ten years (Benedict 1985).

While the petition asserts that a Mohegan Tribal Council was also formed in 1973 (MT 1984, I:15, 156), it presents no evidence that such a body was in existence during the 1970's.

In August, 1974, a group of individuals affiliated with AID formed an organization called Native Mohegans Inc. Virginia Damon's daughter, Christine Murtha, was its president, the non-Mohegan individual who served as the Mohegan representative to the Connecticut Indian Affairs Commissions was its vice-president, and Damon served as its secretary. Murtha stated in a 1983 deposition that the purpose of Native Mohegans Inc. was to establish lines of communication between Mohegan families regarding group functions and history (Murtha 1983, 18-19). Virginia Damon also noted in a 1981 deposition that another of its functions was "to dispense literature that was coming through all the time about what Indians could do and the different changes in the law, and so forth" (Damon 1981, 120).

Murtha stated that Native Mohegans Inc. was considered "an organization within the tribe" and not its alter ego, and that it still recognized Fowler as the leader of the Mohegans (Murtha 1983, 18-19). Damon noted that its functions were narrower than those assumed previously by the Council of the Descendants (Damon 1981, 120). Murtha stated further that until around 1979, this organization met every six months at either Damon's house or at Fort Shantok, and that these meetings were attended by an average of 15-20 people (Murtha 1983, 17-18).

In 1977, John Hamilton and attorney Jerome M. Griner filed two suits against the State of Connecticut in the U.S. District Court in Hartford on behalf of the Mohegans for the recovery of 600 acres in Montville township, on grounds that this land had been conveyed in violation of the Indian Non-Intercourse Acts (U.S. District Court 1977; Krulitz 1979). Included within this acreage was Fort Shantok Park, the Montville State Police barracks, part of State Road 32, and half of the Mohegan-Pequot Bridge over the Thames (Schoolcraft 1982). The two suits were later consolidated for consideration by the Court. At Griner's request, the Court stayed the proceedings on November 8, 1984, until the Department of the Interior issued a final determination regarding Federal acknowledgment of the Mohegan (Blumenfeld 1984).

Apparently, this suit was filed without the prior knowledge of many, if not most, of the other Mohegans. Because the litigation had the effect of freezing real estate transactions within the area and generating a lot of ill will toward Mohegans, it was denounced publicly by approximately 20 group members who lived in the Mohegan village area, including Gladys Tantaquidgeon and Jayne Fawcett (Trimel 1977a). Fawcett again challenged Hamilton's title and role, telling a reporter that "while I will not speak for all Mohegans I believe most do not recognize him as their Grand Sachem" (Trimel 1977a). She and her husband Richard helped organize the Mohegan Citizens Action Group, made up mostly of non-Indian property owners, to fight the suit (Trimel 1977b), and tried to interest the producer of the CBS television series "60 Minutes" in covering the issue (R. Fawcett & J. Fawcett 1977).

On behalf of the "Mohegan Indian Group," Hamilton, as Grand Sachem, and attorney Griner petitioned the Department of the Interior for Federal acknowledgment as an Indian tribe on July 12, 1978 (Griner 1978). Again, this action was taken without the knowledge of many group members. At least six Mohegans (including Virginia Damon and Jayne Fawcett) wrote letters of protest to various Federal officials, including the President, two Congressmen, and the Assistant Secretary of the Interior for Indian Affairs. These individuals challenged Hamilton's authority to take such action since they did not consider him to be the Mohegan leader (Lamphere 1979; Damon 1979; Sword 1979; Strickland 1979a, 1979b; Goodman 1979). In addition, Jayne Fawcett requested the Department to defer action on the Mohegan petition (J. Fawcett 1979).

In 1978, the Smithsonian Institution published a comprehensive research anthology on the ethnology and ethnohistory of the Northeast as part of its multi-volume Handbook of North American Indians (Trigger 1978). This work did not identify or note the existence of a modern Mohegan tribal entity, although it did state that the Mohegan had been historically "one of the more cohesive groups in New England for many years" (Conkey et al. 1978, 181).

