

Tribal Government Services

OCT 3 1979

MEMORANDUM

To: Assistant Secretary

From: Acting Deputy Commissioner

Subject: Recommendation and summary of evidence for proposed finding for Federal acknowledgment of the Grand Traverse Band of Ottawa and Chippewa Indians, Peshawbestown, Michigan pursuant to 25 CFR 54.

I. RECOMMENDATION:

We recommend the Grand Traverse Band of Ottawa and Chippewa Indians be acknowledged as an Indian Tribe with a government-to-government relationship with the United States and entitled to the same privileges and immunities available to other Federally recognized tribes by virtue of their status as Indian tribes.

II. GENERAL CONCLUSIONS:

The Grand Traverse Band of Ottawa and Chippewa Indians is the modern successor of several bands of Ottawas and Chippewas which have a documented continuous existence in the Grand Traverse Bay area of Michigan since as early as 1675. Evidence indicates these bands, and the subsequent combined band, have existed autonomously since first contact, with a series of leaders who represented the band in its dealings with outside organizations, and who both responded to and influenced the band in matters of importance. The membership is unquestionably Indian, of Ottawa and Chippewa descent. No evidence was found that the members of the band are members of any other Indian tribes, or that the band or its members have been terminated or forbidden the Federal relationship by an Act of Congress.

III. BRIEF HISTORY:

The Ottawa and Chippewa are two closely related Algonquian peoples who originally occupied an area bordering on Lakes Superior, Michigan, and Huron. They were initially encountered by French explorers in the mid-1600's. During this period the principal political units consisted of bands of several hundred individuals with their own chiefs. There was relatively little formalized leadership structure. The leadership, however, tended to descend within certain families. The Ottawas and Chippewas were actively involved in the fur trade with Europeans and in the conflicts between tribes and between different European powers.

The upper part of Michigan's Lower Peninsula, around L'Arbre Croche, north of the Grand Traverse area, became a main seat of the Ottawas by the 1700's. Ottawas were definitely living at Grand Traverse Bay by 1740. Chippewas and possibly a few Ottawas were living in the area before that.

Around 1800 significant cultural changes occurred due to the increasing pressure of white settlement and a decline in the hunting and fur trading possibilities. Missionary efforts began to have some impact on the Ottawas after more than a century of effort, and changes also occurred in the tribe's economic system. The Indians began farming and wage work in an attempt to modernize themselves, and some purchased land privately to avoid the threat of removal to the west.

By 1836 Ottawas and Chippewas in the Grand Traverse Bay area appear to have formed three primary communities; one Ottawa band under the leadership of Chief Aish-quay-go-na-be on the east shore, one Chippewa band under Chief Akosa on the Old Mission Peninsula, and a third group (or possibly several groups) of Ottawas on the Leelanau Peninsula, near Northport. Aish-quay-go-na-be, Akosa, and one other leader, Oshawun Epenaysee, signed a treaty in 1836 on behalf of the Grand Traverse Indians. This treaty ceded almost all of the Indian lands in the Lower Peninsula that had not previously been ceded. It provided for payments to leaders, and the Grand Traverse Indians received 20,000 acres of land on the Grand Traverse Bay as a reservation. Money was also provided for education and for instruction in agriculture and mechanical arts.

A band of Ottawas under Chief Waukazoo, originally from near L'Arbre Croche, settled near Northport in 1849, and a final band of Ottawas under Chief Peshaba moved down from the North and also settled on the Leelanau Peninsula in 1852. Akosa moved his group across the bay in 1855 and established the settlement south of Northport, known as Agosatown, which is still in existence.

Under pressure from non-Indians who wished to dispossess the Michigan Indians of their land, another treaty was signed in 1855. The treaty temporarily set aside lands from which the Indians were to select individual allotments within five years. For Grand Traverse, most of the Leelanau Peninsula and part of the eastern shore of Grand Traverse Bay was set aside. Patents were to be issued and additional lands could be purchased by Indian individuals within the next five years. The remainder of the land was to be opened to white settlement after the ten-year period. Much of the land selected was never patented and some was fraudulently purchased by whites using Indians as agents. After the ten-year period the Indian land base was further eroded through tax sales, mortgages, and illegal devices.

During the period from the 1850's through the 1870's, the Bureau supported a school and maintained an agent for the Grand Traverse band. During the 1860's and early 1870's the band, acting as an entity, negotiated with the Federal government and sent delegations to Washington in an effort to obtain a third treaty to correct the shortcomings of the 1836 and 1855 Treaties. The new treaty was never completed. Unable to secure a new treaty, representatives of the group and other Michigan Indians made repeated efforts to secure compliance with the terms of the 1836 and 1855 Treaties on the part of the United States from as early as the 1890's until the early 1900's. In 1907 a

judgment in the amount of \$131,188.94 was awarded by the Court of Claims to settle the Michigan Indian claims. In 1908 Horace Durant compiled a roll for payment of this claim with the advice of leaders of the bands. Prior to the per capita payment, the roll was modified at the insistence of the leaders, who were acknowledged to speak for Grand Traverse and other Michigan bands. Per capita payments of \$21.16 were made in 1910 using the roll as the basis for payment.

In 1934 the Grand Traverse Band petitioned for Federal "recognition and assistance" under the provisions of the Indian Reorganization Act. Federal officials evaluated the group and acknowledged that they were indeed Indian but denied them the option of organizing under the Act because the Bureau did not have sufficient funds to undertake the additional obligation and wished to avoid a reduction of state and local services to the Indians. The Bureau justified this by claiming that the Indians were highly acculturated and employed in the lumbering, tourist and agricultural industries of the area, and that Bureau services would be a set back to the continued acculturation of the group. In 1943 the group petitioned for Federal restoration of their lands under the 1855 Treaty as a reservation. In 1944 Leelanau County obtained title from the Michigan State Department of Conservation to approximately 127 acres of land which had been lost to the Indians through tax liens. The land, taken in trust for "Indian community purposes," was all within the original treaty reservation area. Another twenty acres was taken in trust in 1954 and several additional lots in Peshawbestown were taken in 1970, creating a reservation with a total of 147.4 acres.

The last traditional chief, Ben Peshaba, son of old chief Peshaba, died in 1955. Informal political processes and leadership continued, with the addition in the mid-1960's until 1970, of a Community Action Program which served the Grand Traverse Band. Its boards appear to have served as a transition to a more formal governmental structure and had input in 1971 when the county formed a "lot advisory board". The purpose of the board was to advise the County Department of Social Services in administration of the trust land. The board consisted of five community members, two appointed by the band and three appointed by the Department of Social Services. The establishment of the board developed from a conflict with the county over the administration of the land in Peshawbestown.

In 1972 the band established a non-profit corporation, the Leelanau Indians Incorporated, in order to create a legal vehicle to receive grants for the benefit of the community and to protect other interests of the band. On November 7, 1978, Leelanau County leased the trust land to the corporation for ninety-nine years with an option to renew.

The Grand Traverse Band of Ottawa and Chippewa initially filed petitions for recognition and assistance under the provisions of the Indian Reorganization Act on May 5, 1934 and also petitioned for recognition on October 18, 1943. They again filed for Federal Acknowledgment under Title 25, Code of Federal Regulations, Part 54 in December 1978. A letter notifying the petitioner of receipt of the petition was mailed to the Grand Traverse Chairman on December 19, 1978. Similar letters were mailed to the Governor and Attorney General of

Michigan on January 2, 1979. A Notice of Receipt of Petition, including an invitation for interested parties to submit factual arguments in support of or in opposition to the group's petition, was published in the Traverse City (Michigan) Record Eagle on February 17, 1979. No arguments opposing the group's petition have been received.

IV. SUMMARY OF THE EVALUATION OF THE GRAND TRAVERSE BAND OF OTTAWA AND CHIPPEWA INDIANS BY THE CRITERIA IN PART 54 OF TITLE 25 OF THE CODE OF FEDERAL REGULATIONS:

Included in 25 CFR 54 are seven criteria which petitioning groups must meet before acknowledgment can be extended. The following is a discussion of the Grand Traverse Band in the light of each of the criteria in Section 54.7.

- 54.7(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.

The present Grand Traverse Band of Ottawa and Chippewa and their antecedents have been identified as American Indian since their earliest contact with non-Indians in the 17th century. They have had repeated contact as a group with the Federal government from 1836 when they were signatories to a treaty with the United States. They signed a second treaty in 1855 and received education and other services from the Bureau through the 1870's. Federal officials took a census of Ottawa and Chippewa Indians in 1908 which specifically included the Traverse Band of Indians and per capita payments were made to the group in 1910. The group petitioned to organize under the Indian Reorganization Act in 1934 and again in 1943. Federal officials who investigated the matter did not deny the Grand Traverse Band was Indian and might have a right to organize. The Bureau, however, did not allow the group to organize under the act.

The Grand Traverse Band has been identified as an entity by the State of Michigan and Leelanau County since the mid-1930's. The county and state now provide a wide range of services including holding land in trust for the group. The band has been identified as Indian by the Catholic, Methodist and Presbyterian churches for over a century. It has repeatedly been identified by anthropologists and historians, as well as being discussed in books, articles, and other writings as an Indian entity. Two recognized tribes, the Bay Mills Indian Community and the Saginaw Chippewa Indian Tribe, support the group's petition for Federal acknowledgment.

From the above evidence, we conclude that the Grand Traverse Band of Ottawa and Chippewa has been identified as continuously existing as an Indian entity from historical times until the present and meets the criterion in Section 54.7(a).

- 54.7(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.

There are two elements to Section 54.7(b). First the group must establish that a substantial portion its members live in a specific area or community. Second, the group must establish that its members are descendants of an Indian tribe which historically inhabited a specific area. "Community" and "specific area" are defined in Section 54.1(o).

- 54.1(o) "Community" or "specific area" means any people living within such a reasonable proximity as to allow group interaction and a maintenance of tribal relations.

- (1) The Grand Traverse Band of Ottawa and Chippewa has demonstrated that a substantial number of its members live within a proximity which allows the group to meet, associate, and conduct tribal business regularly. At least a third of the current adult membership lives in Peshawbestown or in other traditional areas on the Leelanau Peninsula, and over half (54%) live within the Grand Traverse Bay area. Another twenty-one percent (21%) live in or near Grand Rapids, about 150 miles from Peshawbestown. Virtually all of the members live within the Lower Peninsula of Michigan. Tribal members meet regularly for social functions and tribal government purposes. A substantial number of the band attend the same church weekly. Peshawbestown is viewed by band members and nearby communities as a distinct Indian community and is referred to as such in newspapers and county documents. State road signs mark the boundaries of the community.
- (2) All members of the Grand Traverse Band have established that they are descendants of the historical Ottawa and Chippewa Indian tribes by tracing their ancestry to the Traverse Band Indians listed on the 1908 Durant Roll. The Durant Roll is currently accepted by the Bureau as the basis for establishing Indian ancestry for certification for services and claims payment purposes.

From the above evidence, we conclude the Grand Traverse Band inhabits a specific community viewed as American Indian, and that its members are descendants of the Ottawa and Chippewa bands which historically inhabited the Grand Traverse Bay area . The group, therefore, meets the criterion in 25 CFR 54.7(b).

- 54.7(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.

The Grand Traverse Band is an amalgamation of the aboriginal bands of Ottawas and Chippewas living in the Grand Traverse Bay area which initially cooperated in a loosely organized alliance and which can be considered to have become amalgamated into a single entity by the time of the Durant roll in 1908. The amalgamation process occurred gradually over a period of years in response to the pressures of changing times and society.

Research indicates that the Grand Traverse Band has consistently evidenced a decision-making process characteristic of a cohesive group which has and continues to effectively resolve internal problems and promote the band's interests outside the Indian community.

Tribal political leaders and their accomplishments and contacts with local, state and Federal officials have been documented from treaty times until the present. The pattern of leadership by traditional chiefs has changed into a committee form of self-government and is in the process of evolving into a constitutional government.

The band's non-profit corporation, Leelanau Indians, Incorporated, is presently functioning as a tribal government until a constitutional government is installed. The corporation is administering a Federal grant for the band; has contracted for the construction of a tribal community center; is administering the lot assignment program in Peshawbestown; and is performing other substantial governmental functions including involvement in litigation to protect the band's fishing rights. It is our understanding that an election on a proposed constitution drawn up by the band is scheduled on or about October 4, 1979.

We conclude that the Grand Traverse Band has maintained a viable political structure from at least treaty times until the present and therefore meets the criterion in 25 CFR 54.7 (c)

- 54.7(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.

Copies of the Corporate Charter of Leelanau Indians, Inc. and the proposed constitution were included with the petition for Federal acknowledgment. Both include statements describing in full the membership criteria and the governing procedures. The voting membership of the corporation is somewhat different than the membership criteria in the proposed constitution or the unwritten criteria used in the past. The corporation, in fact, however, administers the band's affairs based on the membership criteria in the proposed constitution. Upon ratification of the constitution, the corporation is intended to serve the band as its business arm.

The proposed constitutional requirements call for Grand Traverse Band members to be at least one-fourth (1/4) Ottawa and Chippewa, not enrolled with any other band or tribe, and meet one of the following requirements:

- (1) be descended from the historical bands of the Grand Traverse Band whose names appear on the Durant Roll;
- (2) have ancestors listed as Traverse or Grand Traverse Band members on any payment roll, census or other record made of the Grand Traverse Band by Federal officials; or,
- (3) be a person, or descendant, of one who received an allotment in the 1855 treaty area.

We conclude that the Grand Traverse Band has complied with 54.7(d)

- 54.7(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.

A list of all known members who can establish descendency from the historical Ottawa and Chippewa tribes was submitted with the petition. Microfilm of the 1908 Durant Roll, which includes names of the Grand Traverse Band members and ancestors of members, is in the Tribal Government Services offices. The 1870 census was reviewed at the National Archives by staff genealogists. There were no other lists of members as membership in the past was controlled by community knowledge. The membership of the Grand Traverse Band is presently composed of 297 individuals. Individual family history charts submitted by members show that they can establish Ottawa and Chippewa ancestry by tracing to the 1908 Durant payment roll. A spot check of 116 members of the band was made by requesting documentary evidence (birth certificates, marriage records, etc.) to support Ottawa and Chippewa ancestry. Most family lines in the modern band were represented in this check. The evidence supported the information on the individual family history charts in every case. Further confirmation of the accuracy of the band's enrollment work was obtained by an on-site visit to Peshawbestown by a staff genealogist who, with the band's permission, reviewed tribal files and enrollment procedures.

The band has maintained a high degree of Indian blood through intermarriage and by excluding descendants of low blood degree from membership. Of the 297 members listed on the Grand Traverse roll, 32 possess 4/4 degree Ottawa-Chippewa blood; 33 possess 3/4 degree; 128 possess 1/2 degree and 99 possess 1/4 degree; five have not established that they meet the band's membership criteria at this time. The tribal enrollment clerk, however, is presently doing additional genealogical research and indicates these five may be able to meet the blood degree requirement.

From the material submitted by the band and from our research, it is established that the Grand Traverse Band's membership descends from the historical Ottawa and Chippewa bands which inhabited the Grand Traverse Bay area, and that the band has maintained a high degree of Ottawa and Chippewa blood in accordance with their own criteria. The petitioner submitted a list of all known current members. We, therefore, conclude that Grand Traverse Band meets the criterion in Section 54.7(e) of the regulations.

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

The petitioner asserts that none of its members are enrolled in any other North American Indian tribe. The proposed constitution forbids dual enrollment. The Federal Acknowledgment staff could find no members of the group enrolled with any other North American Indian tribe. This was verified by enrollment personnel at the Michigan Agency.

We conclude that the Grand Traverse Band meets the criterion in Section 54.7(f).

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

The Grand Traverse Band asserts in its petition that neither the group nor its members have ever been terminated or forbidden the Federal relationship. The band does not appear on the Bureau's official list of Tribes and Bands for which the Federal Trust Relationship has been Terminated. A review of House Report 2503, Investigation of the Bureau of Indian Affairs (82nd Congress, 2nd Session, 1952), and a search of the Federal statutes did not reveal any legislation terminating or forbidding the Federal relationship. We, therefore, conclude that the Grand Traverse Band meets the criterion in 54.7(g).

*Theodore G. King*



ANTHROPOLOGICAL REPORT ON THE GRAND TRAVERSE BAND  
OF OTTAWA AND CHIPPEWA OF MICHIGAN

Introduction

This report describes and analyzes the social organization of the Grand Traverse Band as it has functioned and evolved since treaty times in the early 1800's. Emphasis has been placed on the functioning of political processes and on the group's existence as a community. A general picture is provided of the other social institutions of the group, i.e., religion, economy, culture, and relations with non-Indians, to make clear the context in which political processes operate. This is particularly vital for an analysis of a small scale tribal society. No attempt has been made to provide a definitive history of non-Indian policies or actions dealing with the group. Such information of this sort has been provided as is necessary for the reader to understand the analysis.

Earliest Contact Until the Treaty of 1855

The period between earliest Ottawa contact with Europeans in the early 17th century and 1800 is one in which the group maintained a culture and social organization which was basically traditional (i.e. aboriginal) but which was significantly influenced by European contact. The important elements of contact were intensive trade, access to European goods such as guns and metal tools, some new crops, conflicts engendered by competition between Indian groups for access to trade and fur areas, and alliances with competing European interests. During this period, the Ottawas moved outwards from their home area north of Georgian Bay in Canada in to Michigan, Wisconsin and Illinois. The more westerly movements of the tribe were beaten back by the Sioux, and the upper part of the Lower Peninsula of Michigan around L'Arbre Croche, just north of the Grand Traverse area, became a main seat of the tribe in the 1700's.

