

**Part II**

**HISTORICAL OVERVIEW OF THE GROUP**

**"The Schaghticoke Indian Tribe of Connecticut"**

**Written by:**

**Lucianne Lavin, PhD, and  
various members of the tribe**

## II. CLAIM OF HISTORICAL INDIAN TRIBE

### Description of Historical Indian Tribe and Location

At the time of the earliest European contact in the seventeenth century, interior western Connecticut, where the Schaghticoke Indian Tribe is found today, was home to a large number of Indian populations. These groups were characterized by a single cultural pattern, in which they generally practiced a form of subsistence that combined corn, beans, and squash horticulture, along with hunting, gathering, and fishing. Some researchers have suggested that some of these groups were loosely organized into what has been called the Paugussett Confederacy, while others seemed to have functioned as independent local communities (cf. Salwen 1978:173; Conkey *et al.* 1978 (A-204); A-32; Soulsby 1979, 1981). The resident population, which had been reduced significantly following epidemics and warfare (Snow 1980:33–34, 87), consisted of an unknown number of distinct socio-political groupings, some of whom spoke Quiripi-Unquachog, a southern New England language (Salwen 1978:173). The idea of a Quiripi-Unquachog language stems from Ezra Stiles' 18<sup>th</sup> century interview with Joseph Mauwee's wife, who knew some words in Quiripi because she was a displaced Quinnipiac (A-104). Other renowned linguists, such as Ives Goddard, have said the Indians of western Connecticut spoke "Eastern Munsee", an Eastern Algonquian language with similarities to languages spoken in New Jersey, southern New York, and the Delmarva area.

The Dutch had explored the lower reaches of the Connecticut valley by 1614, and by 1633 had established the first known European settlement at present Hartford. Although the English had established a small trading post in Windsor in 1634, full-scale English settlement did not begin until 1636. It was limited, however, to the lower Connecticut River valley and the coast (Salwen 1978:173). The interior remained essentially Indian country. Because of their position on the fringes of European settlement and the fact that many were forced into refugee communities at an early date, the end-product of disease, warfare, and displaced coastal peoples, Indian societies of southwestern New England remain some of the least known in the region.

John W. De Forest (1851:407-409; cf. Orcutt 1882:197) contended that the first Indian settlement at Schaghticoke, and hence, the emergence of the Schaghticoke Tribe, located some two miles south of what is now known as Kent, was founded about 1730 by Gideon Mauwehu. But Orcutt, writing 30 years later, disagreed: The statement...that Scatacook, as an Indian settlement, was "first established by Gideon Mauwehu, about 1728," must be mistake, since it was there many years before Gideon Mauwehu set foot on its soil. The land on the east side of the Housatonic, from New Milford to the Massachusetts bounds, had been sold,—a strip to Fairweather, in 1716, and the rest to the Hartford and Windsor committee, in 1720, with Waraumaug's reserve, and a small reserve to Nepato; but the land on the west side of the Housatonic, west of Kent, had not been sold when Mauwehu settled there, and Mauwehu and his associates inherited it as descendants of the Potatuck Indians of the lower Housatonic valley... (Orcutt 1882:197-198). Barzillai Slosson, who had been an overseer of the Schaghticoke tribe from 1805 to 1810 (CA-2<sup>nd</sup> 2:82a, 2:88-89), notes: Theu [sic] [the Schaghticoke Indians] are the descendants of the remnant of Pequods who escaped the destruction in the swamp of Fairfield in the year 1637. The old persons among them relate the transactions of that memorable day as they have been handed down by tradition. Apart of those who escaped established themselves at Pootatuck in Newtown. From them and from New Milford where part of them had also settled about the year 1724 or 1725 several of them went on a hunting party up the Oustanoic. They soon after formed a small settlement on the west side of the Oustanoic River about four miles south of the center of the town. Some Indians from Dover in the state of New York soon after joined them and at the time the English first began theur [sic] settlement, the Indians had become considerably numerous (Slosson 1812:3) (C-23)