Inspired reportedly by AID, and perhaps to counteract Hamilton's activities, the Mohegans began in 1979 to create a more formal group organization (New London Day 1979b). A meeting was called in May to discuss the idea of setting up a constitutional committee. Fowler stated that the purpose of adopting such a document "would be to protect the Indian burial ground in Fort Shantok and to preserve the Mohegan culture." Claiming to represent 35-40 Mohegans in Connecticut and 150 nationally, he stated that his followers were opposed to the land suit and disputed Hamilton's claim to be Grand Sachem (New London Day 1979a).

In August, 1979, a seven-member constitutional committee was elected to draft a governing document. The ballots were certified by the executive director of the Indian Rights Association in Philadelphia. The returns indicated that 132 ballots were cast for 17 candidates. Those elected were: Gladys Tantaquidgeon; Courtland Fowler, Sr.; Jayne Fawcett; Brian Myles; Ernest W. Gilman, Jr.; Lynn Cicero; and Loretta Schultz (Cadwalader 1979). Schultz had been an officer previously of the Tribal Council of Mohegan Indians in 1933 and one of the directors of the Council of the Descendants in 1967. She was also listed among the councillors of Hamilton's Mohegan-Pequot Confederation, and was claimed to have been secretary of the tribal organization which Hamilton is alleged to have formed in 1933 (Officers of the Tribal Council of Mohegan Indians 1933; Council of the Descendants 1967; Bishop 1977; Bishop 1981, 47-49, 68).

A Mohegan Homecoming was held at Fort Shantok Park in August 1979. This event may have been the first major group gathering since the 1941 Wigwam Festival. However, at least two group members, in depositions taken between 1981-1983, refer to homecomings starting again in 1977 (see Gilman 1983, 14; Damon 1981, 32), and there are other references to a "wigwam" being held in 1956 (Voight 1965, 183; G. Tantaquidgeon 1981, 26). Further data regarding the nature and extent of participation in these earlier events was neither provided nor found. A meeting between the elected constitutional committee, chaired by Courtland Fowler, and what was described as the Mohegan Ad Hoc Committee took place at that time (MT Ad Hoc Committee 1979). A list of attendees indicates that at least 147 adults and children attended the homecoming (MT 1979), and although Gladys Tantaquidgeon did not consider it to be a traditional Wigwam, she did state that the Mohegans "would like to have annual gatherings to preserve the Indian culture for the younger descendants" (Lodge 1979).

COMPETING ORGANIZATIONS, 1980-1988

A referendum was held on the proposed constitution in January, 1980. An advertisement was placed in at least one local newspaper, notifying "All Mohegan Indians" that they might obtain a ballot and a copy of the constitution for review (New London Day 1980a). It is not known how voting eligibility was determined. The ballots, again collected and certified by the Indian Rights Association, indicated that 92 percent of the voters favored adoption of the document as written (Fowler 1980a). A March meeting followed in New London, at which 19 members were nominated to fill the 9 positions on the Tribal Council (Fowler 1980b). In April, the Indian Rights Association certified that 138 ballots were counted. The five members who received the most votes, and were therefore elected to two-year terms, were: Gladys Tantaquidgeon; Courtland Fowler, Sr.; Jayne Fawcett;

Ernest W. Gilman, Jr.; and Brian Myles. The next four, elected to one-year terms, were: Lynn Cicero; Virginia Damon; Courtland C. Fowler; and Edythe M. Fitzpatrick. John Hamilton finished 15th out of the 19 nominees (Cadwalader 1980). Two of the members elected do not appear to have any Mohegan ancestry.

The nine-member Tribal Council held its first meeting in May, 1980, at which time it chose officers. Courtland Fowler, Sr., was elected chairman, Gladys Tantaquidgeon, vice-chairman, and Virginia Damon, secretary-treasurer (Fowler 1980c). When, in a deposition given that August, Fowler was asked "who ran the affairs of the Mohegans" before the 1980 Tribal Council was elected, "or did anyone?" he replied "We didn't have any affairs to run. Nobody" (Fowler 1980d, 32). Later in the same deposition, however, he stated that he had appointed a representative to the State Indian Affairs Council in 1973 (Fowler 1980d, 51). That individual, who was also elected to the Tribal Council in 1980, stated in his own deposition that the Mohegans had had no "regular meetings" between 1973 and 1980, and that he could not answer accurately regarding any period prior to that (Myles 1980, 16). However, another of the members who does not appear to have Mohegan ancestry recalled in a 1981 deposition that she attended a group meeting at the old Fuller Brush Company in Hartford. Although she stated that Courtland Fowler was present, she could not remember the purpose of the meeting (Weaver 1981, 16).