The Ottawas were not a tribe in the sense of being a single political unit, except possibly in the 17th century, before they began to expand (Hodge 1907-10). By 1700 they themselves referred to the "nations" of the Ottawa, indicating the Ottawas had a shared culture and language, and had many interconnecting ties, kinship groupings, and alliances. The principal political units were, however, bands of several hundred individuals, whose movements, divisions and recombinations were complex in these years. Each of these units had their own chiefs, following the general Algonquian pattern where there is relatively little formalized leadership structure, authority is not coercive, and there is some tendency of leadership to descend within certain family lines.

Feest and Feest (1978) indicate that around 1800 more significant cultural changes began to occur, probably due to the increasing pressures of white settlement, the failure of the Algonquian tribes in 1763 under Pontiac and in 1792 to be able to hold back the advancing Americans, and a decline in hunting and fur trading possibilities. It is in this period that missionary attempts finally began to achieve some success, after more than 100 years of effort. Most strikingly at L'Arbre Croche, there were rapid conversions to Catholicism, changes in the economic system toward farming, manufacture of items for sale, and wage work, and attempts by the Indians to "modernize" themselves and purchase land privately to avoid the threat of removal to the west.

Against this background can be placed the assemblage of groups in the Grand Traverse Bay region which eventually became the present band. Ottawas were definitely living at Grand Traverse Bay by 1740 (Feest and Feest 1978) and Chippewas and possibly some Ottawas before that. According to Ottawa tradition, the region was later ceded to the Chippewas, but Ottawas clearly still remained there also. The exact composition and number of settlements around the bay are difficult to determine, but at the time of the 1836 Treaty with the United States which ceded these portions of the Lower Peninsula not previously ceded, there appear to have been at least three groups. These were an Ottawa band at Elk Rapids on the eastern shore under Chief Aishquagonabee, a Chippewa group under Chief Akosa on Old Mission Peninsula, and a third group or possibly several groups of Ottawas on the Leelanau Peninsula on the western shore, probably near Northport (Gribb 1976). The two chiefs named above plus one named Oshawun Epenaysee were signatories from Grand Traverse to the 1836 Treaty. The bands were presumably entirely independent of each other at this point. The treaty set aside 20,000 acres on the "north shore of Grand Traverse Bay" as a reservation. The land set aside consisted of most of the Old Mission Peninsula in the center of the bay and a section on the east shore south of Elk Rapids.

Besides the three signatories, five other "chiefs" are listed in the 1836 Treaty as being entitled to payment. The chiefs are divided into three classes, with one Grand Traverse signatory from each class, indicating Akosa is rated lower than Aishquagonabee. The basis for the classes is not indicated, but it does support the idea of there being several chiefs in a band (with possibly others not known to the whites).

A Presbyterian mission under Dougherty was established at Akosa's village in 1839. This group moved around 1855 across the bay to an area south of Northport, known still as Agosatown. In the meantime, an additional band of Ottawas under Waukazoo had settled near Northport in 1849. This group, associated with a Methodist (Feest and Feest

(1968) say Congregationalist) missionary named Smith, had come from Allegan County, in the southern part of the state (probably in Grand River Ottawa territory), but originated earlier near L'Arbre Croche. This missionary colony itself began in 1838.

The final group is a band under Chief Peshaba, which migrated from the Cross Village area in 1852, settling just south of the Agosatown and Waukazoo groups. By this time there was already some white settlement at Northport, Traverse City and probably elsewhere in the region (NPS 1961). Nothing is known of the circumstances of these moves, whether they suggest alliances or just the availability of land. The missions in this period received considerable government subsidy for education, etc., some evidently from treaty money, engendering some complaint from the Indians.

#### 1855-1910

By 1855, the pressures from whites to dispossess the Michigan Indians was such that another treaty was signed, temporarily setting aside lands from which the Indians were to select individual allotments with the remainder to be opened in 10 years to white settlement. Although under the 1836 Treaty the lands were only supposed to be set aside for a period of five years, these tracts had continued to be occupied until the reserves of land called for under the 1855 Treaty were set out. The land set out under that treaty differed from that of the earlier treaty. It consisted of the entire Leelanau Peninsula down to a few miles north of Traverse City, plus half a township on the east shore, covering the area of Elk Rapids and Kewadin (Royce 1899).

The 1855 Treaty was signed from this area by the "Grand Traverse Bands." Akosa and Aishquagonabee signed both this and an 1856 Amendment. The other names from 1836 do not appear, nor does that of Peshaba. Waukazoo signed only the amendment. Again, there is no indication whether this indicates a lack of assent or simply the presence of multiple leaders, and no indication is given of the band affiliation of the signatories.

The period between the 1855 Treaty and 1900 was a difficult one for the Indians. White settlement increased tremendously under the stimulus of the lumber boom in Northern Michigan, the population by 1900 reaching a level higher than any after that time until the 1960's (NPS 1961). Detailed at great length in the petition are frauds and scandals regarding Indian lands. Under the 1855 Treaty, the Indians were given five years to select allotments and five more during which they could purchase lands in the areas which had been temporarily withdrawn for that purpose. However, much of this land was never finally patented, some was falsely obtained by whites using Indians as

fronts, and, after the ten-year period, land was continually lost through tax sales, mortgages and a number of illegal devices the Indians were unable to defend against. Government services were withdrawn in the 1870's.

Feest and Feest (1978) provide a general model for the political system of the Ottawas in the 1850's. They state that there were several chiefs for each village i.e., band, plus war chiefs whose importance was diminishing. "Chiefs were elected, usually from among the near relatives of the former chief." Chiefs had relatively little authority, a characteristic Algonquian pattern, and "Most decisions were made by the council consisting of the adult males of a village or region." Patrilineal clan or lineage groups existed and at least initially were the primary source of help and protection (Feest and Feest 1978). This form of political organization is probably a more or less accurate description of the Grand Traverse Bands for the period under discussion. It accounts reasonably well for what evidence is available to us of political authority, decision making and group activities. There were undoubtedly distortions and dislocations in political structure under the pressures of the period, especially as time passed and the original set of leaders died off.

The economic and settlement pattern changes already begun before 1855 accelerated as white settlement increased, hunting opportunities decreased, the effects of missionaries and government agents took hold and the groups were forced to change. Feest and Feest (1978) provide a description of this, based on the L'Arbre Croche area to the north, where these changes probably occurred somewhat earlier than at Grand Traverse. They describe an increasing importance of farming and livestock raising, with cattle and pigs being raised "by most groups from the 1820's and 30's." They also describe the beginning of wage labor and also some crafts and wood product making for sale. The degree of seasonal mobility declined correspondingly. Reverend Smith of Northport in 1858 wrote that while there was still some winter hunting, the number doing so declined every year, and all of the Indians had fixed residences (cited in Anonymous n.d.).

Despite the pressures of the period, the main settlement areas of the bands on the Leelanau Peninsula evidently remained distinct and well populated. Originally as far down the peninsula as a point eight miles north of Traverse City (around Bingham), many had moved north at the time of the 1855 Treaty. The 1881 map of Indian landholdings gives some indication of the distribution of Indians at the time (attached). The solid block around Peshawbestown suggests it is beginning to emerge as dominant. Special Agent Brook compared Peshawbestown and Agosatown in 1878 with their state in the 1850's. Bishop Mrak made a similar comparison for Peshawbestown in 1889. Both found

them greatly less prosperous than they had previously been (cited in Anonymous n.d.). Nonetheless, as late as 1898, a traveler's guide to the region indicated that Omena particularly, and also the Agosatown settlement area were still considered Indian villages (Inglis 1898). (Peshawbestown was not on the writer's route). The status of the Northport-Waukazoo band's area at this point in time is unclear. What population figures there are for these areas indicate the settlements had reasonably substantial populations throughout the period up to 1910 (see population chart).

Although the missions were active at least in Omena and Peshawbestown, and presumably probably played a role in strengthening and giving focus to the groups, little direct evidence is available about them. One source alludes to their role in social services and in education, particularly feeling that the Catholic schools were doing better than the public schools because of a more favorable attitude toward the Indians (Anonymous n.d.). The Presbyterian Mission at Omena was sold in 1883, although there continued to be an Indian church there until at least 1898 (Inglis 1898).

The direct evidence of political activities we have for this period is largely found in relation to several attempts to gain redress for land frauds and to either get a new treaty or have the old one's provisions reopened (because the latter made no provision for lands for individuals who had grown up since the 1855 Treaty). The 1836 Treaty, it may be recalled, simply denoted chiefs from the Grand Traverse area, and the 1855 Treaty refers to "Grand Traverse Bands." In itself, this doesn't provide grounds for inferring cooperation or alliance. An 1855 letter written before the treaty, which suggests that a delegation was sent to Washington, came from "Grand Traverse, Little Traverse, Cheboygan and Grand River" and lists a slate of Grand Traverse "delegates," perhaps indicating a cooperative effort (GTB 1855). The efforts initiated from within the region in the 1860's and 1870's (see below), however, definitely do give some suggestion of a cooperative effort, if only because they are initiated by the groups themselves. Common residence, and the setting aside of a common area from which to draw lands, in effect defined common interests at this point.

Beginning in 1864, the government was preparing to enter into new treaties with the Ottawas and Chippewas of Michigan. The work on these lagged, particularly at Grand Traverse, and the various bands by 1866 had begun to push for them. Cited in the petition are an 1866 letter from the "Head chiefs of the Grand and Little Traverse Bands," and one the same year in which a delegation styling itself the "Chiefs of Grand Traverse" journeyed to Washington. In 1871, a petition was sent signed, "We the undersigned Indians, living at Grand Traverse," and ending "done in council." The letter listed nine chiefs, a headman, John Anse, and a secretary, Francis Blackman, the latter two both relatively

acculturated individuals, plus about ten other names (GTB 1871). An 1872 letter from a delegation which was apparently in Washington was signed by, "our Indian chiefs who have assembled at Grand Traverse plus our intelligent young men (GTB 1871)." This listed 15 names, only a few of which overlap with the previous list. Akosa signed the second round, but neither Waukazoo nor Chief Peshaba's name are found on either one. There is insufficient information to judge the significance of this, but both letters do validly seem to indicate a group effort on the key matter of redress on treaty rights. No new treaties were ever signed, however, for reasons having little to do with the group itself.

In 1886 Indian Agent Mark Stevens, referring to Michigan Indians in general, stated that the Indians continued to "annually elect certain of their numbers, whom they call chiefs or headmen, whose duty it is to transact all business with the government or the Indian agent, sign all papers and stipulations, which they consider binding upon the band."

The Durant Roll of 1908 is a useful source of information because of the thoroughness with which it was prepared. Durant based it on an 1870 annuity roll (which was not examined for this report) and worked intensively with a large number of older individuals and with the leadership of the groups (whose significance he accorded recognition) to prepare the listing. Durant's notes were not examined. Durant carefully segregated out any mixed-bloods other than those who were put on the 1870 roll with the agreement of the chiefs, and also the children of those mixed-bloods who were on that roll.

The 1870 roll divided the Ottawa and Chippewa into Mackinac, Sault Ste. Marie, Traverse and Grand River Bands, and then into smaller bands each under a chief. Durant's main roll unfortunately just uses the division into four, although he recognized a division into Grand and Little Traverse existed. This limits its usefulness. Many Indian names are still in use on it, and the majority of "English" names are simply modifications of the Indian names which had not become fully stabilized at that point. Durant reports that the names on the 1870 roll were still almost totally Indian (Durant 1908).

Durant notes that "it would seem to have been a tribal custom that birth in these so called half-breed families gave no one a right to enrollment, but that in the case of 'half-breed relations' such only were admitted as the Indians desired or indicated (Durant 1909)." Provisions for such designation are in the 1855 Treaty, on which the 1870 annuity as well as the 1907 claim was based and are in the 1836 Treaty as well. The headmen of each of the four groups protested such enrollment, and their protest was upheld (the individuals involved being marked with a red check) (GTB 1909).

Durant's comments on the character of the bands are somewhat contradictory. On the one hand, he says that "the tribe has nearly disintegrated" since 1870 and that the distinction between bands has been "almost destroyed." On the other hand, "there yet exists a custom to recognize certain of the older members as chiefs and headmen." The Commissioner's report to the Secretary of the Interior stated "(Durant's) reports show that the various Indian communities and groups still recognized chiefs and headmen and to some extent have maintained their tribal organization...(Valentine 1910)." Among the four groupings, Grand Traverse appeared particularly strong. Durant's predecessor in working on the roll, Charles McNichols, stated that he believed that the Grand Traverse Band was "the largest and that nearly all of its members would be found on the peninsula above Traverse City (Larrabee 1908)." The Grand River Band, on the other hand, was widely scattered. Durant also indicated that intermarriage with whites was "particularly true with the Mackinac and Sault Ste. Marie Band (Durant 1908)."

In making their protest of enrollment of half-bloods, the Grand Traverse group signed itself "headmen of the Grand Traverse Band" (in the singular for perhaps the first time) and is so referred to by Durant. While they joined the protest, they stated "...but we find no mixed blood families enrolled in 1870 with our band whose descendants are not entitled to enrollment (GTB 1909)." Given the apparently cohesive character of the group, this suggests that they may have integrated some mixed-bloods and already "shed" the rest. The 19 names on this petition are partly illegible on the available copy, but the readable names are from Peshawbestown, Northport and Omena only. During the legal maneuvering and court fight that led to this claims payment, James Paul, who is signed as interpreter on the petition, visited Washington on behalf of the group. His trip was evidently financed by the group as a whole.

#### 1910-1971

Work in the Grand Traverse area was provided by lumbering, which was most important from about 1860 to 1900, by cherry and other fruit orchards, which became important after about 1890, and by potatoe farms and other miscellaneous unskilled jobs such as working for tourist hotels, lumber yards and the like. Several individuals mentioned a basket factory which existed in Traverse City some years ago. The rail line along the bay provided transportation into Traverse City, for \$.80, and it is said that as many as 20-30 men would get off at the Peshawbestown station at the end of the day. Four individuals were named as having had large farms, including Casper Anse, Dan Chippewa, Sr., and a man by the last name of McGhee. Jonas Shako

was also mentioned, and is also noted in the documents, as having an 80 acre orchard. These were in operation probably until at least the late 1940's, but no specific dates were given (F.D.).

Seasonal or temporary work away from the Traverse Bay area predates the turn of the century, and may merge with the pretreaty seasonal fur-hunting cycle. Durant (1908) mentions that he wanted to catch the Indians at home before they left for the lumber camp. Similar information from the field data mentions working in logging camps around the state of Michigan, with Fox Island and Manitou Island being frequently mentioned. Some members of the group had land on Fox Island in the 19th century. The reports indicate that entire families would make the migration to these jobs, and stay for periods of a few months up to several years. Another source of work was cedar shingle factories, which were evidently set up in various parts of the state.

The record is relatively blank between 1910, when the claims payment was made in Traverse City, and 1930. The petition indicates that many individuals left the area in these two decades to seek work in the southern portion of the state. This would be in accord with the general population patterns for the Grand Traverse region, which were influenced by the decline of the lumber industry in the region and the growth of automobile manufacturing in the south (National Park Service 1961).

No population figures are available for the period between 1910 and 1930. With the Depression, many Indians and non-Indians returned to the region. Holst's survey in 1939 reported 40 families at Peshawbestown, 20 at Northport and six at Agosatown, plus about 16 scattered throughout the Elk Rapids vicinity and a few more on the lower Leelanau Peninsula and in Traverse City (see also population chart). These figures reflect a substantial decline from 1908.

For the 1910-30 period, informant accounts refer mainly to Ben Peshaba, the son of old chief Peshaba, as being chief, but no activities in particular are mentioned. Ben Peshaba was born about 1875, and evidently succeeded "Old Man Peshaba" in Ottawa fashion. Joe Sands, the oldest man in the village, said he remembered "Old Man Peshaba," Ben's father, who died when Sands was small, which would be about 1890. There was no other evidence of when Ben Peshaba became leader.

The only documentary evidence between 1910 and 1930 is one letter in 1915 from George Antoine, referring to himself as "headman for the Grand Traverse Band." Based on earlier periods, it would be more likely than not that there would be a "headman" or maybe several, as well as a "chief," i.e., Antoine as well as Peshaba as leader.



There was general agreement among the older people interviewed that Ben Peshaba was chief, e.g., that "he was boss all around here." One person, who had some personal grudges against Peshaba stated, however, that "he didn't have everyone following him." There was no council or bylaws then and Peshaba was not leader by being voted in. He was evidently leader by community consensus, through force of character and by virtue of descent from the previous leader "Old Man Peshaba." There were other influential men, as well, but there was no formally elected council. "They met from time to time, but didn't keep notes (F.D.)."

Some context for Ben Peshaba's leadership is provided by the fact that he evidently acted as a labor gang boss, organizing and running a work crew which was hired by cherry orchards. He may at one time have been foreman for one of the larger orchards, known as "Cherry Home." He also functioned as an interpreter for the courts when Indians were on trial. "You just sat there and let him talk (F.D.)." This would indicate that part of his influence came from being an intermediary with whites and the apparently strong recognition of him as leader by local whites.