Slosson, a reliable source from 1812, had communicated with tribal elders, who passed on their oral history to him. The referenced Dover Indians are Gideon Mauwehue or Mauwee's community, which is mentioned in several New York local histories. The Moravian documents, including their baptismal records, show the tribal affiliations of Schaghticoke residents and note that Gideon Mauwee was related to the Mohicans, specifically their grand sachem Aaron Umpachenee. Oral tradition indicates that after their defeat in the Fairfield swamp battle mentioned above, the Pequots attempted to make their way to the Mohawks of upstate New York, seeking safety. A group of them (likely mainly the women and children) remained in Dover. Mauwee's grandmother, a daughter of Sassacus, the grand sachem of the Pequot at the time of the Pequot War in 1636-37, was said to be one of them. Oral tradition states that she married a local leader (in that area of eastern New York he would likely have been Mohican; hence, the Moravians description of him as a "cousin" of the Mohican grand sachem). (Paulette Crone-Morange and Lucianne Lavin 2004, pp. 135-136, "The Schaghticoke Tribe and English law: A Study of Community Survival", *Connecticut History*, Volume 43, Number 2, 132-162).

Samuel Orcutt (1882:133, 197-198) argued that De Forest was mistaken regarding the time of the founding of the settlement, tracing its establishment to just prior to 1710. His date for the founding also disagrees with that of Slosson:

...the Potatucks, as a general tribe, including all the local settlements on the Housatonic, from Long Island Sound to the Massachusetts line, claimed and gave deeds for the territory within the bounds thus described; and they were one tribe; that, as such, their first settlement was at Scatacook (Pishgachtigok, signifying, "the confluence of two streams"); the next was at Weantinock, now New Milford, where, as well as at Kent, they retained a perpetual habitation from long before name of the tribe was taken from their location here in New Milford, so near the "Great Falls," at Falls Mountain, namely, "Potatuck," - "Falls Indians"(Orcutt 1882:197-198, 105).

Orcutt inaccurately elaborated the size of the Pootatuck homelands. They did not extend to Long Island Sound on the south, nor did they extend to the Massachusetts border on the north. The signatories on land transactions from those localities indicate Paugussett and Pequonock homelands in the former, and Weantinock and Mohican homelands in the latter W (Wojciechowski 1985). Thus, he also erred in categorizing the Schaghticoke as "Pootatuck."

However, his contention of an earlier date than 1730 for the founding of the Schaghticoke community appears to be supported by a missive from Robert Treat, former governor of Connecticut, to Governor John Winthrop dated February 2, 1699/1700, wherein a group referred to as "Scattacook Indians" were mentioned along with the "Podatuck & Oweantinuck Indians" (CHS 1921, 24:165; cf. Orcutt 1882:198-199; cf. Conkey *et al.* 1978:188). Both Podatuck (Pootatuck or Southbury, opposite Newtown) and Oweantinuck (Weantinock, now New Milford) were located in the Housatonic valley of northwestern Connecticut (Conkey *et al.* 1978:188), suggesting that the "Scattacook Indians" in Treat's message are those who resided near Kent. Rainey (1956:10) stated that the settlement at Schaghticoke was "made up principally of Paugusset, Uncowa, and Pootatuck Indians."

More recently, using primary 18th century documents Paulette Crone-Morange and Lucianne Lavin (2004: 137-139) conclude that Schaghticoke was originally a Weantinock settlement that also included Dover Pequots and Pootatucks who had lost their homelands (adjacent to and east of Schaghticoke) as well as refugees from other southern New England tribes:

"The eighteenth-century community at Schaghticoke in south Kent was an amalgamation mainly of Weantinock and Pootatuck tribal peoples and displaced Pequots, but also included Mohicans and other southeastern New England peoples. Family names like Sokenoge (aka Sockonok, Sucknucks), whom eighteenth century historian Ezra Stiles identified as Narragansett, indicate the presence of another southeastern New England Indians as well. In sum, oral tradition, Moravian diaries and baptismal records, contemporary writings and signatories on Schaghticoke land transactions and petitions confirm that Schaghticoke was a major haven for a variety of Native American peoples" (Crone-Morange and Lavin 2004: 139).