Another Tribal Council member, Jayne Fawcett, agreed in a 1980 deposition that she knew of no Mohegan tribal council prior to 1979 (Fawcett 1980, 31). Tribal secretary Virginia Damon testified in a 1981 deposition that the only Mohegan group activity she was aware of between the 1941 Wigwam festival and the formation of the Council of the Descendants in 1967 was the rededication of the Mohegan Church in 1957 (Damon 1981, 33-37). Although Tribal Council member Ernest W. Gilman, Jr. was away in the Navy between 1951 and 1971, he stated in a 1983 deposition that he could not remember any group activities prior to 1951, during which time he lived in the base village area. He also stated that that even though he returned to the Mohegan area after his discharge in 1971, he did not attend any group meeting until the late 1970's. Gilman further testified that the main reason that the Tribal Council was formed at that time was "to oppose Hamilton" (Gilman 1983, 8, 22, 27).

In August 1980, secretary Damon reported to the Council that 100 ballots had been received from members (presumably by mail) voting on the question of whether or not to intervene in the pending land suit. The result was 96 in favor and 3 opposed, with 1 unmarked ballot (Damon 1980c). The Council decided subsequently to take over legal action as plaintiff in the claim and to employ John Williams of New Haven as its attorney (MT 1980e, 1; New London Day 1980; Williams then brought in Jerome Griner as associate counsel). Evidently, the Council also elected another AID affiliate who does not appear to be of Mohegan descent to replace another non-Mohegan individual as both a council member and as the Mohegan representative to the Connecticut Indian Affairs Council (CIAC), after that individual resigned to attend law school (MT 1980e, 2). By 1983, this new representative was chairman of the CIAC (CT Indian Affairs Council 1973-1983).

Bylaws drafted for the council were never adopted formally and are of no effect. Although minutes of recent group meetings were not submitted, the petitioner states that they have not taken place every 90 days as called for

under the bylaws (MT 1985c, I-B:114). While it is evident from secondary sources that new council members have been elected or appointed since 1980 (Jayne Fawcett's daughter, Melissa Fawcett-Sayet, for example, was reported to be the vice-chairman in 1986 [Croteau 1986], and Catherine Lamphere, Ralph W. Sturges, Carlisle Fowler, and Donnell E. Hamilton were listed as council members in 1987 [Griner 1987]), no evidence was presented that elections have taken place every year as specified in the constitution (MT 1980a, 6), or that they have taken place at all. A part of the petition narrative submitted in 1985 states that the "last Council was formally elected under the Constitution in 1980" (MT 1985c, I-B:114).

Since 1980, the Tribal Council has dealt with such issues as the land suit, the compilation of a membership list, and the problem of trespassers on Mohegan burial grounds (MT-1980e; CT Indian Affairs Council 1973-1983). At some point prior to 1984, it decided to support the petition for Federal acknowledgment and to work with Jerome Griner in collecting supportive documentation (Venema 1984). As chairman of the council, Courtland Fowler has represented the Mohegans in external affairs with governmental agencies and officials, community groups, and schools (Tashjian 1983; Bessett 1987; Choinere 1987; Jacobs 1987). At some point between 1980 and 1985, a Mohegan Tribal Development Plan was drawn up. This document estimated group membership to be "around 500" (MT n.d.).

Since 1979, the Mohegans have held a Homecoming each August at Fort Shantok Park. Registered attendance dropped from at least 147 individuals in 1979 to 89 in 1980 (MT 1979; 1980d; CAG 1985, 155-56); a difference which may be explained by the fact that the latter event was held reportedly during inclement weather. While a list of 1983 attendees drawn up by Fowler included only 26 members (C. Fowler 1983), Gladys Tantaquidgeon stated that over 200 came to the 1985 Homecoming (Nugent 1986a).