The 1930's were a period of intense activity and contact with the Federal government. Even before the Wheeler-Howard Act, numerous letters were sent by Ben Peshaba and/or George Antoine seeking recognition, rehabilitation help, etc. This parallels a general pattern in Michigan wherein numerous unrecognized Ottawa, Chippewa and Potawatomie groups sought recognition or other assistance. Bureau of Indian Affairs officials held meetings at Northport to explain the current policies, which were that the groups weren't necessarily included in the Act, but that they might be, or they might be eligible under the half-blood rule (Farver 1938).

The Grand Traverse efforts at recognition in the 1930's are consistently described as having been led by Ben Peshaba, working closely with two others, George Antoine (who was educated at Genoa school and is described as interpreter) and John Gingway (as "helping hand"). These two are also described as having been part of his work crews. Esther Koon was secretary for awhile and Louie Miller's mother was treasurer. There were socials and other events held to raise money for the effort (F.D.). One petition apparently was signed by 243 individuals, with an addenda of another 23 (referred to in Engels 1935). (The petition itself was not located for examination).

The failure of the effort at recognition was ascribed by one older individual as due to the fact that they didn't have a lawyer and that they were basically unsophisticated in dealing with the government and "didn't know how to work around." Also cited was the feeling that they had fought "each other" too much, without giving any elaboration as to

what this meant. Another individual, who was very antagonistic to Ben Peshaba, accused him and his two helpers of having gone off somewhere with the money and not following through. The reference to conflict may relate to the apparent split at one point between Antoine and Peshaba indicated by a letter from Antoine (1938) stating that Peshaba and Gingway were overthrown and that he and Esther Miller Koon were in office. Another person also indicated there was a lot of conflict in this period, stating that the "Indians didn't agree on anything at all. They were afraid they would get cheated." The meaning was that there was conflict over whether to seek recognition. In this context, one person stated that the Bureau had gone house to house in the 1930's and asked whether the Indians wanted a reservation. Most were said to have turned it down because they were afraid they would lose the private land. This may refer to the proposal at one time to provide them with land in Emmet County, or another proposal to create a new reservation in the Upper Peninsula. It may also reflect the influence of the Michigan Indian Defense Association (cf. below), whose efforts are still remembered locally.

During this period, a Catholic priest, Father Aubert, formed a group known as the Michigan Indian Defense Association, which strongly opposed the Indian Reorganization Act (cited hereafter as IRA). It was supported by Indians who felt they were successful as citizens and did not want Government control or interference. Minutes of one of their meetings, plus other correspondence, give some indication that they were particularly in conflict with Peshaba (MIDA 1936). Peshaba's letters in turn imply that, perhaps with some effort, he had brought people around to seeking recognition.

The evidence is very strong here that the community (or communities, since all three seem to have been firmly involved) was capable of achieving some consensus and able to marshal its resources to work toward recognition. It did so apparently despite the rather strong attack by the Michigan Indian Defense Association (Antoine 1935). On the other hand, as the paragraph above indicates, there was plenty of conflict within the group. There was no indication that this conflict was linked with the efforts of Father Aubert. There is also no indication that it followed geographical or religious lines. The petition was signed out of more than one area, Antoine being from Omena.

A survey of Indian groups in Michigan was done in 1939 by John Holst, Supervisor of Indian Schools. This report was well after IRA organization work was begun in Michigan and reflects the gradual shift in Bureau policy from there being a reasonable possibility that they would recognize some of the unrecognized groups to a position that

they didn't have the funds and the state had the responsibility. Holst states "They recognize no native leadership because they recognize no common interests." He then reviews the putative leadership of Michigan groups, stating, "Ben Peshaba and George Antoine at Peshawbatown contest with each other for a leadership which few accord either."

Holst's report requires, obviously, some comment. Many of his other statements, which state basically that the Indians were all acculturated, were economically well off and faced no discrimination, are contradicted by Mekeel's report of the time on the Upper Peninsula (1937), and were directly challenged by the Superintendent of the Great Lakes Agency (Farver 1939). The specific comments on political structure and the Grand Traverse leaders do not accord with the other evidence in hand discussed in this report.

The 1934 petition is given more emphasis and looms more strongly in people's minds today than the 1943 petition of Casper Anse, which sought to return to the reservation and treaty rights of the 1855 Treaty. The 1943 petition was signed by 55 persons, apparently from all three settlement areas. One person stated that Anse had been "trying to make it a reservation," but that his paper "hadn't reached Washington," which may be the case. The petition was preceded by years of effort on Anse's part to obtain land by homesteading, evidently for his individual benefit. Anse was described as being a very successful farmer at the time.

There is no evidence to indicate that the county's acquisition of defaulted lands for a "reservation" in 1943 was connected with Anse's efforts. The county concentrated on the Peshawbestown area, which may reflect the fact that the largest number of remaining, if defaulted, lands were there, as well as the largest population. There is correspondence as early as 1938 from Emelia Chaub, Leelanau County Prosecuting Attorney, on behalf of the Indians. She sought information on a charter for them under the IRA. Several individuals credited a man named Mike Raphael with an important role in getting the county to take the land. Raphael worked with Emelia Chaub on this, according to informants and correspondence in the hands of one individual. This correspondence also indicated Raphael had sought help from the Bureau's social work division (Ryan 1943). Raphael, who was a cousin of Anse, was referred to as "one of the self-appointed chiefs" of the period, i.e., as one of several who were working in that period (F.D.). Raphael was also credited with a role in stopping the attempt in the 30's to transfer the group to land elsewhere.

The record is relatively thin between 1944 and 1970. In 1954, the county purchased additional land for the group (Leelanau Indians Comprehensive Plan). The group participated in the Indian Claims Commission case of the Ottawa and Chippewa of Michigan. According to the petition, delegates from Peshawbestown and Northport (separately stated) attended a 1951 Northern Michigan Ottawa Association (cited hereafter as NMOA) meeting on the subject. NMOA was formed in 1948 and according to informants Unit II which coincides with the Grand Traverse area was the second one formed. Population of the settlements may have declined in this era (cf. below). The old chief, Ben Peshaba, died in 1955.

The leadership and political structure of the Peshawbestown community between the death of Ben Peshaba in 1955 and the formation of Leelanau Indians, Incorporated (cited hereafter as LII) in 1972 is not entirely clear. The individuals questioned had difficulty in providing a description from those years, in part because some of them were away from the area at the time. The period was undoubtedly one of transition between the leadership of the chief and the advent of a more formalized white style structure. There is no indication that the community was lacking in cohesion in those years or that there weren't people of significant influence or that it didn't reach decisions as a group by informal mechanisms. One description given was that, "things just sort of went on (i.e., continued on)." In addition, the church remained a vehicle of organization. Although there was no specific chief, several individuals were named who were considered to be influential in this period.

Probably starting in 1965, and running possibly until 1970, there was a Community Action Program (cited hereafter as CAP) in the community. This project set up a CAP board to which members were elected from within the community. When a Lot Advisory Board was formed by the county in 1971, two community members on it were appointed on the advice of a "Peshawbestown Advisory Board," which may be the CAP organization (L.I.C.P.). After Leelanau Indians, Incorporated was formed in 1972, it took over the function of appointing two members to the Lot Advisory Board.

The board itself grew out of the increasing conflict between the Indians and the county over administration of the county lots in Peshawbestown. This conflict dates from at least the late 1960's. The board was purely advisory. LII appointed two members and three others were appointed by the county Department of Social Services.

What evidence there is suggests the CAP played a role in strengthening the community and eventually stimulating its reorganization. However, there were other events in the early 1970's which probably also helped

strengthen the group and led to the formation of LII. The present parish priest, who is credited with a strong positive influence, came around 1971. The impetus for the formation of Leelanau Indians, Incorporated came from within the community.

#### Description of the Present-Day Community

The "community" of the Grand Traverse Band consists of the settlement of Peshawbestown plus some groups of families that remain living in or near Northport and Omena (see map). The latter are remnants of the separate bands from these areas, and some still live on private land dating from the original allotments. Some individuals formerly living in these areas have moved down to Peshawbestown, a process that has been going on since at least the 1930's. Some Grand Traverse members live in Sutton's Bay, a few miles to the south, or in or near Traverse City, about 20 miles to the south (population about 20,000).

The population of Peshawbestown is presently around 133 people including 36 regular but seasonal residents. There are approximately 225 Indians in all of Leelanau County (L.I.C.P.). Of these, perhaps 25 or so are not enrolled in the Grand Traverse Band organization. The accompanying table and map shows the percentages of the current adult enrolled membership and how it is geographically distributed. In general terms, about 1/3 of the current adult membership lives in the three main traditional settlement areas, and altogether about 54% within the Grand Traverse Bay region. Another 21% lives in or near Grand Rapids, about 150 miles away, and almost all live within the Lower Peninsula of Michigan.

The community of Peshawbestown, as a result of a long historical trend, is now the main center of the group. Within Peshawbestown much of the land has been lost to non-Indians although it still forms a concentrated settlement strung out on either side of the highway that runs through it, with the Catholic Church in the center. Twenty-two acres are still privately held by Indians, 19 by the church, 75 are county lots held for the Indians, 2 are owned by the school district and 109 are owned by non-Indians (L.I.C.P.).

The Catholic Church and its organization are still central to the Peshawbestown community. It is maintained as an exclusively Indian church in membership, although many non-Indians attend services. The membership is estimated as between 200-300, and the current priest, who arrived in 1971, is credited with having greatly strengthened the membership and the Peshawbestown community as well. The Methodist Indian Church in the north is no longer very active, functioning only in the summer. It no longer has an Indian pastor (F.D.).

Most Grand Traverse members describe the religious division between Methodists and Catholics as considerably more significant than the geographical division between Peshawbestown and the north which is generally parallel to it. One person estimated that the Grand Traverse band was approximately 75% Catholic and 25% Methodist. Until recently there was a strong feeling that it was not appropriate to marry across religious lines. Some of that feeling still persists, although there apparently has been a considerable amount of intermarriage for quite awhile. One individual said, "we are all related, but divided by religion." There was plenty of social contact between the two groups in earlier days, with present Catholic individuals describing the pleasures of attending the annual summer camp meeting of the Methodists. These were held near Omena and lasted several weeks. They had the character of a social event and entertainment, with an organist and lots of singing. One individual stated that, "we practiced ecumenism," that they "exchanged on funerals," and that he had relatives he would stay with as a kid when he went to camp meetings. (This would have been approximately 1915).

There was little if any discoverable distinction made between Ottawa and Chippewa background. Little reference was made to Chippewa ancestry, with the identification being made exclusively as Ottawa.

The Peshawbestown settlement is clearly the dominant group and at some point in the existence of the current organization, Leelanau Indians, Inc., there was a feeling that everything (grants, community development funds, etc.) was "for Peshawbestown." To correct this, there was a specific effort on the part of the current leadership group to "reach out" to "Northport." Two members of the current board were specifically cited as evidence of the results of this effort.

Beyond the well-integrated resident community is a body of members living away from the Grand Traverse area but maintaining close ties with it (F.D.). Beyond this there is an unknown but undoubtedly sizeable number of individuals of Grand Traverse descent living both within and outside the state of Michigan. As with any Indian community, there are gradations of strength of ties and frequency of contact with the core group. Beyond the resident core, and the out of area "core" members, are, therefore, many individuals whose ties range from some to very little. There appears to be considerable variation within single families in this regard.

The area of Grand Rapids has been a regular and standard place to seek work since at least the Depression. It is the nearest sizeable urban area and had and still has manufacturing industries which can provide jobs. Having lived and worked away from the area at one time or other seems to be part of the experience of almost all of the adults of whatever age. Most individuals also reported one or another relative

living in different parts of Michigan and throughout the country. There are a significant number of individuals in the generation under 40 who have been quite successful in the non-Indian world away from Grand Traverse.

The economy of the Grand Traverse Bay region is presently heavily oriented towards the tourism industry, based upon hunting and fishing. Cherry orchards are also still important. Both of these industries are heavily seasonal, due to the severe climate, which means that job opportunities are considerably greater in the summertime than the rest of the year. The non-Indian population of the area is increasing fairly rapidly both on a seasonal and a permanent basis. The amount of land being subdivided is also increasing, with consequent land pressure on the Indian areas, which are favorably located on the bay.

Lack of opportunities for work locally was cited by both community members and non-Indians as a serious problem for the group because so many of those of working age have had to move elsewhere to find work. There is a considerable degree of movement in and out of the community both on a seasonal basis and for longer periods, for purposes of finding work. There is a strong influx in the summer to take advantage of the increased number of jobs.

By all accounts, economic opportunities for Indians in the area have declined greatly since at least the 1940's and probably since the Depression. It was common before then to seek work elsewhere (cf. above) although up to that point, "you could always get work around here." One person stated that there had been a population of 300 to 400 in the 1940's, but when he returned to the area in 1959 after being away, there was only about 130. The reasons for this decline are not clear, although the disappearance of potatoe farming and mechanization of unskilled tasks formerly done by Indian labor seem likely.

#### Present-Day Political Organization

Leelanau Indians, Incorporated was founded in 1972 to serve as a vehicle to obtain grant funds and the like for the community. Louis and Esther Koon were universally acknowledged to have been the prime movers in forming the organization, with the assistance of the Department of Social Services of the county (F.D.). The membership, according to informants, is defined as the Indians residing in Leelanau County, which excludes band members living elsewhere, including those in nearby Traverse City. Leelanau Indians Incorporated is being used as the vehicle through which recognition of the Grand Traverse Band is being sought.

The LII structure has become the effective government of the Grand Traverse Band, although it evidently was not initially designed with that in mind. It is providing for and administering the membership enrollment process for the band, has a conservation committee to deal with fishing, a pow-wow committee (a project which predates LII), a laundromat committee (which also predates it), a parent advisory committee, a CETA Project and a housing authority. The CETA project includes approximately seven positions, all filled by band members except the Project Coordinator, who is non-Indian. An important position funded through this is that of tribal planner. LII is the recipient of a \$200,000 grant from HUD to build a community center in Peshawbestown. This was sponsored by the county and is from ordinary community development rather than Indian funds.

The LII board also exercises major governmental functions with relation to land, through its housing authority. The Leelanau County Board of Supervisors in 1978 leased the county owned lots to LII, ending the conflict with the band over control of the land and placing LII in a position of power through its control of land use. The housing committee has evicted one family from a house because the house was substandard, and is seeking to prevent the currently threatened loss of several parcels of private land due to tax defaults (F.D.).

Fred Harris, the grandson of Ben Peshaba, serves sometimes as a "ceremonial chief" representing the group at pow-wows and the like. He has this role by virtue of descent. There is no indication that he was elected in any fashion or that he has any political significance whatsoever, contrary to the tone and perhaps the letter of the petition.

The present leadership group is characterized by many as, in effect, "young turks." This is because several among them are individuals in their 20's and 30's who returned to the community after living and working away from the area in the 1960's and early 1970's. This group took over control of the board of LII in 1974, displacing Louis and Esther Koon and their supporters.

The main opposition to recognition comes from Louis and Esther Koon and their supporters. It stems from their support of the Northern Michigan Ottawa Association as the legitimate group to recognize and, according to others, from having been pushed out of control of LII. There are approximately eight people, all apparently local or seasonal residents, who oppose recognition, including the Koons. Many of these at least are individuals who still own land within Peshawbestown and are apparently afraid they will lose it if a reservation is established. The proposed constitution makes provisions to guard against this. It should be noted that Esther Koon was apparently allied with George Antoine in the 1930's, suggesting some continuity of political conflict.



Materials in the petition also refer frequently to very strong conflict within the community over the recognition issue (L.I.C.P.) and the Department of Social Services director also alluded to this. Although information was not obtained on this matter, it would appear that the present level of relative calm and unanimity was achieved only after several years of internal conflict. According to one informant, a survey done in the last year or two showed that 95% of those responding were in favor of recognition. The survey was apparently the one done in connection with the comprehensive development plan.

The present leadership group has also succeeded in winning the most recent election for Unit II of the Northern Michigan Ottawa Association, the unit which covers the Grand Traverse area. The leadership reports that as a consequence the NMOA leader, Waunetta Dominic, has excluded them from NMOA meetings and affairs.

The Koons support NMOA and NMOA's position toward recognition of Grand Traverse, which is that there is a single Ottawa tribe (in Michigan), that Grand Traverse was one band within it, and that therefore they could not separate themselves and seek recognition independently. The current LII leadership stated that one reason for seeking separate recognition was that Dominic had "never done anything for Peshawbestown." Their position (which appears historically correct) was that the Ottawa tribe was only a loose association and that it was the bands that were the relevant political units. This argument was stressed rather than the argument that NMOA was merely an organization formed fairly recently for claims purposes.

#### Intermarriage

A careful examination was made of the genealogical charts of the current membership of the band. Without making a detailed analysis, these indicate the group has maintained a highly cohesive character. The membership is intermarried to a large degree and until recently at least has infrequently married outside itself. Impressionistically, there is a relatively large number of family lines from the 1908 Durant Roll still represented. There is and has been for a number of generations, a small but definite number of marriages with non-Indians at various points, with those who remain as members marrying back into the group in succeeding generations. The blood degree is, therefore, relatively high. The members currently listed who are living away from the immediate area appear to be largely from families still established at Grand Traverse, i.e., to be more or less recent emigrants and ones with close ties to the group, rather than being several generations removed.