Thus, it is apparent that the Indian community and the Tribe referred to as Schaghticoke are derived directly, and emerged culturally and historically from the local Weantinock tribe whose homelands were Kent, New Milford and other towns south of them, along with a 17th century Native enclave of Pequot descent and more recent refugee Indian peoples from New York, and the Housatonic River Valley north and south of Schaghticoke. Archaeology supports this in part; the late prehistoric Native American pottery from Kent, Connecticut resembles that of adjacent eastern New York (i.e., Mohican homelands) and New Milford (a Weantinock stronghold), and not the pottery from the Connecticut coast (Lucianne Lavin 2010 :129-131, "Pre-Contact native American Jewelry from the Kent Furnace Site", *Bulletin of the Archaeological Society of Connecticut* #72).

The pottery is also material evidence supporting the Moravian documents (Crone-Morange and Lavin 2004: 136-137) that the community at Schaghticoke had close social and political relationships with the Mohican communities to their west and north as well as with the Pootatuck to their east and south. J.D. Prince and Speck analyzed the 23-word vocabulary that anthropologist Frank Speck got from tribal members in 1903 and he and Speck concurred that it was "distinctly not a New England product, but came from the Hudson river region...".

Schaghticoke was a major Indian refuge in the 18<sup>th</sup> and 19<sup>th</sup> centuries. Some Native American refugees from southwestern Connecticut and from southeastern New England, north-central Connecticut, and eastern New England also sought refuge there. As in many other instances throughout southern New England, Indian tribes, no matter what their origin or term for themselves, have been recorded and have come to be known by designations applied by Europeans, most often stemming from the names of localities and settlements (cf. Salwen 1978:174-175; Conkey *et al.* 1978:187-188; Crone-Morange and Lavin 2004: 138-139). The Schaghticoke are no exception.

### Key Milestones of Schaghticoke History 1729-1800

The Schaghticoke were one of the tribes first described by Europeans as inhabiting lands in northwestern Connecticut and eastern New York. (A-32: Manataka 2004). C-81. In 1729, Gideon Mauwee, the first recorded Sachem of the

Schaghticoke Tribe, signed a deed to a large tract of land (A-32: Manataka 2004). In 1736, the population included approximately 100 warriors. In that year, the Connecticut General Assembly of the local colony identified land on the west side of Housatonic River as a Reserve for the Tribe, stipulating that white colonists could not buy or sell the land. (A-32: Manataka 2004):

“This Assembly being informed that a parcel of Indians that sometime dwelt at New Milford are removed and settled on the west side of Oustumnuck River, in a bow of the west side thereof about three or four miles above New Fairfield, upon a piece of plain land there, and have a desire to continue at said place; Whereupon it is resolved by this Assembly, that no person shall lay out any grant or farm on said plain piece of land without the special leave of this Assembly....”

(Wojciechowski, Franz L., *The Paugussett Tribes* (Nijmegen, The Netherlands: Catholic University of Nijmegen, Department of Cultural and Social Anthropology, 1985), 140, citing the *Connecticut Colony Records*)

In 1740, shortly after non-native settlers established the Town of Kent, the Schaghticoke population was estimated at 500-600. (A-32: Manataka 2004). In 1741, John Read of Redding, Connecticut purchased 200 acres of land from the Schaghticoke Indians, and in 1742 the Tribe petitioned the General Assembly for a school and minister. When that was not forthcoming, sachem Gideon and a group of tribal members traveled to the Moravian mission at Shekomeko in present Pine Plains, New York to invite them to Schaghticoke. In 1743, Moravian missionaries built a church and school at Schaghticoke (A-32: Manataka 2004).

On December 14, 1746, a lease of Schaghticoke land was entered into with Benjamin Hollister, Robert Watson, and Henry Stephens. The three leases of the land were for 999 years for the total sum of £200. These long-term leases were attempting to evade the colonial laws which forbade the purchase of any Indian lands. (A-32: Soulsby 1979 citing DeForest 1852: 414.) In 1749, land at Scatacook in the township of Kent that John Read of Redding purchased from the Schaghticoke Indians in 1741, was swapped with a Sachem known as Sam Mohawk, also known as Benjamin Warrups and John Chickens for the latter's 100-acre reservation in Redding.