Independent of the activities of the Mohegan Tribal Council and its elected officers, John Hamilton continued to assert his role as leader of the Mohegans. His Mohegan-Pequot Confederation continued to hold meetings at St. Mary's Church in Stonington. His chief councilor, Rowland Bishop, later testified that 127 individuals were in attendance at a May 1981 meeting (Bishop 1981, 58). However, documentation regarding the activities of the organization after that date has not been found.

As "Grand Sachem of the Mohegan Tribe," Hamilton dismissed attorney Griner as counsel in the land suit in 1981 (Hamilton et al. 1981) and proceeded to hire a number of other attorneys, including Robert B. Cohen of Hartford and Edward Wheeler of the Washington D.C. law firm of Wheeler and Wheeler (MacGregor 1985). However, the Tribal Council, which was already represented by John Williams, retained Griner as associate counsel and he was successful in arguing preliminary issues. The matter of who represented the Mohegans became so confused that the presiding judge ordered each attorney to give him a letter explaining who had retained them (Schoolcraft 1982).

Hamilton continued to generate a great deal of controversy. After a number of Mohegans protested his suits against the State, he threatened to file even more claims (Condon 1977). He adopted non-Indians into the "Mohegan-Pequot Nation," including Patty Hearst, the convicted felon and daughter and heir of newspaperman William Randolph Hearst (Hamilton 1981, 46), and Connecticut Governor Ella T. Grasso (as "Princess Bright Evening Starlight") (Norwich

Bulletin 1981; 1988). He conducted Indian baptismal and marriage services (New London Day 1982; McCabe 1985), and performed a special pre-nuptial blessing at the California wedding of Patty Hearst to Bernard Shaw, her former prison guard, in 1979 (Turan 1979). Mounted on horseback in full Indian regalia, Hamilton and Rowland Bishop picketed the Rose Arts Festival in Norwich each June between 1974 and 1976, claiming that it was being held on the graves of their ancestors (New London Day 1977).

Hamilton did not completely divorce himself from the activities of the Mohegan Tribal Council. In November 1985, he reportedly attended a tribal meeting called to amend the membership clause of the constitution. Since no opposing votes were cast, it is presumed that he voted in favor of the amended language (MT 1985c, 76).

In the years just prior to his death in May 1988, at age 90 (Norwich Bulletin 1988), Hamilton was identified in the media as the leader of a group known as the Preston Mohegans (in reference to the residence of some of its members in the township of Preston, which lies southeast of Norwich and just across the Thames from Montville township). The origin of this group, which also calls itself the Mohegan Tribe, and its political relationship, if any, to Hamilton's Confederation of the Mohegan-Pequot American Indian Nation and Affiliated Algonquin Tribes is not known. The known members of the Preston group (Preston Mohegan Indian Group 1987) do not appear to be related genealogically to either the membership of the petitioning group or the known members of the Confederation, although many share the common surname of Fowler. However, there is some evidence that at least one other member of the petitioning group has been involved in the activities of the Preston group (fd).

In October 1986, Hamilton and the Preston Mohegans gained a great deal of local publicity when they protested the construction of a \$60 million incineration plant to convert waste into energy at a site in Preston claimed by them to be ancient Mohegan burial grounds (Rosenbush 1986a; Farragher 1986; Rau 1988). Courtland Fowler was compelled once again to disavow Hamilton's claim of being the supreme leader of all Mohegans. Although the Mohegan Tribal Council acknowledged that Hamilton was considered a member of the group it represented, it denied a request to extend blanket membership to all of the Preston Mohegans (Nugent 1986b; Rosenbush 1986b). Following Hamilton's death in May 1988, Eleanor C. Fortin (a.k.a. "Queen Rippling Waters") sent a letter to members of the Preston group announcing that Hamilton had appointed her, sometime prior to his death, as his successor as Grand Sachem of the Mohegan Tribe. Recipients of this letter were requested to return enclosed ballots designating whether or not they favored the appointment (Fortin 1988). The results of the mail ballot are not known, but it is presumed that the appointment was confirmed as Fortin appears to have continued her role as primary leader of the Preston Mohegan group.