They appear, therefore, to be maintaining the pattern suggested by Durant of keeping mixed-bloods out, or, rather, controlling which ones are included. It is a "core" which so far has not long maintained contact with the "spinoffs" that any group produces.

There is a small but significant amount of intermarriage with Grand River Ottawas, a pattern which has existed for a number of generations. On the Durant Roll, and also presently, there seem to generally be a few Grand River people resident in the area. The nature of the Durant Roll classifications precluded obtaining a clear idea of intermarriage with other "Traverse Band" groups at that time, but some was definitely indicated as was residence by some Grand Traverse people in other Ottawa areas. All of this would probably have been the case throughout the history of the Ottawa, given shifting band composition and cross-cutting kinship ties and groupings.

#### Other Communities

Although the petition, and my research, have focused on Peshawbestown, Northport and Omena, there are a number of other communities within the general region which may have been incorporated and which the petition in some ways implies it is including. One such set is on the east shore of the bay, Elk Rapids, Kewadin and Rapid City, and possibly Acme and Bates. Elk Rapids, it may be recalled, was the site of one of the "original" bands in the area. The other set is south of Leelanau County, in Antrim and Benzie counties, including Honor, Glen Arbor, Glen Haven, Barker's Creek and possibly Provement and Frankfort. The petition cites population figures for these from Holst's 1939 survey, mentions the Elk Rapids group in the 1830's and has included a 1934 petition signed by Elk Rapids people. The latter is identical in format and date with the Grand Traverse petition and was done on the same date in Traverse City (GTB 1934).

There were sizeable populations in these locations in 1908, indicated on the Durant Roll, and in 1939 (Holst 1939) (see population chart). On inspection, the family names in the Honor etc. area in 1908 greatly overlap with those of the main Grand Traverse area, indicating it may have been only an area or areas of temporary settlement. The Elk Rapids area, on the other hand, shares only a few names with Grand Traverse, with the exception of several Anse's, including Casper Anse. A rough check indicates that descendants of several of the Elk Rapids area families are presented in the current membership (other than the Anses). At present, there are only a couple of current members resident in either location. It may be, therefore, that the Elk Rapids area should be included as one which relatively late in time incorporated into Grand Traverse.

There has evidently been some historical movement from or back and forth from the Fox Islands, an area normally "assigned" to Chippewas from the Upper Peninsula (Mekeel 1937). Joe Sands, the oldest man in Peshawbestown, and Dan Chippewa Sr., in his 80's, described living and working in lumbering on Fox Island (Sands may have been born there). The fathers of both men had public domain allotments on Fox Island, as did several Anses (Great Lake Agency 1936-9). The Durant Roll also shows several other families overlapping with Fox Island, in two cases with Northport and Fox Island as dual addresses.

#### Culture and Cultural Differences

While there are no definite traditional formal social institutions and few if any traditional cultural practices remaining, e.g., chieftainship, religious rites, dress styles, etc., the community and its members are quite definitely culturally distinct from the surrounding non-Indians. That is, the general patterns of inter-personal behavior and attitudes, and the informal organization of the community, are characteristic of Indian communities elsewhere. Members of the community, and many individuals presently living away from the Grand Traverse region, exhibit the intense involvement in and orientation to, and knowledge of each other's affairs and behavior which are characteristic of a group-oriented tribal society (F.D.).

Besides behavioral differences, the Ottawa language is still spoken by older members of the community, with some ability to understand it on the part of younger members. "Ghost suppers," which are at least a Christian adaptation of traditional religious practices, are still held. There may be a few other items of material culture which are carryovers from traditional culture. A certain amount of revived and/or adopted practices have recently been encouraged by the Catholic Church. There is an annual pow-wow which was instigated in 1971 by a local non-Indian, but which can be considered part of modern pan-Indian social organization.

#### Conclusions

This report and the writer's research have been directed at the question of whether the Grand Traverse Band meets criteria, 54.7(a),(b), and (c) of the regulations. The overall conclusion is that all three criteria are met very well by this group. Because of the interrelated character of these three criteria the discussion of them below has been combined.

The present unit is an amalgamation of several independent Ottawa bands and one Chippewa band which entered the Grand Traverse Bay region at different times, the earliest predating 1800, the last Peshaba's band in 1852. All of these were independent political units under their own leadership, although strong ties were maintained with the larger

body of the Ottawa and Chippewa "tribes" respectively. The historical record shows that the amalgamation occurred gradually and naturally, based in part on common cultural traditions, living within a close proximity, the tendency of the Federal Government to define them as a single unit, and common external pressures.

Cooperative efforts in dealing with the Federal Government are in evidence as early as the 1860's and the evidence is that by the turn of the century they were substantially socially integrated, with a sense of common interests and considerable intermarriage and overlapping of families. The Peshawbestown settlement had probably become predominant by the turn of the century.

The record concerning tribal political authority and its exercise is much clearer for some periods than for others. In particular, there is little material for 1872 to 1907, for 1910 to 1930, and for 1944 to 1971. However, material is not entirely lacking for these periods, and there is strong evidence of functioning political authority at the beginning and end of these periods, in addition to important supporting evidence of strong community cohesion. There is no negative evidence in the sense of evidence indicating there was an absence of political process during the years for which there is little information. The least satisfactory period is between 1955 and 1971, between the death of the last chief and the formation of a formalized, written governing structure. What evidence there is indicates there was some informal leadership and political influence exercised, and alternate institutions such as a CAP Board and the church.

Important indirect evidence supporting the existence of tribal political process is evidence that a community is cohesive, maintains strong social distinctions from nonmembers, and is culturally distinct from non-Indians. Such features indicate a social context in which informal political processes can most reliably be inferred and imply the group has been able to maintain and "enforce" a consensus to remain distinct from non-Indians. The character of interpersonal relationships and attitudes observed at Grand Traverse is characteristic of a cohesive tribal community, i.e., they are highly group oriented. The available evidence is that the group has had a very strong pattern of marrying within itself, or individuals from related groups. Where there are marriages outside, succeeding generations have married back into the group. There is considerable evidence in the record for a tradition throughout historical times of "shedding" mixed-bloods, at least those "mixed-blood" in orientation as well as actual descent.

At all points in time for which evidence is available concerning political processes, with the partial exception of 1955-71, there was a leader, or more usually a set of leaders, recognized by the community as speaking

for the group's interests. There appears to have been little or no role played by outsiders in designating group leadership. A pattern of multiple leaders, which is traditional, persisted until at least the 1940's. We do not have much information on the roles or interrelationships of these leaders, particularly before 1930. As this indicates, we also have relatively little direct evidence concerning internal political processes in the past, such as how leaders were chosen and decisions reached--as opposed to the evident results of such processes.

The group, and its earlier components, have consistently been identified as Indians, as specifically Ottawa or Chippewa, and as members of a particular group of such, throughout their history and are so identified at present. Such identification is made by local, state, and Federal agencies, church officials, and non-Indians in the region in general. The most notable recognition perhaps is the possibly unique "county reservation" established for Peshawbestown in 1943.

The present community is still geographically distinct from the local non-Indian community, although much of its membership does now reside away from the area. It maintains a good deal of internal cohesion and close social ties of a sort which maintain a significant social distinction from the surrounding non-Indians. There are also some important remaining cultural differences, although these are not highly visible.

The present group is an amalgamation of a set of specific bands which have inhabited the same area in which they are presently found since 1852. Approximately 33% of the adult membership group lives in or near the original settlement areas, another 21% lives elsewhere within the immediate Grand Traverse region, an additional 21% lives in or near Grand Rapids, a standard temporary location for members, and only a handful of the currently enrolled members live outside the Lower Peninsula of Michigan. The field research and some documentary evidence indicate that at least many of those living outside the Grand Traverse region do maintain close ties and frequent contacts with the group.

There is a possibility that significantly more people will apply for membership, the majority of whom will probably be resident outside the Grand Traverse region but within the state of Michigan.

There is a sufficient portion of the band which supports recognition, and the present leadership, to merit acknowledgment. There is a small group, apparently centering on holders of private land, which opposes recognition. This group formerly held political position within the community. Eight individuals, representing perhaps 10-12 adults

resident in the area, are involved. There are a few individuals resident in the region beyond those in opposition who are not currently enrolled. Overall, perhaps 10% of Grand Traverse individuals living within the region have not yet enrolled.

It should be noted that the decision to seek recognition was evidently preceded by a significant amount of community conflict. There does remain some division of the community along religious lines and along geographical lines (the two are no longer parallel), but these function as distinctions within a community and have been adequately addressed by local political processes. The political conflict noted does not follow these other social distinctions.

LOCATION OF CURRENT GRAND TRAVERSE  
MEMBERSHIP (ADULTS)

	<u>Number</u>	<u>Percent</u>
Grand Traverse Region		
Peshawbestown	35	20
Omena	4	3
Northport	18	10
Traverse City	20	12
Other G.T. Region	<u>16</u>	<u>9</u>
Total--G.T. Region	93	54%
Elsewhere		
Grand Rapids Area	36	21
Other S.W. Mich.	18	10
Other Michigan	12	7
Other/No. Addr.	<u>14</u>	<u>8</u>
Total--Elsewhere	80	46%
Total Adult Members	173	100%

## POPULATION FIGURES--GRAND TRAVERSE BAND\*

	1820 <sup>1</sup>	1838 <sup>1</sup>	1845 <sup>1</sup>	1858 <sup>2</sup>	1863 <sup>1</sup>	1878 <sup>3</sup>	1881 <sup>3</sup>	1908 <sup>4</sup>	1939 <sup>5</sup>	1977-9 <sup>6</sup>
Grand Traverse Region--Total	750	450	500	1000	750			624	368	200
Peshawbestown							300	231	160	81
Omena/Agosa- town						300		111	24	12
Northport								94	80	35
Honor/Oth. Leelanau P.								39	28	10
Elk Rapids/Rapid City/Kewadin								121	48	7
Traverse City								28	28	37
Other										8

## Sources:

<sup>1</sup> Feest and Feest 1978

<sup>2</sup> Cited in Anonymous, n.d.

<sup>3</sup> Cited in Anonymous, n.d., from The Enterprise, May 5, 1887

<sup>4</sup> Estimated from Durant roll, from number of Traverse Band families actually resident at these locations.

<sup>5</sup> Holst 1939. Probably conservative, residents only. Estimated from number of families listed.

<sup>6</sup> Estimated from membership roll, field data and Leelanau Indians Comprehensive Plan.

Includes an estimated of non-enrolled individuals.

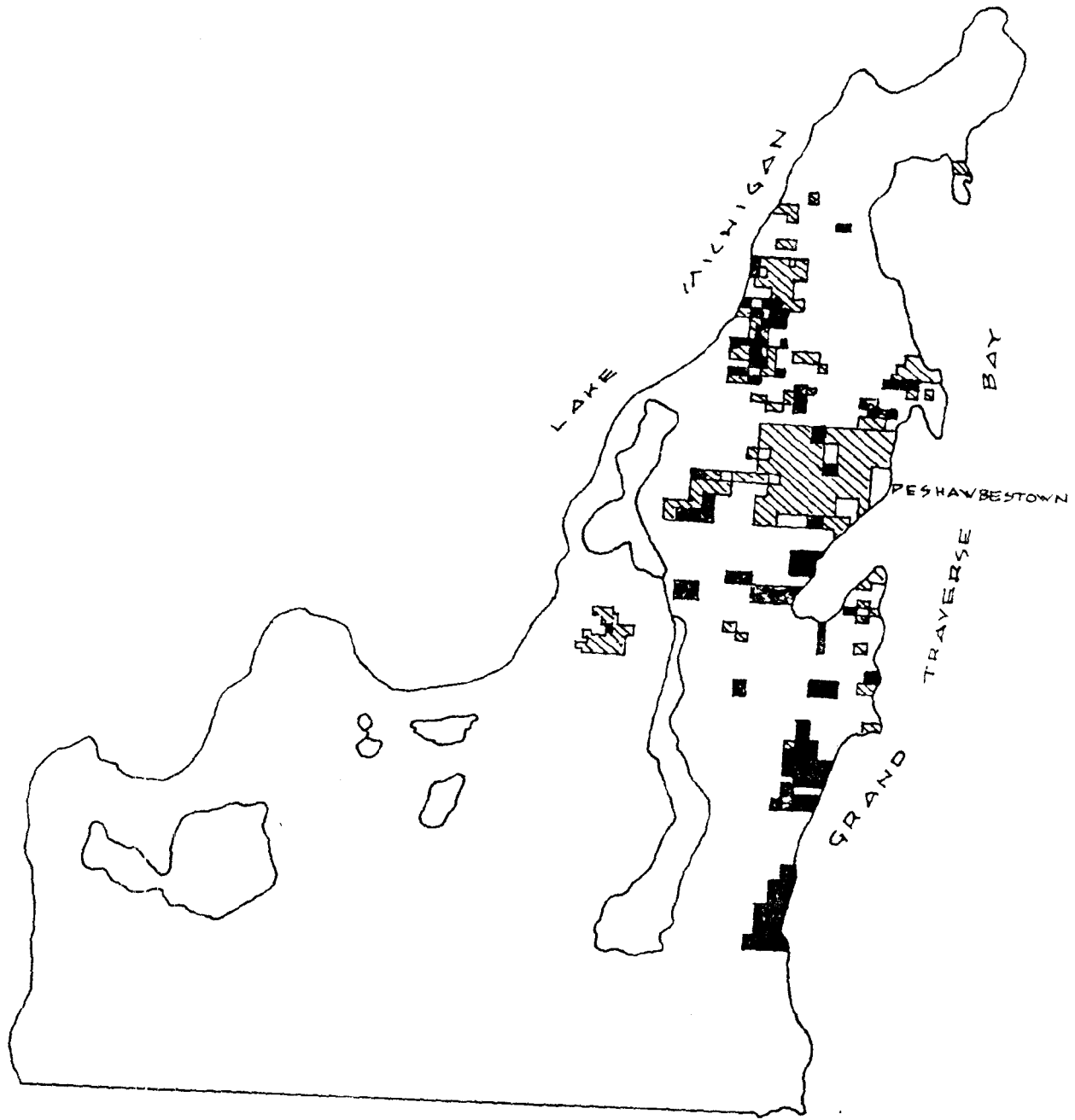
\* All figures from 1878 on are for resident population.