In the early mid-18th century, Moravian missionaries came in and converted between 120 and 160 Schaghticoke including Gideon Mauwee. (Solsby 1979). After the Schaghticoke Chief converted to Christianity in 1742, more than 100 members were baptized. When the Moravians had to leave and moved to Pennsylvania, many Schaghticoke followed the missionaries so that they did not have to make an oath to the colony. When they got to Pennsylvania, there was a smallpox epidemic, so they moved back. The New Milford Pootlancks settled with the Schaghticoke after coming back from Pennsylvania. Many abandoned the new religion without the missionaries present.

In 1752, the Colonial Assembly recognized the Schaghticoke Indians as a Native American community in need of land. Mauwee and others petitioned the Colonial General Assembly stating that the Schaghticoke had been deprived of nearly all of its planting grounds. Only 18 families were left due to the actions of the colonists who had taken the lands. (A-32: Soulsby 1970.) The Assembly granted the “Scatacooks” 200 acres held by Indians at the pleasure of the Colony. (A-32: Soulsby 1979 citing Public records, vol. IX: 108; DeForest 1852:415.) Later that year, the Colony set aside between 1500 and 2000 acres in the mountains next to the smaller tract.

In 1756, many Schaghticoke complained that they had been wrongfully deprived of some of their land. A committee was appointed to look into the situation and report six months later. (A-32: Soulsby 1979). Later that year, the Schaghticoke petitioned the General Assembly to have more land or a piece of land returned so that they could grow corn. (Photo/Const/History binder, source unknown.) The following year, tribal leaders requested the General Assembly appoint an overseer to combat white abuses and recommended their good friend Jabez Swift. (A-32: Soulsby 1979). By 1767, many of the leaders had died, and when the Schaghticoke were invited by the Mohicans of Stockbridge, a Massachusetts tribe, to move to a location there, the Schaghticoke requested to sell their land so they could move. While many went to Stockbridge Massachusetts, the Tribe petitioned the Assembly in 1771 for a new overseer, describing the miserable conditions of the Tribe. The Tribe mentions that the death of the overseer four years prior had left them pressed by the white townspeople and they requested a new overseer. (A-32: Soulsby 1979.) The Tribe suggested Rev. Pratt for the job, but the General Assembly appointed Capt. Abraham Fuller in 1773, against the Tribe's wishes. In 1775, the Assembly ordered land of Scatacooks be leased to pay off debts.

From 1774 thru 1776, Schaghticoke men joined the Continental Army, serving as scouts, signal corps, and soldiers in the Revolutionary War and continued to serve throughout the war (A-32: Manataka 2004.) In 1786, a petition from the Tribe to the Colony describing the suffering of the tribal members, shows the Colony's refusal to assist the Tribe in any way other than to appoint overseers to create a way for the Tribe to sell off land. The tribe lost much of the reservation due to these actions. (A-32: Soulsby 1979.) In 1798 Timothy Dwight, president of Yale College, visited the Schaghticoke Reservation and described it and the Schaghticoke community in two letters. He noted that the Reservation extended for three miles along the Housatonic River and the “Scaticook settlement [was] formed by the remains of an Indian tribe of that name.” (Timothy Dwight 1969, Letter XVIII, “Journey to Vergennes” in *Travels in New England and New York*, ed. Barbara Miller Solomin, Cambridge: Harvard University Press, pg. 355). Dwight's descriptions of the “Scaticook

settlement" and its "Indian tribe" and their "society" all demonstrate that he believed he was visiting a discrete Indian community.

In 1799 the Schaghticoke Tribe sent a petition to the Connecticut General Assembly, asking that the Tribe be allowed to choose its overseer every year and to choose its own doctors, and that the General Assembly create a committee to inspect their present overseer's books to determine the amount of money owed to doctors and the monies accrued from the lease of their Tribal lands. This petition was likely a response to their overseer Abraham Fuller's several attempts to get the General Assembly to allow him to sell off tribal lands with the excuse that he was paying for the Tribe's doctors' bills out of his own pocket (Petition to Connecticut General Assembly dated May 6, 1799, Connecticut State Archives 1666-1820, series 2, volume 2, pag. 58).