The Mohegan tribal group in the Montville township area was identified by anthropologist William S. Simmons in his 1986 study of the history and folklore of New England tribes between 1620 and 1984. Simmons described the group's "tribal center on Mohegan Hill" and stated that "the little community is still very much alive." After relating much of the extant Mohegan folklore, the author noted that some traditional stories regarding the legendary Cheepi and the Little People are still remembered by a few families, "although no new folklore about these figures has been created for some time" (Simmons 1986, 34, 259).

In conjunction with the land suit filed in 1977, the Assistant Attorney General of the State of Connecticut, Francis J. MacGregor, deposed 24 individuals between 1980 and 1983 who claimed to be Mohegans (five of the deponents are present group members who do not appear to have any Mohegan ancestry, and one, who was the secretary of Hamilton's Mohegan-Pequot confederation, may or may not have Mohegan ancestry, but is not a member of the petitioning group). MacGregor selected as deponents those who resided in Connecticut and might therefore be more likely to attend group functions, and as many as possible who had grown up in Montville township or neighboring towns and/or were presently living in the area. He also tried to select those who were over 50 years of age (18 of the 24) so that they might have had an opportunity to discuss group activities with older members who would have been living in the early part of the century. Attorneys representing the Mohegans were given prior notice of all depositions, all were taken under oath, and in most cases the deponent was represented by counsel (CAG 1985, III, 153-54).

The depositions reflect the relative scarcity of group interaction over the previous four decades. Some of the deponents of Mohegan ancestry, although listed as members of the petitioning group, indicated that they had had minimal or no social or political contact with the petitioner, and had not previously maintained tribal relations with the Mohegans in the base village area. Included among these deponents were some who claimed to be aligned with the the tribal body in the Mohegan area, some who continued to be supporters of John Hamilton, and others who had had little or no contact with either of these Mohegan divisions. Hamilton and his supporters and some of those who had had minimal or no previous contacts also stated that they did not recognize the authority of Courtland Fowler or the Mohegan Tribal Council. The group members who do not appear to be of Mohegan ancestry indicated that they had interacted socially and politically with members in the base village area, although only one of these five deponents claimed any contact prior to the early 1970's.

Some of the deponents who lived in or near the base village gave evidence that there has been some level of informal cohesiveness within the group, particularly among the Fielding descendants (some of this evidence has been presented previously in this report). Yet, even the statements of those members who have been most active in recent group events point to the paucity of Mohegan activities during the years between the 1941 Wigwam festival and the organization of the Mohegan Tribal Council in 1979 (some of this evidence has also been presented previously in this report).

On December 26, 1984, the first six volumes of the documented Mohegan petition were hand-delivered to the BAR staff by attorney Jerome M. Griner (Griner 1984). Four additional volumes were mailed to the Bureau on April 15, 1985. Following a preliminary review of these materials by BAR staff, a letter outlining obvious deficiencies and significant omissions in the documented petition was sent to the petitioner on June 26, 1985 (Elbert 1985).

On behalf of the State of Connecticut, Assistant Attorney General MacGregor submitted a ten-volume respondent's brief in opposition to the Mohegan petition on July 19, 1985. This brief presented documentation, including the depositions described above, to support the attorney general's claim that the petitioner had not had any political leadership since the termination of the

sachemship in 1769. It also held that Mohegan members, by their own admission, had been completely assimilated into non-Indian culture since at least 1872, the year in which they were granted State citizenship (CAG 1985).

In response to both the obvious deficiency letter and the respondent's brief, the petitioner's attorney submitted three more volumes of petition documents on January 16, 1986 (Griner 1986). BAR staff began active consideration of the Mohegan petition on November 3, 1987 (Elbert 1987). On July 27, 1988, the assistant attorney general submitted an additional volume of documents in opposition to the petition (MacGregor 1988), to which the petitioner's attorney responded by letter on August 1, 1988 (Griner 1988).