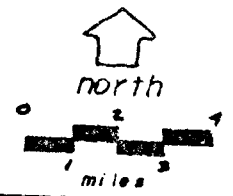


Indian Cemetery

Methodist Church

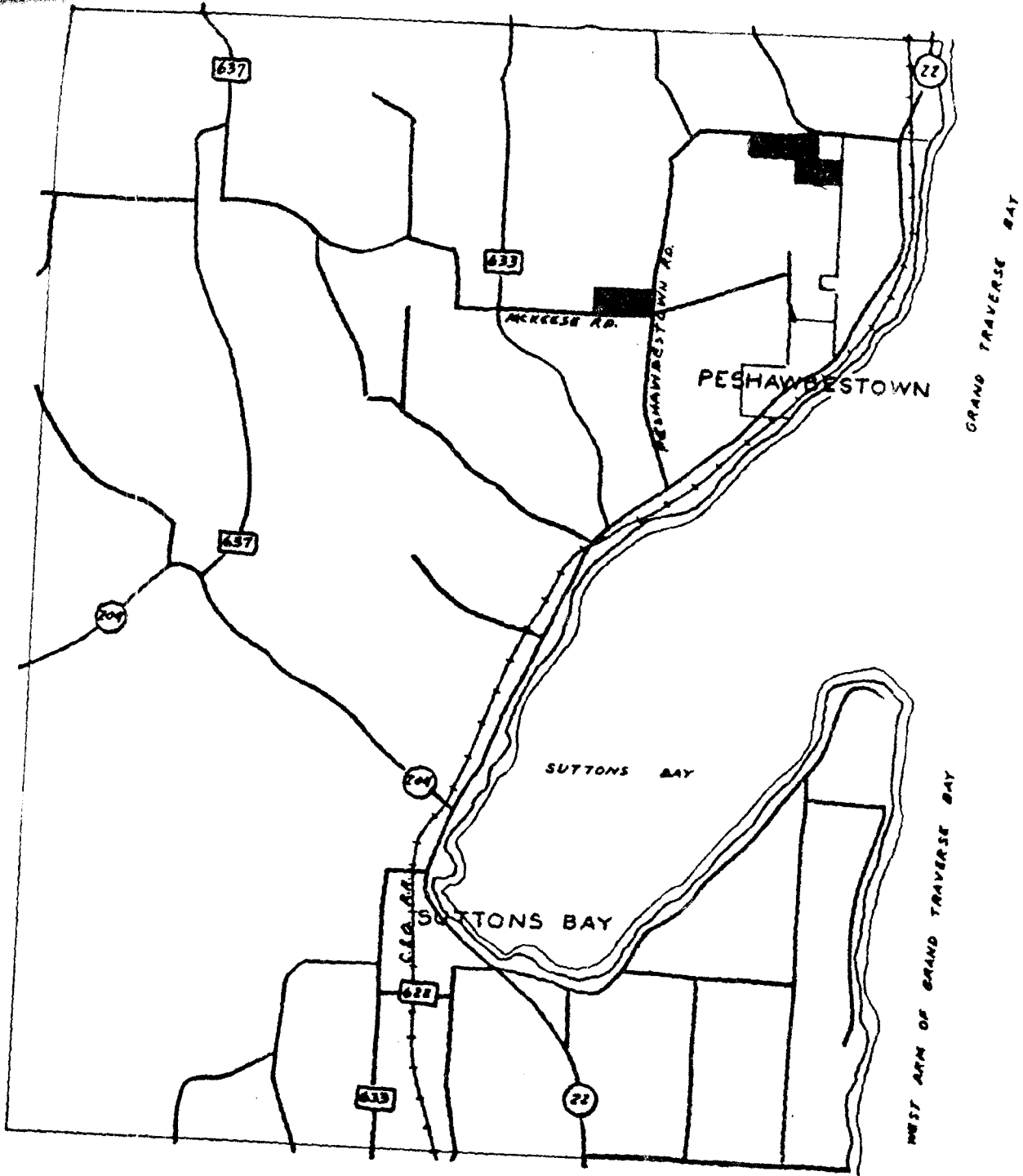


- LEGEND**
- ROBT. LEE FAMILY
  - LOCAL MERCHANTS
  - INDIAN OWNERSHIP
  - OTHER



From: Leelanau Indians Comprehensive Plan  
42

LAND OWNERSHIP  
PATTERNS 1881



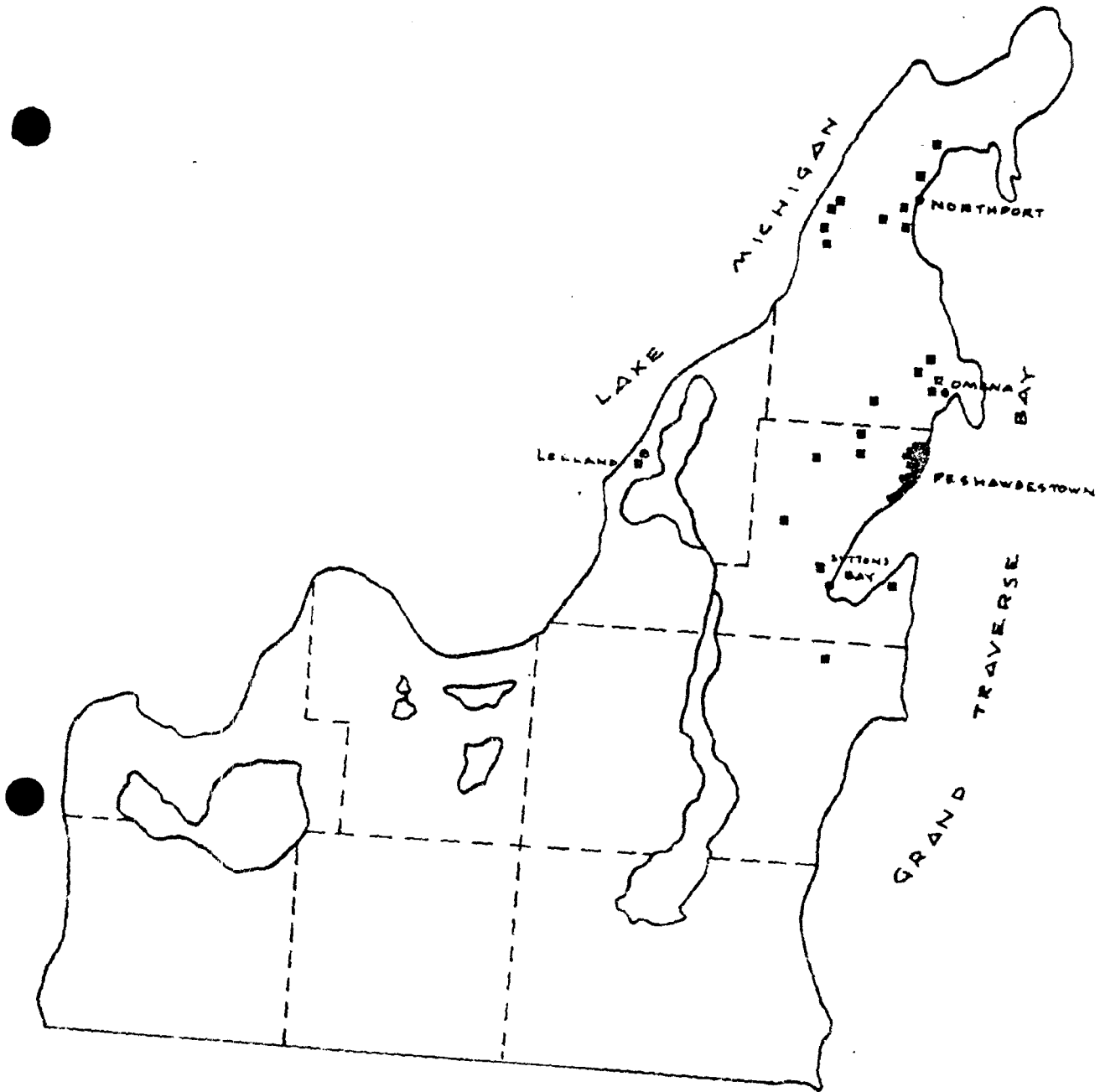
From: Leelanau Indians Comprehensive Plan

LEGEND

- UNPLATTED COUNTY OWNED LAND RESERVED FOR INDIAN USE



SUTTONS BAY  
TOWNSHIP PLAT 1975

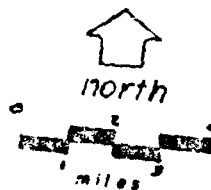


LEGEND

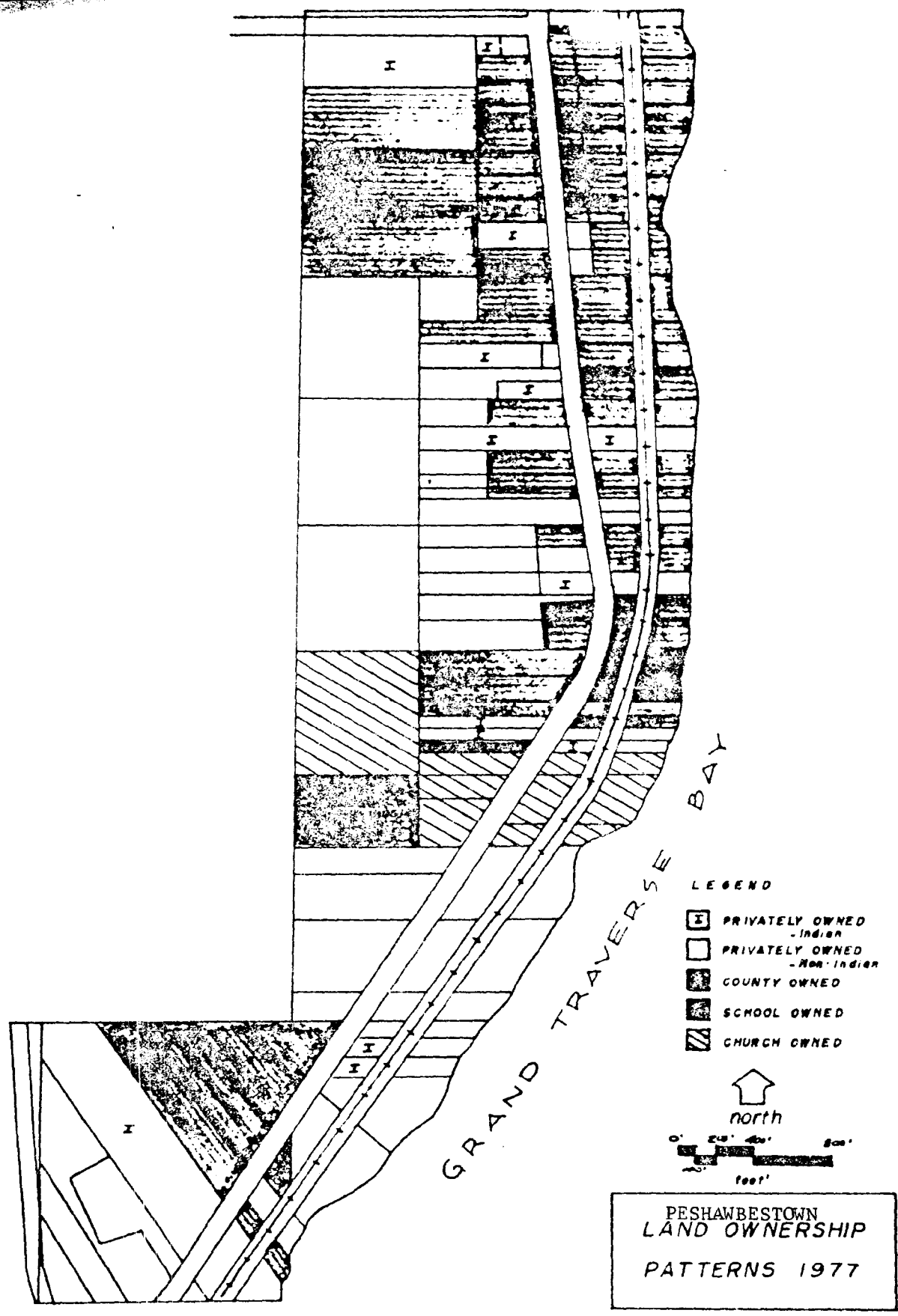
■ HOUSEHOLD

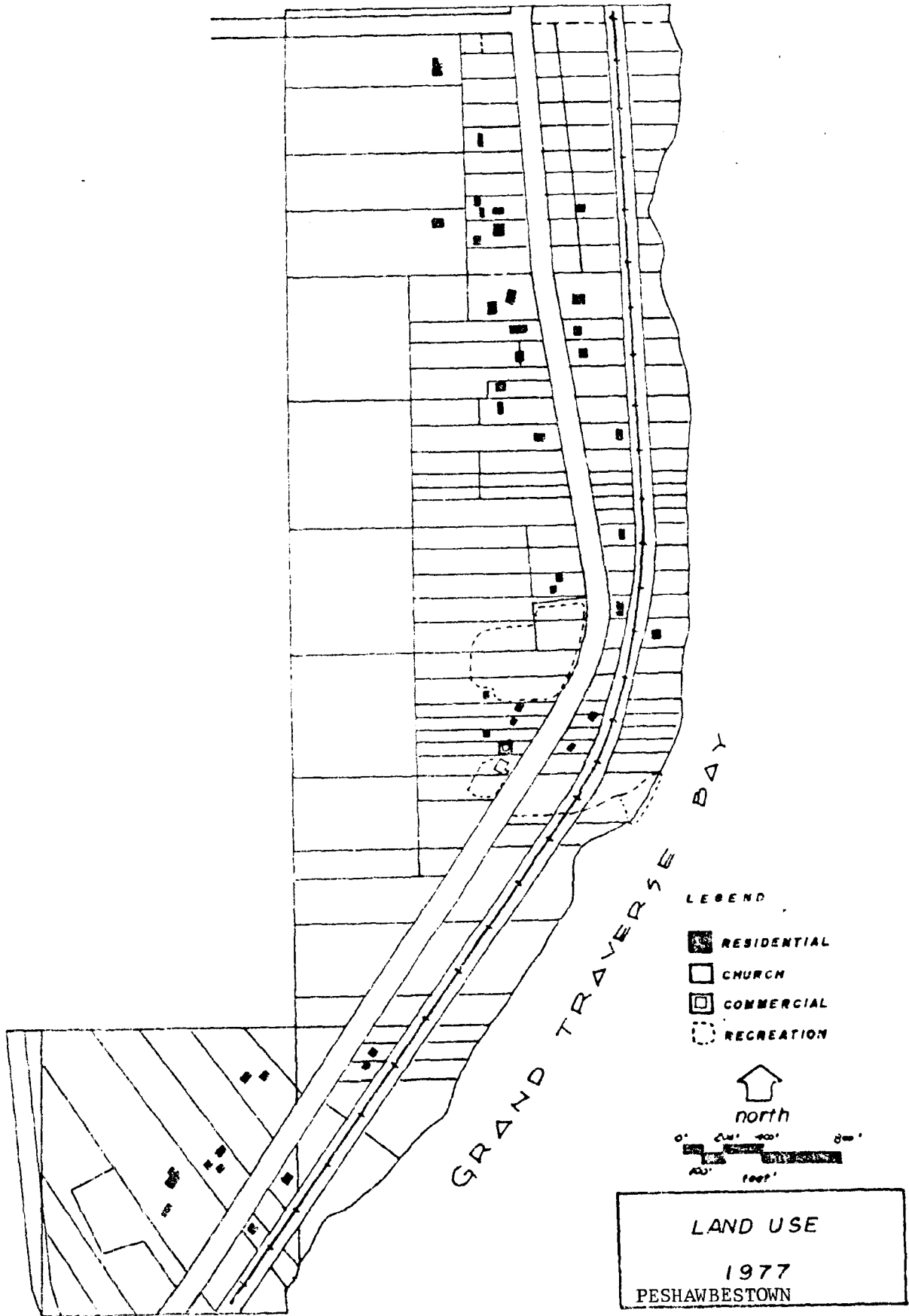
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Leelanau Indians Comprehensive Plan



EXISTING HOUSING  
FOR  
GRAND TRAVERSE--LEELANAU PENINSULA





m: Leelanau Indians Comprehensive Plan

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1979.

September 25, 1979

REPORT ON GENEALOGY OF MEMBERS OF THE GRAND TRAVERSE BAND  
OF OTTAWA AND CHIPPEWA INDIANS OF MICHIGAN

Membership in the Grand Traverse Band of Ottawa and Chippewa Indians of Michigan is governed by Article III of the unratified and undated constitution of the Leelanau Indians, Inc., which was founded in 1972 to be used as the basis to obtain Federal grants, etc. Section 1 of Article III states in part that in order to become an enrolled member of the Grand Traverse Band of Ottawa and Chippewa Indians an individual must be one-fourth (1/4) degree Ottawa and Chippewa, not currently enrolled in a federally-recognized tribe, and meet at least one of the following criteria:

- (1) be descended from the historical bands of Grand Traverse whose ancestors name(s) appear on the Durant Roll of 1908 as a member of the Traverse Band;
- (2) have ancestors listed as Traverse or Grand Traverse Band members on any payment roll, census or record made for the Traverse or Grand Traverse Bands by officials or agents of the Department of the Interior or the Bureau of Indian Affairs; or
- (3) be a person, or descendant of one, who received or was issued an allotment of land in the area set aside by the Treaty of 1855 with the Chippewas and Ottawas.

Using the membership criteria set out in the undated and unratified constitution of the Leelanau Indians, Inc., a list of members current to June 13 was prepared and submitted with the petition of the Grand Traverse Band of Ottawa and Chippewa Indians.

Records of the National Archives, copies of which are available in the Sault Ste. Marie Agency and from which the enrollment clerk of the Grand Traverse Band obtained working copies, are the sources for the genealogy information on the individual family history charts submitted for each person named on the current membership list.

These records include an 1870 roll of Ottawa and Chippewa Indians of Michigan and a census roll of all persons and their descendants who were on the roll of Ottawa and Chippewa Tribe of Michigan in 1870 and living on March 4, 1907, prepared by Special Agent Horace B. Durant as well as Mr. Durant's field notes. Mr. Durant also prepared a supplement to this roll as of October 28, 1909, containing the names of 236 children born to members of the Ottawa and Chippewa Tribe of Indians in Michigan after March 4, 1907.

At the time Mr. Durant prepared the census of those persons of the Ottawa and Chippewa Tribe of Michigan and their descendants, he indicated in his notes those individuals who he felt were fullbloods and also indicated when spouses were non-Indian or from other tribes or bands. After the roll was prepared but before it was approved, the band chiefs had the prerogative of going over the list of names Mr. Durant

had prepared to determine who were halfbreeds or mixed bloods, or who had affiliated with, received benefits from or were enrolled as members of other tribes. The names of those individuals protested by the band chiefs are marked in colored pencil on the Durant Roll as it was approved in 1908.

Although we do not have a copy of the color-coded Durant Roll available in our office, the staff of the Sault Ste. Marie Agency, where a copy is on file, has informed us the enrollment clerk of the Grand Traverse Band has worked very closely with their office staff in determining degrees of Indian blood for those persons named on the current membership list of the band. The degrees of Indian blood shown on the individual family history charts were determined from information on the Durant Roll and from Mr. Durant's field notes.

The Grand Traverse Band of Ottawa and Chippewa Indians of Michigan has a total of 297 members on the list submitted for consideration in the petitioning process -- 32 of these individuals possess  $4/4$  degree Ottawa and Chippewa Indian blood, 33 possess at least  $3/4$  degree Ottawa and Chippewa Indian blood, 128 possess at least  $1/2$  degree Ottawa and Chippewa Indian blood, and 99 possess at least  $1/4$  degree Ottawa and Chippewa Indian blood.

There are five individuals named on the current membership list who do not meet the requirements for membership in the band. They do not possess the required  $1/4$  degree Ottawa and Chippewa Indian blood. However, additional research now in progress indicates they may be able to meet the blood degree requirement by tracing their ancestry through a different ancestor who was also of Ottawa and Chippewa Indian descent.