### *Key Milestones 1801-1900*

Primary documents, such as the various overseer accounts from 1801-1899, which document Reservation residents and their activities, confirm the existence of the Schaghticoke Tribe and its Reservation throughout the 1800s. Further, the 1969 Sexton Report, the "Inventory of Indian Grave Stones at Schaghticoke Cemetery in Kent", Kent, CT, Anonymous, October 21, 1969, and a later "List of Burials at Schaghticoke" from 1890 to 1994 taken from the Kent sexton records (Anonymous, on file at the Schaghticoke tribal office) lists all of the 19<sup>th</sup> and 20<sup>th</sup> century burials in the Reservation Burying Ground.

The reservation had been reduced to 1200-1500 acres by 1801 and only six were able to be cultivated. (A-32: Soulsby 1979.) The overseer petitioned the Assembly to sell off some of the land for \$400 to pay for his expenses and some of the debts of the Tribe. The sale allowed for \$200 of debts to be paid, 6 wigwams to be built, and the remaining money was placed into a Tribal fund at 6% on mortgage securities. (A-32: Soulsby 1979.) The north part of the land holdings was sold to pay off debts for £1300. The excess money was invested in a fund to help members in need.

According to Barzillai Slosson, an 18<sup>th</sup> and early 19<sup>th</sup> century lawyer and historian of Kent, CT, and a member of the committee overseeing the Schaghticoke overseer:

"In the year 1804 the legislature directed about 600 acres of the tract to be sold, and the interest of the avails to be annually appropriated to the charges of such of the tribe as from sickness and age were in necessitous circumstance. This forms a fund which produced annually between two and three hundred dollars, which has hitherto been a sum sufficient to provide the necessities of those for whose benefit it was designed." (Barzillai Slosson 1989 "Barzillai Slosson's History of Kent - 1812 and other Bits of History", pg. 6 in *Kent Tales*, Kent Historical Society, Kent, CT).

In 1804, the State directed that approximately 600 acres of the Reservation be sold to pay the debts of the Tribe, over the petition by the Tribe to lease the land. (A-32: Soulsby 1979.) The creation of this "Tribal Fund" or "Schaghticoke Indian Fund" (as it was known in subsequent government documents and overseer reports) by Connecticut, and its continued oversight by the white overseers, who were appointed by the government and reported on its status annually, demonstrates that Connecticut recognized that the Schaghticoke were a discrete Indian community with whom it had a trust relationship. The Tribal Fund continued in existence until the mid-20<sup>th</sup> century when the Connecticut Welfare Department, the State department assigned to the oversight of the Tribe's affairs, dissolved the Fund.

From 1802 to 1852, Abel Beach was the Schaghticoke Tribe's overseer, appointed by the State. Beach's account books show his continual use of the Tribal Fund on behalf of the Tribe throughout that time period, mainly for payments concerning the funerals and burials of tribal members in the Schaghticoke Burying Ground on their Reservation (Abel Beach, *Account Book of Scatacook Indians, Kent, Conn.* No. 1 (1801-1807), no. 2 (1807-1833), and no. 3 (1833-1852)). Around 1815, a second Schaghticoke cemetery was established near Value Kilson's home due to the fact that the first cemetery near the Moravian Mission had been previously sold off with the northern part of the Reservation in 1803. In 1852, writer and historian David T. Lawrence visited the Reservation and interviewed one of its elders, Eunice Mauwee. His biographical sketch of Eunice showed her to be an esteemed culture keeper of a discrete Indian community. His use of the phrase "The Schaghticoke Tribe of Indians" to describe the Reservation community showed that he realized he was visiting a leader of a discrete Indian community. "She is respected by all who know her; and the name of Aunt Eunice is a household word." (David T. Lawrence, 1852, *Biographical sketch of Eunice Mawwee, Indian, Kent*". Connecticut Historical Commission, Ms. 81808, dated August 8, 1852, pg. 6).

In 1859, members of the Moravian Historical Society accompanied by the author and historian Benson Lossing visited the Schaghticoke Reservation and interviewed Eunice Mauwee and her granddaughter Lavinia Carter. Eunice discussed Schaghticoke tribal history and tribal members, told tribal stories, and provided translations of Algonquian place names in the region. She was a well-known basket maker who traveled throughout the area selling baskets in her younger years.

The two publications that were generated from this visit portrayed Eunice as a well-respected tribal elder and informal leader, a culture keeper with special knowledge important to the tribe. The authors' use of such terms as "Schaghticoke Indians", "Indian Reserve" and "tribe" clearly show that they believed they were visiting a discrete Indian community quite separate from the surrounding white townships (Benson J. Lossing, 1871, "The Last of the Pequods", New York: *Scribners Monthly*; W.C. Reichal, 1860, *Memorial of the Dedication of Monuments Erected by the Moravian Historical Society to mark the Site of Ancient Missionary Stations in New York and Connecticut*. New York: C.B. Richardson, Office of the Historical Magazine).

In the mid-1800s, after tribal overseers sold off much of the Tribe's land, the Reservation dwindled to several hundred mountainous acres and a resident population of less than 100. (A-32: Manataka 2004). In 1846, the record shows an execution of a mortgage to the overseer of the Tribe and again in 1867. In 1849, people were still living on the reservation, but the land mass is unknown. (A-32: Soulsby 1979). By the late 19<sup>th</sup> century, although tribal members were still living on the Reservation, many members with families to support could not do so on its dwindling land mass, most of which was rocky mountain with poor soils, denuded of its forest due to coaling off of the trees and, therefore, little game or other food sources. They moved to the large cities where work was available in the mills and factories. The Reservation, however, remained their spiritual and political center, with members returning for funerals, social gatherings, and political meetings, as indicated in the overseer's reports, news accounts of Schaghticoke deaths, and Tribal petitions signed by both on and off-Reservation members (see below). The Reservation Continued to Be Occupied at the End of the 1800s

In 1876, the Schaghticoke Tribe submitted a petition to the District Court of Litchfield County, requesting that Henry Roberts be appointed their tribal overseer. Signatures included adult residents of the Reservation as well as off-reservation elders (Truman Bradley, a resident of Bridgeport, and Nathan Cogswell, resident of Cornwall). The petition and communal action reflect the governmental nature of tribal societies. They demonstrate Schaghticoke political action to exert some control over the position of overseer, the person who could act as intermediary between the Tribe and outsiders. The Tribe was successful, because Henry Roberts was appointed overseer in that year (*Petition from Schaghticoke Tribe to District Court of Litchfield County*, September 1876).

In 1881, a local Kent historian provided a sympathetic portrayal of the Reservation community in a Litchfield County history book, depicting them as a peaceful Indian community quite separate from the Kent townspeople: "...the last home of the Schaghticoke Tribe...The Indian history of this town is not that of the war-whoop and the scalping-knife, but of a quiet settlement of peace-loving and intelligent aborigines." (J.W.W. Lewis and Col, 1881, *History of Litchfield County*, Philadelphia: Press of J.B. Lippincott & Co., pg. 385).

By 1882 families continued to live on the reservation but other tribal members had moved away for economic reasons. (A-32: Soulsby 1979). In 1884 the Schaghticoke Tribe petitioned County Court of Common Pleas to appoint Martin Lane as their tribal overseer, and the court did so (*Petition from Schaghticoke Tribe to Court of Common Pleas, Litchfield County*, June 1884, *Connecticut Historical Society Papers*, Hartford). As with the 1876 petition, both on and off-Reservation members signed the petition. Both of these community interactions show that the Tribe continued to follow its 18<sup>th</sup> century survival strategy of peaceably working within the white legal system to maintain its Indian identity and sustain its tribal community and land base (Paulette Crone-Morange and Lucianne Lavin, 2004, "The Schaghticoke Tribe and English Law: A Study of Community Survival", *Connecticut History*, 43(2):132-152). Subsequent documents show that the Schaghticoke continued this political strategy throughout the later centuries (see below).

In 1891, the State of Connecticut passed a bill ordering the Schaghticoke overseer to make an annual payment from the Tribe's fund to the local school district for the education of tribal children: "The Agent or Overseer of the Schaghticoke Tribe of Indians in Kent be and the same is hereby instructed and ordered to pay to the treasurer of Bulls Bridge School District No. 5 in said Kent the sum of thirty dollars each year to be used for educational purposes in said district only." (*House Bill 190*, "An Act concerning Education," 1891).