A few discrepancies in the degrees of Indian blood shown on the individual family history charts for some of the members have been found. In all instances, the errors were mathematical errors in computing an individual's degree of Traverse or Grand Traverse Indian blood. In all cases the individual was credited with a lower degree of Indian blood than he should have been. These errors have been called to the attention of the band.

None of the cases where the individual's degree of Indian blood was incorrectly computed involve any of the five individuals who do not meet the blood degree requirement for membership in the band.

To show the interrelationships of the tribal members, we have selected prominent family names from the Durant and the 1870 rolls and made a record of the number of their descendants whose names appear on the current membership list.

Even though we have not requested documentation on all tribal members, family lines that have been documented have proven Ottawa and Chippewa ancestry.

At least 75 individuals named on the current membership list can trace their ancestry to Daniel Chippewa and Mitchell Raphael whose names appear opposite numbers 1487 and 5734, respectively, on the Durant roll. Daniel Chippewa's son, Dan, Sr., married Mitchell Raphael's daughter, Eliza Jane Raphael. Their numbers on the Durant Roll are 1491 and 5735, respectively.

Peter Ance, who was on the 1870 roll but who died before the Durant roll was prepared, and Mary Ance, whose name appears opposite number 329 on the Durant Roll, have at least 69 descendants named on the current membership list.

Nineteen individuals can trace their Indian ancestry to Annie Way-Kay-Zoo Madagame and James Madagame, whose names appear opposite numbers 4276 and 4275, respectively, on the Durant Roll.

Joe Yannott, whose name appears opposite number 7387 on the Durant roll, has at least 36 descendants named on the current membership list.

At least 21 individuals named on the current membership list can trace their ancestry to Wing Mandowash, whose name appears opposite number 4108 on the Durant Roll.

There are at least 15 individuals named on the current membership list who can trace their ancestry to William McSawby, whose name appears opposite number 4115 on the Durant Roll.

George Sands, whose name appears opposite number 6321 on the Durant roll, has at least 19 descendants named on the current membership list.

At least 25 individuals named on the current membership list can trace their ancestry to John Cobb and Jane Agosa Cobb, whose names appear opposite numbers 1457 and 1458, respectively, on the Durant Roll.

A large percentage of the individuals named on the current membership list are related to each other.

One hundred and eighteen individuals named on the current membership list can claim descendancy through both of their parents to someone named on the Durant Roll. Of the 297 individuals for whom we have individual family history charts, 161 have furnished documentary evidence to support their claim to eligibility for enrollment in the Grand Traverse Band of Ottawa and Chippewa Indians.

The Charter of the Leelanau Indians, Inc., specifies that only those Indians living in Leelanau County can be members of Leelanau Indians, Inc. Our information shows that 152 of the 297 members of the band actually live in Leelanau County.

We did not find any individuals named on the current membership list who cannot substantiate their possession of Ottawa and Chippewa Indian blood.

Only the names of those individuals who possess Traverse or Grand Traverse Ottawa and Chippewa Indian blood who want to be members of the band have had their names placed on the current membership list.

The Grand Traverse Band of Ottawa and Chippewa Indians of Michigan apparently did not feel the necessity of maintaining formal enrollment records, since the chiefs of the bands were always aware of who their members were. At the time the Durant Roll was being prepared in 1907 it was apparent that Grand Traverse Indian identity had been maintained by marriage within the band. For many years the Indians of Grand Traverse have gone to other areas of the State for work. However, they appear to return to the Grand Traverse area for marriage. There is very little early evidence of marriages with other Indians in the State. There was some intermarriage between the Grand Traverse and the Grand River Bands of Ottawa and Chippewa Indians. There were also a few instances where Grand Traverse Indians married Potawatomis. However, the Durant Roll indicates the majority of those individuals of Grand Traverse ancestry named on the Durant Roll married Grand Traverse Indians.

There is evidence in the form of the individual family history charts to show that the members continue, to a great extent, to marry within their own band.

The chiefs of the Ottawa and Chippewa bands were allowed to protest the names of individuals on the proposed Durant roll who were not considered band members. These protests were based on the chiefs' knowledge and not on prepared lists of members. The chiefs and members of the bands knew who the members were. It is apparent, therefore, they would not have felt the necessity of periodically preparing membership lists. No previous membership lists were presented with the petition.

No evidence that the group has been terminated or is subject to legislation forbidding the Federal relationship has been found. Nor is there any evidence that members of the group are members of any other North American Indian tribe.

### CONCLUSIONS

1. The Grand Traverse Band of Ottawa and Chippewa are Indians who have been in the Grand Traverse Bay area of Michigan for many years.
2. Individuals named on the current membership list can establish Indian ancestry through their relationship to at least one and in many cases several individuals named on the Durant Roll.
3. The band has stayed together and those members who leave the Grand Traverse area return on a regular basis and usually eventually return to live in the area.
4. Only five of the 297 individuals named on the current membership list do not meet the requirements for enrollment in the band. This has been called to the attention of the enrollment clerk and from research now in progress it appears these individuals will eventually be able to establish they possess the required 1/4 degree Ottawa and Chippewa Indian blood.
5. Over 53% of the members of the Grand Traverse Band of Ottawa and Chippewa Indians have furnished documentary evidence supporting their relationship to their ancestor named on the Durant Roll. We have reviewed documents furnished by 116 members, which included birth certificates, baptismal records, marriage licenses and death certificates. A good cross section of family lines was included in this review.
6. There are individuals named on the current membership list who have as many as 20 ancestors named on the Durant Roll, any one of whom they could use to trace their Grand Traverse Indian ancestry.
7. Relationships outlined on the individual family history charts indicate that almost everyone named on the current membership list is related in one way or another to at least one and in many cases several other individuals named on the list. We are, therefore, of the opinion that all the tribal members can establish their relationship to an Ottawa-Chippewa ancestor named on the Durant Roll.

DISCUSSION OF GRAND TRAVERSE BAND BASED ON CRITERIA IN  
PART 54 OF TITLE 25 OF THE CODE OF FEDERAL REGULATIONS  
BEGINNING WITH SECTION 54.7(d)

Part 54 of Title 25 of the Code of Federal Regulations governs procedures for establishing that an American Indian group exists as an Indian tribe. This part of the report begins with Section 54.7(d) of Part 54.

54.7 (d) The genealogy portion is addressed only to that portion of the section covering "a statement describing in full the membership criteria." Membership in the Grand Traverse Band of Ottawa and Chippewa Indians of Michigan is governed by Article III of the unratified and undated constitution of the Leelanau Indians, Inc. Section I of Article III contains the requirements for membership in the band and is discussed more fully in Section 54.7(e).

54.7(e) Under the provisions of this section of the regulations it is necessary for the Grand Traverse Band of Ottawa and Chippewa Indians of Michigan to submit a current list of its members based on the band's own membership criteria.

Article III of the unratified and undated constitution of the Leelanau Indians, Inc., contains the membership criteria for the Grand Traverse Band of Ottawa and Chippewa Indians of Michigan. Section I of Article III states in part that in order to become an enrolled member of the Grand Traverse Band of Ottawa and Chippewa Indians an individual must be one-fourth (1/4) degree Ottawa and Chippewa, not currently enrolled in a Federally-recognized tribe, and meet at least one of the following criteria:

- (1) be descended from the historical bands of Grand Traverse whose ancestors name(s) appear on the Durant Roll of 1908 as a member of the Traverse Band;
- (2) have ancestors listed as Traverse or Grand Traverse Band members on any payment roll, census or record made for the Traverse or Grand Traverse Bands by officials or agents of the Department of the Interior or the Bureau of Indian Affairs; or,
- (3) be a person, or the descendant of one, who received or was issued an allotment of land in the area set aside by the Treaty of 1855 with the Chippewas and Ottawas.

Applications for enrollment in the Grand Traverse Band of Ottawa and Chippewa Indians are available through the enrollment clerk of the band. Although each individual, in the case of children an adult, must sign for the identity cards issued to members, the enrollment clerk does in some cases complete the initial application for membership in the band.

The Grand Traverse Band of Ottawa and Chippewa Indians submitted a membership list as of June 13 containing the names of 297 individuals.

No previous lists of members of the band were submitted.

54.7(e)(1) As provided in the Grand Traverse Band's constitution, to establish eligibility for membership in the band an individual must be able to establish his relationship to someone named on the Durant Roll of 1908. This also includes the supplement to the roll prepared by Mr. Durant in 1909. This roll and the supplement is available to us on microfilm from the National Archives.

Individual family history charts were provided by the band for the 297 individuals named on the membership list. Each chart has been checked against the roll to make sure that the name(s) of the applicant's claimed ancestor(s) appear opposite the number or numbers on the Durant Roll as shown on the charts.

The individual family history charts show that a major portion of the tribal members can establish their relationship to more than one individual named on the Durant Roll.

There are cases where all four of the applicant's grandparents as well as some of his great-grandparents and even great-great-grandparents are named on the Durant Roll.

There are individuals named on the current membership list who have as many as 20 ancestors named on the Durant Roll, any one of whom they could use to trace their Grand Traverse Indian ancestry.

54.7(e)(2) The Grand Traverse Band has relied on the Durant Roll and the supplement, and they have been the key documents for individuals of Grand Traverse descent to establish their Indian ancestry. It is to the Durant Roll and the supplement and Mr. Durant's field notes that tribal members as well as tribal officials have reference when they talk about establishing eligibility for enrollment in the Grand Traverse Band of Ottawa and Chippewa Indians.

The 1870 roll of Ottawa and Chippewa Indians of Michigan was used as a backup document. However, it is the Durant Roll on which the most emphasis is placed. Many of the names on the 1870 roll are the original Indian names of the individuals.

There are no indications any other documents were used to establish eligibility for enrollment in the Grand Traverse Band of Ottawa and Chippewa Indians.

54.7(e)(3) The documents used to establish an individual's relationship to his ancestor named on the Durant Roll were in most cases birth certificates, baptismal records, marriage licenses and death



certificates. One hundred and sixty-one individuals have provided documentary evidence to establish their relationship to someone named on the Durant Roll and have been issued membership or identity cards. These numbered cards are used to identify an individual as a tribal member. A fee of \$2 is charged to issue these permanent cards. If a card is lost a new card is issued using the same identification number. Only those individuals who have provided documents to support their claim to eligibility are officially enrolled and have been issued the identity cards. Many of these official enrollees have full brothers and sisters, whose ancestry has been outlined on the individual family history charts, who need only to provide the documentary evidence to support their claims. They also have lineally and collaterally related cousins whose eligibility would be established if they provide documents. There is no doubt they are Indian and are related to those individuals who have furnished their documents. Their names will be added to the membership list as soon as these documents are furnished and they are issued their identity cards.

54.7(e)(4) Because according to the family history charts all of the tribal members are related to at least one and in many cases several persons named on the Durant Roll, no affidavits were submitted by any of the tribal members.

There are individuals named on the membership list who have at least 20 ancestors named on the Durant Roll. We cannot stress too strongly, therefore, that the number of individuals who have multiple ancestors named on the Durant Roll is much greater than those who only have one or two ancestors named on the roll.

54.7(f) Although the record indicates the Grand Traverse Band has for many years tried to become recognized by the Federal Government for services and benefits all of their efforts have been to no avail. There are no other recognized Indian tribes in or near the Grand Traverse area and there is no indication in the Agency or National Archives records that any of their members are enrolled in any other North American Indian tribe that we can find.

54.7(g) The petitioning group known as the Grand Traverse Band of Ottawa and Chippewa Indians of Michigan has never had a Federal relationship, and its members are not as far as we have been able to find members of federally-recognized tribes or bands of Indians. The Grand Traverse Band of Ottawa and Chippewa Indians of Michigan is not on the list of terminated groups and its members are not the subject of Congressional legislation expressly terminating or forbidding a Federal relationship.

SOURCES OF INFORMATION

1. Record Group 75 material in the National Archives
2. The 1870 roll of Ottawa and Chippewa Indians of Michigan.
3. The census roll of all persons and their descendants who were on the roll of Ottawa and Chippewa Tribe of Michigan in 1870 living on March 4, 1907, prepared by Special Agent Horace B. Durant.
4. The Field Notes generated by Mr. Durant as he prepared the roll.
5. The supplement to the 1908 Durant Roll as of October 28, 1909, containing the names of 236 children born to members of the Ottawa and Chippewa Tribe of Indians in Michigan after March 4, 1907, prepared by Mr. Durant.
6. Records of the Michigan Agency of the Bureau of Indian Affairs in Sault Ste. Marie, Michigan.

September 25, 1979

REPORT ON HISTORY OF THE GRAND TRAVERSE  
BAND OF OTTAWA AND CHIPPEWA INDIANS OF MICHIGAN

The Ottawa and Chippewa, two closely related Algonquian peoples, originally occupied an extensive area bordering on Lakes Superior, Michigan, and Huron. In the middle of the seventeenth century the Chippewas were first encountered by French explorers near St. Mary's Rapids. They had come there, along with the Ottawa, when the Iroquois drove them to the area around the south shore of Lake Superior, about 1654. However, by 1670 the Ottawa had filtered back to the Straits of Mackinac.(1)

The Ottawa and Chippewa differed largely in respect to food gathering. The former obtained their food supply from agriculture and hunting, while the latter were hunters and gatherers. Both were active and skillful fishermen. These distinctions were largely enforced by climate. However, it was the close commercial alliance between the Ottawa and the French that converted that group into traders and Indian merchants. By using their advantageous geographical position, the Ottawa were able to convey furs trapped by them and other tribes to the French, while they distributed goods obtained from the Europeans. One of the most important cultural results of this trade was the strengthening of the band organizations and the band leader.

During the eighteenth century the Ottawa bands completed their migration into the Lower Peninsula of Michigan. Spreading out from a settlement at L'Arbre Croche, they drifted along the east shore of Lake Michigan. Some migrated into Wisconsin and Illinois. It was during this period that the Ottawa built villages in the Grand Traverse area.(2)

Both the Ottawa and Chippewa had extensive dealings with the white man in matters of trade and war. The Ottawa were a major part of Pontiac's conspiracy, after the conclusion of the Seven Years' War, to force the English from the Great Lakes area. The Chippewa took part in all frontier wars as allies of Great Britain, until their power was broken at the end of the War of 1812.

Henry R. Schoolcraft, on March 28, 1836, negotiated and signed the Treaty of Washington with the "Ottawa and Chippewa Nations of Indians."(4) Under the provisions of this treaty, the Ottawa and Chippewa ceded approximately two-thirds of the present State of Michigan to the United States. The Federal government reserved tracts of land as reservations, for a period not to exceed five years, with an option to extend. Among those was 20,000 acres at Grand Traverse Bay. Signing the treaty of Washington for the Grand Traverse were Aishquagonabee, Akosa, and Oshawan Epenaysee.(5)

Although, as the treaty of 1836 shows, there were Ottawas and Chippewas living at Grand Traverse in 1836, the years between 1836

and 1855 were highly important because it was during this time that the Ottawa and Chippewa made additional settlements along Grand Traverse Bay and adjoining areas. The Black River Ottawas built a new village near Northport in 1849, and in 1852 another band under Peshaw-be constructed Eagletown on the Leelanau Peninsula. This eventually became present day Peshawbestown. Finally, the Chippewa from the Old Mission Peninsula moved across the bay to Leelanau County, bought land with their treaty annuities, and completed the pattern of settlement.(6)

The "Ottawa and Chippewa Tribes" were a creation of the Federal government. In 1836 these tribes were "created" in order to sign a treaty with them. The Treaty of 1855 dissolved this legal fiction. Actually, the basic functional unit was the autonomous band. Villages, which were permanently used only in summer, corresponded to bands. Clans, which were patriarchal, enforced marriage outside of the band. This marriage pattern linked band to band in a pattern of reciprocal rights and obligations.(7)

But each has been divided into separate units, groups, or bands, acting autonomously and independently of any central authority. Each separate unit was easily identified with its geographical location, and the United States has dealt with separate units as political entities, particularly with respect to land purchases.(8)

The Department of Justice itself argued before the Indian Claims Commission in 1951 that

the so-called Ottawa Tribe or nation of Indians was the name commonly applied to the many groups or bands of Indians of Algonquian lineage possessing similar racial characteristics and of the same linguistic group who roamed over, sometimes occupied, and at all times claimed to be . . . independently of each other . . . that the so-called Ottawa Tribe . . . existing in name only, neither now nor has it during any of the times hereinafter mentioned, existed intact as a tribal organization or political entity; nor has it possessed or claimed to possess property rights in common.(9)

In 1855 the Federal government made its last treaty with the "Ottawa and Chippewa Tribes of Michigan."(10) Pressures had mounted prior to 1855 that made the Bureau of Indian Affairs desirous of a new treaty. Because of the limited amount of public land available in Michigan, settlement and progress toward statehood was slow. Indian traders had claims they wanted paid and some Indians desired annuities. In the Treaty of 1855 the United States agreed to withhold certain public lands from sale. Each Indian head of family would receive 80 acres and each single person 40 acres, while orphans under twenty-one had

40 acres. Land was to be selected from tracts assigned to each band, with the Indian agent preparing the lists. All selections had to be completed within five years. The United States would issue a patent and hold the land in trust for ten years. The United States would then issue a generally unrestricted title to the land.