The Bill clearly shows that Connecticut recognized the Schaghticoke as a discrete Indian community to whom it had a trust responsibility. It also shows that Schaghticoke leadership continued to demand that their children be educated, as they had done in the 18<sup>th</sup> century (Crone-Morange and Lavin 2004, *op. cit.* pp. 147-148).

In August 1892, Schaghticoke leader Truman Bradley presented a petition to the Litchfield Court of Common Pleas on behalf of the Tribe requesting that the Court appoint George R. Bull and Luther Eaton of Kent appraisers of the real and personal property of the Schaghticoke Tribe, including lands mortgaged with monies borrowed from the Tribal Fund. Tribal leadership was obviously interested in what the Tribe owned and how much, if any, principal and interest they were receiving on their mortgage notes, since they were not allowed control of their own Tribal Fund. The Court agreed to the Tribe's request, requiring a report from the appraisers, which was accomplished a year later (Court of Common Pleas 1892, *Judgements, Litchfield County*, Volume 1, pp. 382-384, transcribed by Paula Rabkin, Yale graduate student, for the Schaghticoke tribe in the 1980s). Crone-Morange and Lavin concluded the following about the significance of the 1876,

1884, and 1892 Schaghticoke petitions: "These three petitions show that the nineteenth century Schaghticoke community was still adhering to traditional Native ideas of tribal corporateness through communal action among members living both on and off the Reservation. They also show the Tribe's continued use of its eighteenth-century political strategy to work peacefully within the Anglo-American legal system to maintain its Tribal identity, in this case through the institution of mediation" (Crone-Morange and Lavin 2004, *op. cit.*, pg. 150).

In March 1897 Schaghticoke overseer Martin B. Lane submitted his annual report to the Court of Common Pleas, in which he provided an overview of the Reservation residents and off-Rez tribal members, and the status of the Tribal Fund and its use for the collective welfare of the Tribe. The report demonstrates that Kent local Lane, the Court to whom he was required to report, and the State of Connecticut who employed him all considered the Schaghticoke to be a discrete Indian community. Lane was overseer to the Tribe from 1884 till his death in 1904. His other annual reports demonstrate much of the same; this report is but one example (A-1: Martin B. Lane, *Court of Common Pleas, Litchfield County*, dated February 26, 1897, accepted and ordered recorded March 22, 1897; transcribed by Paula Rabkin, Yale graduate student, for the Schaghticoke tribe in the 1980s).

In 1897, local historian Francis Atwater devoted an entire chapter in his book on the history of Kent, Connecticut to "The Scatacooks." His somewhat racist description of the Reservation community separates them from the surrounding white townspeople. The chapter clearly shows that Atwater believed them to be a discrete Indian community attempting to follow their traditional lifeways as closely as they are able despite the prejudices of their white neighbors. (Francis Atwater, 1897, *History of Kent, Connecticut*, including biographical sketches of many of its inhabitants, Meriden: Journal Publishing Co.).

In 1898 the Kent Land Records showed that Schaghticoke overseer Martin B. Lane sold to Nicholas Staub "real estate hereinafter described as belonging to said Tribe of Indians." According to the legal document, Lane was ordered to do so by the Court of Common Pleas. The document is significant because it shows that the State identified the Schaghticoke as an Indian community whose members owned land as a corporate entity, a common characteristic of American Indian tribal societies (Kent Land Records dated June 21, 1898, Martin B. Lane, Overseer, to Nicholas Staub, Volume 29, pg. 161),

Tribal leadership formed The Schaghticoke Rattlesnake Club in the late 19<sup>th</sup> century as a political survival strategy for protecting their land base and sustaining their tribal community. Through the Club, they cultivated the friendships of socially prestigious and politically powerful white men -- mainly newspaper editors and reporters, but also judges, politicians and physicians -- for use as allies and intermediaries with the government (See *The New York Times*, "Rattlesnake Club Saved by a 'Breed'", June 16, 1913). The Club newsmen provided sympathetic publicity for the Tribe throughout the late 19<sup>th</sup> century (e.g., "Rattlesnakes in 1889. Report of the Snake hunt at Scatacook, Twenty years ago when the Schaghticoke Club was organized", *New Milford Gazette*, May 14, 1909:5; "Village and Vicinity South Kent", *New Milford Gazette*, March 15, 1895:4; *The Newtown Bee*, March 29, 1895) and early 20<sup>th</sup> century (See Section III(b)i below for an in-depth description of these events and their demonstrations of distinct community and political authority).