In addition to the settlement of the land question, the Federal government agreed to perform certain services for the Michigan Ottawa and Chippewa. The Bureau was to provide money for teachers and schools, agricultural and household implements, building materials, blacksmith shops, and livestock. In 1852 the BIA, under obligations imposed by the 1836 Treaty, employed J. M. Pratt, a "government farmer," at Traverse City, and an Indian as his assistant. Pratt, who also acted as the Bureau agent at Grand Traverse Bay, attempted to instruct the Ottawa and Chippewa in modern farming methods. But Pratt, complained Chief Akosa, was lazy and frequently ill, which made him an undesirable agent. Akosa wrote directly to the Superintendent of the Michigan Agency to ask for Pratt's dismissal, but did not obtain it.(11)

In addition to material supplies, the Bureau supported a missionary school at Grand Traverse Bay. The school was maintained by Presbyterian ministers. Establishment of the mission school was part of the acculturation program promoted by the Federal government, but the instruction was of questionable value. Some of the Indians believed that the money would be better spent if the Bureau used it to support Indians who went to white institutions of learning, while local taxation would pay for schools in Michigan. Thwarted at the treaty council of 1855, this faction petitioned the Commissioner of Indian Affairs for a change in policy.

As we are now becoming citizens of the state of Michigan, we ought to be capable of doing our own affairs of business as any other white man . . . and as the law of our country does not provide any other language to be used, especially in the prosecution of law, but the English language. Therefore, we ought to be well acquainted with that language in order to be competent to perform every day which may be required of us under such circumstances and in order to obtain this knowledge the only true way and best policy perhaps is to educate some of our young men among the whites.(12)

The attempted solution of the land question soon became an administrative nightmare, created by poor bureaucratic methods and outright fraud. In many cases the tracts already had white settlers living on them who held deeds recognized by local authorities as legal. The U.S. General Land Office, despite urgings from the Commissioner of Indian Affairs, refused to declare the sales illegal. The GLO bluntly stated that "your request cannot be legally complied with."(13) Some settlers had claimed land within the reserve under the Homestead Act. In order to resolve the title and land selection difficulties, Congress

voted in 1872 to allow Indians exclusive rights to choose and purchase land for six months after the reserve was opened to sales. Even after the Commissioner of Indian Affairs decided to issue certificates for homesteads, the Land Office refused to honor the selections because whites already had some of the tracts. And not until November 1872 did the Commissioner rule that any Indian who had been a genuine settler on any of the lands referred to in the Act of June 10, 1872 was allowed to make homestead entries on the lands he now occupied.(14)

The Grand Traverse Indians requested in 1871 that the Federal government issue no patents for land obtained by whites, and that the government honor its treaty obligations.

We, the undersigned Indians living at Grand Traverse, Michigan, do humbly petition our Great Father at Washington, that the Patents for lands bought through Indians within our Reservation may not be issued.

As the purchases were made by a few of our young men against the wishes of us all, said entries being made . . . in the interest of the Speculator comprising thousands of acres of the most valuable land on the Reservation, which we had hoped to have secured by Homestead or Entry, for our young men who have become of age since the time for making selections according to the treaty had expired.(15)

Previously, the Council of the Grand Traverse Band had written to Agent James W. Long asking for help:

We, the Indians of Grand Traverse Bay, had a council a few days ago and wrote to you our unanimous wish. We wish you to favor and protect us. We have not heard from our Agent since last New Year. He has not written to us in a long time. We are very deaf or do not hear anything. We wish you to open our ears; or to write to us. We wish you to make provision for our minor children by giving them land the same as the Gov't gave us. Each one forty acres of land. There is another important matter which we wish to inquire about. Our Great Father the President . . . promises us Patents for the land given to us. We have been long expecting to receive our patents but do not receive them. We wish the Patents for our land, given under the treaty of 1855, and if you can, distinctly inform us what makes the delay, that our patents do not come. We have been expecting them year after year for years past.(16)

In the mid-1870's the Bureau withdrew its agents from the Grand Traverse area. The various Protestant missions followed suit. The Presbyterian school near Omena had already closed in 1870.

In the mid-1870's the Bureau withdrew its agents from the Grand Traverse area. The various Protestant missions followed suit. The Presbyterian school near Omena had already closed in 1870.

A special agent who visited the area in 1877 reported that there had "been a considerable retrogression" in the previous fifteen years. A very small number of Indians were capable of "maintaining creditable (sic) in their present civil and political relations and the remainder are entirely unqualified for the responsibilities of citizenship or the care of their property. . ."(17)

That the Federal government had very tenuous relations with the Grand Traverse Indians after about 1880 is not surprising. They had no trust land and no land beyond that held under the various treaties and public laws. The land allotment policy discouraged more active Federal involvement.

The organizational structure of these Indians during the post 1865 period is confused and the information fragmentary. After the 1855 Treaty was ratified, the Bureau of Indian Affairs chose to recognize the existence of various bands in lower Michigan and to deal with their leaders under the titles of chiefs and headmen. The treaty had specifically dissolved the non-existent "tribal" structure of the Ottawas and Chippewas Tribe created by the 1836 Treaty. In 1872 the Bureau recognized the existence of chiefs and headmen of the Grand Traverse bands and in 1873 two bureau agents referred to the leaders at Leelanau as the "Chiefs of the Grand Traverse Band."(18)

In 1910 the Federal government made a payment of \$131,000 to Michigan Ottawa and Chippewas. Under the treaty of 1836, an annuity of \$1000 was to be invested for the tribes, with interest of five per cent a year to be paid on the principal. After 1855, the payments ceased and in 1885, the U.S. placed the accumulated funds in the Treasury and converted them for the use of the United States. In 1907, the Court of Claims awarded the tribes the sum that had been converted plus interest since 1885. The payment was made on a per capita basis.

Henry Durant, the agent dispatched by the Bureau to make a payment roll, was ordered that "where the Indians are found to be living in tribal relations, the certificate of the chief or headman of a band is to be accepted by you as prima facie evidence of the rights to enrollment of any Indian belonging to such a band."(19) In dealing with the Grand Traverse Indians, Durant found that the headmen exercised enough authority and had adequate knowledge of their members to claim the right of including or excluding people from the payment roll. The Commissioner of Indian Affairs explicitly ordered Durant to indicate on his records the people against whose inclusion the leaders had protested.

While the Bureau reserved the right of deciding who was eligible for claims payments, it did agree that the Grand Traverse Bay area still had Indian communities.(20) Durant's reports, the Commissioner of Indian Affairs stated,

show that the various Indian communities and groups still recognize the chiefs and headmen and to some extent have maintained their tribal organization notwithstanding the treaty of 1855, by which such organization was to be dissolved. . . It also shows tribal custom to designate what mixed bloods and their children should receive aid. . . (21)

During the 1930s the leaders of the Grand Traverse Band made a definite effort to obtain Federal assistance and then, after the passage of the Indian Reorganization Act, to organize under its provisions.

On February 13, 1932, George Antoine, who has been described as headman of the Grand Traverse Indians, wrote to the Superintendent at Lac du Flambeau, complaining that Grand Traverse was unable to obtain Federal relief assistance.(22) Commissioner of Indian Affairs C.J. Rhoads responded to E.W. Jermah, the Lac du Flambeau Superintendent, saying that

within the past few years there has been considerable correspondence regarding the eligibility of these Indians to share in the benefits of relief appropriations from public funds, culminating in the submission of the matter to the Comptroller General for decision. The Comptroller General's decision held in effect that the Indians were not wards of the Government, but citizens of the county or state of which they are resident and as such the responsibility for their care when indigent devolves upon county or state authorities or local relief organizations just as if they were white.(23)

The Grand Traverse leaders persisted in their attempts to gain Bureau help. A letter to Congressman Harry Musselwhite about a possible reservation prompted a reply from the Land Division, pointing out that these Indians, on the basis of the 1855 Treaty of Washington, had had their land claims adjudicated and that there was no available land. Moreover, the Bureau could not take any existing land in trust.(24)

On March 2 and April 10, 1935, Congressman Albert J. Engel transmitted two letters from George Antoine and Ben Peshaba, asking if they could obtain "Emergency Conservation work" employment for the Grand Traverse group. Antoine wanted to know if they should bring a lawyer when they came to meet with Bureau officials in their hopes of obtaining "rehabilitation" money and wanted the Bureau to pay for the trip out of the \$25,000 in "tribal funds" held by the government. The bureau responded that "it is not possible for the Bureau of Indian



Affairs to pay the expenses of a delegation of Ottawas and Chippewas to Washington and Mr. Antoine is so advised."(25)

Ben Peshaba also wrote two letters to Congressman Musselwhite which he forwarded to the Bureau on February and March 15, 1934. These were on the subject of Indian self government. Neither letter was answered.(26)

The Indian Reorganization Act of 1934 brought non-Federal Ottawa and Chippewa once more into contact with the Bureau of Indian Affairs. The members of the Grand Traverse Band petitioned Commissioner John Collier. On May 5, 1935, Frank Christy, Superintendent of Tomah Indian School, met at Peshawbestown with what he described as "Indians of the Grand Traverse District." Christy had written to Collier on April 28 telling him of the proposed meeting and advising Collier that he would explain to the Indians that the extent "to which the provisions of the bill in future may be applied to conditions existing among the Ottawas and Pottawatomies of Michigan will depend on the amount of appropriations furnished by Congress for amelioration to conditions among the Indians."(27)

Christy met with the "Grand Traverse Band of Ottawas and Chippewas" on May 5, before he received a reply from Collier approving of his course of action. The meeting was held at the public school at Peshawbestown and about 110 Indians from Northport, Omena, and Elk Rapids attended. Christy told the Indians that the key problem was appropriations; around this revolved the question of whether the provisions of the IRA would apply to them or to other Indians similarly situated. Notwithstanding this information, the Indians determined to attempt to organize under the IRA.(28)

Following up on their intentions, the Indians petitioned Collier on August 22, 1934, "As members of the Ottawa and Chippewa tribes of Indians of the State of Michigan." Congressman Albert J. Engel informed Collier on September 21, 1935, that "The Indians of the Grand Traverse Region have organized under the Wheeler-Howard Act and are doing everything they can to comply with its terms."(29) Engels was misinformed. There is no evidence that the Grand Traverse Indians organized under the IRA or that the Bureau actively encouraged them to do so.

The Bureau did continue to admit that the Grand Traverse group existed and that it had designated leaders. When dealing with the band, Federal officials identified Ben Peshaba and George Antoine "as leaders of the Ottawa Indians in this community."(30) Congressman Engel also recognized Peshaba and Antoine as the group's leaders and representatives. Christy went so far as to take out an option on land to be used as a reservation for all the unorganized Ottawa and Chippewa Bands.(31) Congress, however, never appropriated funds and the land was

not purchased. Christy also urged the Bureau to extend the IRA to the Michigan groups, but failed. He believed that

If the Indian Reorganization Act is to fulfill its primary purpose--the rehabilitation of Indians in need of such rehabilitation--its provisions should be extended to Indians such as these Ottawas and Chippewas.(32)

The Bureau was moving along different policy lines. Commissioner Collier recognized the somewhat difficult position of the Michigan Indians but took a different attitude toward its resolution. He advised Senator Burton K. Wheeler that:

This particular group presents an unusual problem. While they may have rights under the Indian Reorganization Act when and if organized, they have for years been dealt with by the state authorities as have other citizens, receiving direct relief, employment relief, health and educational facilities, etc. For the Indian Service to go among these people over functions and services which they are now receiving from the state and thereby disturb a definite social order in the community presents a real problem. If we cannot do an equally good or better job than the state, then we should not interfere.(33)

Collier's extreme reluctance to become involved in the Grand Traverse situation was reinforced by John Holst's "A Summary of Indian Groups in the State of Michigan."(34) Holst, a supervisor of Indian schools, argued that the Michigan groups had either assimilated or were on the verge of such complete acculturation that imposition of the IRA would destroy a lifetime's work in the Lower Peninsula. According to Holst, no evidence of "tribalism" (which he never defined) now existed, and no authentic bands or leaders. Moreover, the "tribal" organization of all Great Lakes groups had dissolved around 1812. Holst completely ignored entire sections of Old Northwest Indian history, ignored the 1836 Treaty and misdated the 1855 one. The report, when seen in its historical context, reflected Bureau policy as it was in the 1930's with all its attendant preconceptions. By 1939 the Bureau had decided on a "hands-off" policy that was set out definitively in a 1940 memorandum by Collier to his Michigan subordinates. Michigan and the Bureau, he advised them, had reached a compromise on the Indian situation. As the states extended their responsibilities over all citizens, the Federal government would diminish its sponsorship. There would be no further extension of the IRA in Lower Michigan. The Indian Office, Collier advised, had not set up additional educational or welfare agencies for Michigan that would "in any way tend to recognize Indians as a separate group of citizens."(35)

In 1943 the Band, faced with a slow attrition of its fee simple land because of tax forfeiture sales, petitioned the Bureau for aid. The letter was acknowledged but no action resulted. In April the Board of

County Commissioners of Leelanau County began legal measures to obtain the title of the Peshawbestown land and hold it in trust for the Grand Traverse Band. By now most of the town's Indian residents were on welfare and the State, because of the unpaid taxes, was about to seize the land.(36)

On June 21, 1944, the Department of Conservation of the State and Leelanau County signed an indenture by which the county took 72.02 acres in trust via a quit-claim deed. It was for "Indian community purposes, and, when same ceases to be used for such purposes, it shall revert to the state of Michigan."(37)

In 1972 the Grand Traverse band established a legal, nonprofit organization. The Leelanau Indians, Inc., chartered by the State of Michigan, inaugurated a split in the organization at Grand Traverse. Fred Harris, the tribal chief, continued to function as ceremonial leader, while the corporation became the governing council of the band. This body obtained a \$105,000 grant from the Northwest Michigan Manpower Consortium to improve conditions at Peshawbestown. On November 7, 1978, the county leased its trust land back to the band. That same year the Grand Traverse Band renewed its request for Federal acknowledgment as an Indian tribe.

### CONCLUSIONS

The evidence available on the history of the Grand Traverse Band suggests the following conclusions:

1. The band was the basic organizational unit of the Ottawas and Chippewas. Authorities generally agree that the Ottawa and Chippewa "tribes" were artificial creations of the Federal government, devised for the purpose of signing treaties.
2. There have been bands of Ottawa and Chippewa in the Grand Traverse area of Michigan for at least two centuries.
3. The Federal government, in vacating Indian title to Michigan lands in 1836 and in 1855, did a great deal to force these two groups to end their aboriginal habits and permanently settle in defined areas.
4. Between 1836 and 1855 the ancestors of the present group settled along Grand Traverse Bay. The last major influx of Indians came to the Grand Traverse area just before the Treaty of 1855.
5. By 1908-9 the Bureau of Indian Affairs accepted Dr. Durant's interpretation that a community of Indians existed at Grand Traverse. He identified chiefs and headmen and dealt with them on that basis. In 1915 a Grand Traverse leader contacted the Bureau seeking aid in defense of treaty rights, and the IRA era is replete with evidence that the Band existed and that the Bureau recognized the fact.
6. The Grand Traverse Band was not recognized or organized under the IRA because of an agreement between the State of Michigan and the Federal government that kept the Bureau from actively considering the case of the Band.
7. The Grand Traverse Band has been repeatedly dealt with by state officials on the basis that it is an Indian group. County officials have taken land in trust for them solely on that basis and because of the circumstances resulting from their being Indian. The state and county have dealt with them as a group and not as individuals.
8. There is existing evidence, as shown above, that the group had leaders in its historical past and has sought collectively to protect its rights and obtain certain benefits that it would not have access to if its status was non-Indian.

DISCUSSION OF GRAND TRAVERSE BAND BASED ON CRITERIA IN  
PART 54 OF TITLE 25 OF THE CODE OF FEDERAL REGULATIONS

Part 54 of Title 25 of the Code of Federal Regulations governs procedures for establishing that an American Indian group exists as an Indian tribe.

54.7(a)

The Grand Traverse Band's history satisfies the criteria that it has existed from historical times until the present on a substantially continuous basis. It cannot be definitely established when the Grand Traverse Band came into existence. This is not particularly important; many so-called "important events" in history have purely arbitrary dates assigned to them. However, sometime between the 1860's and the beginning of the twentieth century, the Indians along Grand Traverse Bay began to think of themselves as a single community with common needs and problems and developed common leadership. How this happened simply cannot be deduced from the available documentation. Outside pressures brought upon the Indians, in particular the loss of much of their land from various causes, was probably the major contributing factor.

During this time the band was identified as American Indian and dealt with by Federal, State, and local officials as Indian. There is no evidence that they were regarded as anything but aboriginal. Evidence of their continuous historical existence is found in the archives of Federal agencies, records of state and in their local governments, and identification by anthropologists, historians, and other scholars.

54.7 (b)

The Grand Traverse Band has lived in the Grand Traverse Bay area since the 1850's, and the ancestral Ottawa and Chippewa have occupied the area since aboriginal times. Land has been taken in trust for them by the county. The Bureau of Indian Affairs has identified them as living in and peculiar to this specific geographic location.

54.7 (c) - (g) Not applicable

FOOT NOTES--GRAND TRAVERSE

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3. Hodge, Handbook of American Indians, I, p. 278; Charles J. Kappler, compiler, Indian Affairs: Laws and Treaties. Washington; Government Printing Office, 1904, II, p. 117: 7 Stat. 131.
4. Kappler, Indian Affairs, II, pp. 450-453; 7 Stat. 491.
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6. Herman Bauers to Commissioner of Indian Affairs, December 26, 1854, Mackinac Agency, Letters Received, Bureau of Indian Affairs, RG 75, National Archives.
7. Cleland, A Brief History. . . , pp. 6-7.
8. U.S., Indian Claims Commission, Dominic, et al v. United States, Docket 40-K, Finding of Fact, June 30, 1958, p. G-415.
9. Robert Dominic, Wauneta Dominic, Levi McClellan, and Grace Mulholland, as the Representatives of and on Behalf of all Members by Blood of the Ottawa Tribe of Indians, Plaintiffs v. the United States of America, U.S. Indian Claims Commission, Docket 40-E, June 19, 1951, pp. 1-2
10. Kappler, Indian Affairs, II, p. 725; 11 Stat. 621.
11. J.M. Pratt to William Sprague, March 31, 1852; Pratt to Sprague, February 22, 1852; Athquagonabe and Ahgosa to Sprague, July 23, 1852, Letters Received by the Michigan Superintendency and Mackinac Agency, 1852-1870, Bureau of Indian Affairs, RG 75, National Archives.
12. Andrew Blackbird to George W. Manypenny, November 22, 1855, Letters Received, Bureau of Indian Affairs, RG 75, National Archives.
13. Commissioner, General Land Office to George W. Manypenny, March 19, 1856, Letters Received, Bureau of Indian Affairs, RG 75, NA.
14. C. Delano to Commissioner, General Land Office, November 22, 1872, Letters Sent, Bureau of Indian Affairs, RG 75, National Archives.
15. Indians of Grand Traverse, Michigan to the Commissioner of Indian Affairs, April 17, 1871, Letters Received, Bureau of Indian Affairs, RG 75, National Archives.
16. Grand Traverse Indians to James W. Long, July 17, 1869, Letters

- Received by the Michigan Superintendency and Mackinac Agency, 1849-1882, Bureau of Indian Affairs, RG 75, NA.
17. Edwin L. Brooks to Commissioner of Indian Affairs, January 12, 1878, Letters Received, Bureau of Indian Affairs, RG 75, National Archives.
  18. Chiefs and Headmen of Grand Traverse to President Ulysses S. Grant, June 20, 1872; John Knox to Commissioner of Indian Affairs, June 21, 1873, Letters Received, Bureau of Indian Affairs, RG 75, National Archives.
  19. Special Agent Files, 4533-1908-053, Bureau of Indian Affairs, RG 75, National Archives.
  - 19A. Henry Durant to Commissioner of Indian Affairs, Special Agent Files, 4533-1908-053, July 31, 1909, Bureau of Indian Affairs, RG 75, National Archives.
  20. Commissioner of Indian Affairs to Secretary to the Interior, January 25, 1910, Special Agent Files, 4533-1908-053, Bureau of Indian Affairs, RG 75, National Archives.
  21. Ibid.
  22. George Antione to E. W. Jermah, February 13, 1932, File No. 44671-31-723, Bureau of Indian Affairs, RG 75, National Archives.
  23. C.J. Rhoads to E.W. Jermah, February 23, 1932. File No. 44671-31-723. Bureau of Indian Affairs, RG 75, National Archives.
  24. Ben Peshaba and others to H. Musselwhite, June 2, 1933, File No. 23870-33-313, Bureau of Indian Affairs, RG 75, National Archives.
  25. Memo to Land Contracts Division, April 15, 1935, File No. 96000-1919-013. The original correspondence is in File Nos. 18279-35-056 and 18866-33-344, Bureau of Indian Affairs, RG 75 National Archives.
  26. Ben Peshaba to H. Musselwhite, February 14, March 15, 1934, File Nos. 7861-34-066 and 4894-34-066, Bureau of Indian Affairs, RG 75, National Archives.
  27. Frank M. Christy to John Collier, April 28, 1934, File No. 4894-1934-066, Bureau of Indian Affairs, National Archives. Collier responded on May 4, and stated that "Your statement as to the application of the bill when enacted is correct and you may so advise the Indians." Collier to Christy, May 5, 1934, File No. 4894-1934-066, Bureau of Indian Affairs, RG 75, National Archives.
  28. Frank M. Christy to John Collier, May 9, 1934, File No. 4894-1934-066, Bureau of Indian Affairs, RG 75 National Archives.
  29. Albert J. Engel to John Collier, September 21, 1935, File No. 45643-1934-806, Bureau of Indian Affairs, RG 75, National Archives.
  30. Peter Farver to M.C. Burns, July 30, 1938, File No. 9634-1936-066, Bureau of Indian Affairs, RG 75, National Archives.
  31. Frank M. Christy to J. Ryan, December 6, 1934, File No. 45653-1934-806, Bureau of Indian Affairs, RG 75, National Archives.
  32. Ibid.
  33. John Collier to Burton K. Wheeler, April 18, 1938, File No. 9634-1936-066, Bureau of Indian Affairs, RG 75, National Archives.

34. File No. 9634-1936-066, Bureau of Indian Affairs, RG 75, National Archives.
35. John Collier to J. C. Carrill, et al., May 29, 1940, File No. 9634-1936-066, Bureau of Indian Affairs, RG 75, National Archives.
36. Minutes, County Board of Supervisors, Leelanau County, April 15, 1943, p. 365.
37. Grand Traverse Acknowledgment Petition, Exhibit 75A, March 23, 1970.



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  - Letters Received, 1824-1880
  - Agency Records, Michigan Superintendency and Mackinac Agency  
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  - Letters Received, Michigan Superintendency and Mackinac  
Agency, 1849-1882
  - Special Agent Files
  - Indian Reorganization Act Files
  
- II. Records of the Bureau of Indian Affairs for Michigan, Chicago  
Federal Records Center  
  
Records of the Mount Pleasant Indian School, Michigan, Chicago  
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- III. Indian Claims Commission Documents, Dockets 40-E and 40-K

September 25, 1979

DEMOGRAPHIC REPORT ON THE GRAND TRAVERSE  
BAND OF OTTAWA AND CHIPPEWA

INTRODUCTION

The purpose of this report is to provide some general demographic data on the Grand Traverse Band of Ottawa and Chippewa. Included are some general facts as to the group's present-day membership, education, housing, health, economic activity, land, religion and language.

A primary source of statistical information regarding the group is the "Leelanau Indians Comprehensive Plan." This plan was based on a survey of Indian households in Leelanau County completed in 1977 by the Leelanau Indian Planning Team. Other sources of information include 1970 census data; the Governor's Commission on Indian Affairs of Michigan, A report on the "Socio-Economic Status of Michigan Indians", November 1971; and reference from the petition of the Grand Traverse Band of Ottawa and Chippewa.

NOMENCLATURE

The name of the petitioning group is the Grand Traverse Band of Ottawa and Chippewa Indians. Leelanau Indians, Inc., is the name of a non-profit corporation which is serving as the governing body of the group until a constitutional form of government is adopted.

MEMBERSHIP

Two hundred and ninety seven names were on the list of members of the band submitted in the petition. One hundred seventy-three are adult members. The residences of the adult members are as follows:

<u>Place of Residence</u>	<u># of Adults</u>
Peshawbestown	35
Other Leelanau County/Grand Traverse area	58
Grand Rapids area	36
Scattered Michigan addresses	30
Other States/Unknown	<u>14</u>
	173

The following chart illustrates degree of Indian blood for members of the Grand Traverse Band of Ottawa and Chippewa.

<u>Degree of Ottawa and /or</u>	<u># of Members</u>
<u>Chippewa Blood</u>	
4/4 degree	32
3/4 degree	33
1/2 degree	128
1/4 degree	99
	<u>292</u>

Five individuals apparently do not meet requirements for membership in the band based on information submitted in the petition. Additional information is necessary before a determination could be made on their eligibility for membership.

Not all those eligible for enrollment in the Grand Traverse Band of Ottawa and Chippewa have enrolled. It is estimated that another 225-250 eligible individuals, about 25 near Grand Traverse and 200 elsewhere, have not yet enrolled.

The "Leelanau Indians Comprehensive Plan" provides a general picture of Indian residents in Leelanau County. All but a few Indians living in Leelanau County are Grand Traverse members. The survey for this report made a distinction between Indians living in Peshawbestown and those living elsewhere in Leelanau County outside of Peshawbestown. Statistics are not available for the other Grand Traverse Band members scattered throughout Michigan and elsewhere.

The "Leelanau Indians Comprehensive Plan," indicates that young people make up the largest percentage of the Peshawbestown Indian population. Forty-seven percent of the population is under 25 years of age.(13% 15-24 years, 34% under 15).

The 25-55 age group of Indians residing in Peshawbestown parallels national figures for percentages of total population, (36%). Those Indian residents in Peshawbestown over 55 years of age represent approximately 17% of the population.

The "Leelanau Indians Comprehensive Plan" examined median age variations in Peshawbestown and other areas of Leelanau County and made comparisons to national averages as outlined below (median age expressed in years).

	<u>Indians in Peshawbestown</u>	<u>Indians in Leelanau County (Outside of Peshawbestown)</u>	<u>National Average*</u>
Males	40	28	27.4
Females	20.5	26	29.8

\*Figure includes Indians and Non-Indians.

A possible explanation suggested for the emigration of young men of Peshawbestown from 19-30 years of age is the lack of local employment opportunities.

In Leelanau County outside of Peshawbestown, 44% of the population is under 25 years of age, 39% is 25-55 (slightly larger than national averages), and 17% is 55 or older.

### EDUCATION

The educational attainment for Indians living in Leelanau County, almost all of whom are Grand Traverse Band members, is below national averages.

According to the "Leelanau Indians Comprehensive Plan," in 1977 the median educational attainment was 9.9 school years for Leelanau County Indians while the national average in 1974 in the United States was 12.3 school years. Though sixty percent of the Leelanau Indians 18 years of age and over have dropped out of school, this percentage of drop-outs has more recently been declining. According to the "Leelanau Indians Comprehensive Plan," the community feels very optimistic about raising the level of education for the community in the near future partly due to the large percentage of the population which is still of school age.

There are other problem areas in education. Poorer school attendance in Leelanau County schools for Indians compared to non-Indians is not apparent initially in the elementary grades but becomes evident with the transition from elementary to high school years.

Another area of concern identified by Indian heads of households in Leelanau County is the low percentage of participation in extra-curricular activities by Indian youth and the need for additional pre-school facilities.

The Leelanau Indians, Inc., have identified short and long term priority goals for their community in the area of education. The short term goal is the need to expand educational opportunities for their community. The long term goal is to increase the educational levels of community members.

### HOUSING

In 1977 ninety-six permanent residents occupied 31 Peshawbestown homes. The average family size in Peshawbestown for Indian households is 3.1 persons compared to 4.0 for Indians in Leelanau County outside of Peshawbestown. The county average as a whole for all residents is 2.9 persons per household. Sixty-eight percent of households in Peshawbestown surveyed have three family members or less.

Seventeen percent of the heads of households surveyed indicated they felt their homes are overcrowded.

The number of retired males living alone is high. Twenty-three percent of the households surveyed in Peshawbestown are headed by women. Twenty percent of urban and 30% of rural Indian households have only one spouse living in the home.

The poor condition of Indian homes in Leelanau County is a major problem area. The survey indicated that Indian homes are generally substandard and not properly insulated considering the strong winds and cold temperatures of the area. Many live in mobile homes. Regarding the type of new housing which would be acceptable to them, both residents of Peshawbestown (87%) and elsewhere in Leelanau County (83%) preferred single family separate homes.

The status of the land in Peshawbestown has been a problem that has hampered the construction of new homes in the area. The trust status of the land has made it difficult to obtain home mortgage loans.

The "Leelanau Indians Comprehensive Plan" identified the rehabilitation of suitable houses and the construction of new housing on appropriate sites as priority short term goals for their community. The development of housing on vacant trust land was established as a priority long term goal.

### HEALTH

Health care facilities and services are relatively accessible to Indians living in Leelanau County from such sources as the Tri-County Health Department, Michigan Indian Health Board, Suttons Bay School dental program, Traverse City Free Clinic and the Third Crisis Intervention Center.

The average travel distance for medical services in Leelanau County is eight miles. Although medical care is good, the community feels that the Indians are not taking full advantage of the facilities available. Gaps between services and community needs appear to be due to lack of transportation and the high cost of health services. As with the general population, health care services appear to focus on remedial care, rather than preventive health care measures. The "Leelanau Indians Comprehensive Plan" indicates the major health care problem is alcoholism.

Life expectancy for Indians in Leelanau County does not vary greatly from national averages. For Indian females in Leelanau County the average age at death is 67.3 and for males 63.1. County averages for age at death are 71.3 for females and 66.4 for males. There is a shorter average life expectancy for both Indian females and males in Leelanau County than non-Indian residents.

According to the "Leelanau Indians Comprehensive Plan" most of the Indian deaths in Leelanau County are heart related and the major contributing factors of death are reported as alcohol, malnutrition and diabetes.

The Leelanau Indians Comprehensive Plan has identified priorities in the area of health. The short term priority in health has been identified as increasing the level of health care at the county level in Leelanau County and the long-range goal identified is the development of in-community health care programs.

#### ECONOMIC ACTIVITY

Lack of opportunities for employment is a major concern of members of the Grand Traverse group. There is considerable movement in and out of the community for purposes of finding work, with an influx of population in summer months to take advantage of jobs related to tourism and the cherry orchard industry. The primary relocation area for employment appears to be to the Grand Rapids area which is the closest urban area.

According to the "Leelanau Indians Comprehensive Plan," of the Indian households surveyed in Peshawbestown, 19% of the households reported one or more of their household members had moved out of the community to seek work. Of those surveyed in Leelanau County outside of Peshawbestown, 25% stated that a household member had moved out of the community to look for work.

<u>Income</u>	<u># of Households in Peshawbestown</u>	<u># of Households in Leelanau County (Outside of Peshawbestown)</u>
0-\$1,500	0	0
\$1,500-\$3,000	42	28
\$3,000-\$5,000	19	17
\$5,000-\$7,500	16	22
\$7,500-\$10,000	3	21
\$10,000 -----	19	11

Thirty-seven percent of Leelanau Indian households surveyed have incomes below \$3,000. An important contributing factor is the large number of elderly households on fixed incomes. These figures can be compared to State of Michigan averages for Indians. In 1971 the Governor's Commission on Indian Affairs reported four out of ten Indian households claimed an annual income of less than \$3,000 and more than one quarter of the total Indian population in Michigan was retired.

The employment status of Indians in Leelanau County in 1977 is as follows:

<u>Type of employment</u>	<u>Percentage of Peshawbestown Population</u>	<u>Percentage of Leelanau County Population</u>
Part-time	19%	15%
Full-time	63%	69%
Seasonal	18%	16%

The Economic Base Report, prepared by the Grand Traverse Area Data Center of the Northwest Michigan Regional Planning and Development Commission indicates employment may be increasingly difficult to find in this area in the future, as a shift is occurring from seasonal unskilled work toward more specialized areas of labor for those with training. The unemployment averages have been increasing in this area from 9.8% in 1971-1975 to 10.8% in 1977. The Grand Traverse Area Data Center is projecting an average unemployment rate during 1978-1982 of 11.5%.

The "Leelanau Indians Comprehensive Plan" compared the occupational breakdown for Indians in Leelanau County compared to the total population of the County.

<u>Type of Employment</u>	<u>Percent of Indians employed</u>	<u>Leelanau County Percent of Total Population Employed</u>
Professional	7	19.1
Skilled	35	32.6
Semi-skilled	17	40.9
Un-skilled	41	7.4
	<u>100</u>	<u>100.0</u>

Since there will be a decreasing need for the unskilled and semi-skilled labor in this area and Indians heavily depend upon this kind of work for a livelihood, the Indian population may be most adversely affected by this trend.

Until recent years, the Grand Traverse Band has not seriously considered commercial development and to date, very few jobs have been generated within the Peshawbestown community. Sixty-five percent of the residents of Peshawbestown favor some form of business or commercial development in Peshawbestown; 13% favored no development; and 22% were uncertain. Factors limiting development in the Peshawbestown area have been county zoning and other restrictions of the trust status of the land. Peshawbestown is zoned as agricultural and residential.

#### LAND

Presently, the community of Peshawbestown forms a concentrated settlement with 22 acres privately owned by Indians, 75 County lots held as trust land for Indians, 19 acres by a Catholic church, two acres are owned by the school district, and 109 acres privately owned by non-Indians.

Indian residents of Leelanau County were questioned regarding the type of land ownership they preferred.

<u>Type of Ownership Preferred</u>	<u>Percent of Residents Responding</u>
Private	16%
Community	3%
In Trust to Federal Government	58%
Stay as is	10%
Undecided	10%
Private and Community Ownership	3%
	<u>100%</u>



The "Leelanau Indians Comprehensive Plan" outlined the specific short term priority goals for the community in relation to land as being to plan and register existing county lots. The long term goal is to develop the existing land base.

#### RELIGION

The Catholic Church and its related activities appear central to the community in Peshawbestown. Indian membership is estimated between 200-300. One estimate is that the Grand Traverse Band is presently 75% Catholic and 25% Methodist.

#### LANGUAGE

The primary language of the Grand Traverse Band of Ottawa and Chippewa is English. Ottawa is frequently spoken among the elderly and some middle age individuals.

September 29, 1979