The Club contained many white Americans seeking adventure, but it was formed by the Tribe's leadership to prevent the Connecticut government from selling off the remaining Reservation land and dispersing the Schaghticoke community. The Club's roots were firmly entrenched in traditional Schaghticoke snake lore, particularly rattlesnake behavior and the location of their dens on the Reservation (see below). Schaghticoke snake lore preceded the founding of the Club and has continued to be passed down through tribal generations to the present time (see below).

## **Key Milestones 1900-2000**

### **I The New Regulations at C.F.R. 25 § 83.11(b) and (c)**

A central component of this SIT Petition is submission and reliance on the time period from 1900 to 2018 of the Tribe's 400-acre reservation and recognition as a Tribe by the State of Connecticut. The new regulations for "community" and "political influence or authority" at 25 CFR Part C.F.R. 25 § 83.11(b) and C.F.R. 25 § 83.11(c) make clear that "Land set aside by the State for the petitioner, or collective ancestors of the petitioner, that was actively used by the community for that time period" are evidence of community and political influence or authority. A-85. SIT current members and their ancestors have continued to reside on this reservation throughout the last 116 years (and prior) and in many ways this reservation has been the heart of the Schaghticoke Tribe, its members, its relations with the State government and its ongoing government. The following lists a number of key milestones that confirm this evidence but since the Tribe has had a reservation and political status with Connecticut throughout the 1900s, every year could be listed as meeting the 25 CFR Part C.F.R. 25 § 83.11(b) and C.F.R. 25 § 83.11(c) requirements.

### **II The Reservation Continues to Exist and Be Occupied**

In the Early 1900s, the New Milford Power Company built a dam, flooding tribal burial grounds. In 1910, May 6, 1910 Article in *New Milford Gazette* mentioned tribal leader George Coggsell, who lived on Scatacook land for 50 years prior to the publication of the article (dating back to 1860). The article also mentions Benjamin Chickens (also known as Warrups), who had died 80 years previously in 1830, was survived by two descendants. The Warrups family had married into Schaghticoke; they are mentioned in the Moravian documents from Schaghticoke as early as the mid-18<sup>th</sup> century. In addition, the article mentions 130-year deeds to one parcel, the Rogers place, which dates that parcel on Scatacook land to 1780.

### **III Connecticut Continues Oversight at the Reservation and Transfers Jurisdiction over the Tribe to Park and Forest Department**

From 1924 thru 1925 the Connecticut Park and Forest Department assumes a responsibility over the Reservation from the individual overseers who had been appointed by the Colony and State of Connecticut since 1757. A 1921 article finds Scaticooks are still residing on their Reservation (George G. Heye, *A Mahican Wooden Cup*, Indian notes and monographies) as do the many other prior newspaper articles from the first and second decades of the 20<sup>th</sup> century that are cited below. A-2.

In 1925, Legislative Committee on Parks and Reservations repealed some existing statutes and placed the Indians under the care of the Commission. It also appointed the State and Park Commission overseer of Indians in Litchfield County. Overseer Chase of Kent arranged to continue as Superintendent. Investigations of conditions required were referred to Field Secretary and Superintendent. In 1926, a letter from Commissioner Wheeler of State Fish and Game relate to a member of the Tribe. In 1928, \$500 was added to the Board of Fish and Game to appropriations for the Tribe. Repairs were needed on Kilson the house and it submitted to the State government.

On Jan. 29, 1925, there was a letter from Schaghticoke tribal member George Coggsell to federal Commissioner of Indian affairs regarding the Tribe's reservation. (National Archives, Indian Affairs, 1925.) His sister Julia also wrote a letter in 1925 against Connecticut turning the Reservation into a State park (B-46).

### **IV The following list contains a comprehensive assortment of materials that are crucial in understanding the Schaghticoke Tribe's historical roots:**

In 1934, Connecticut received an application or inquiry from a New York resident of a Schaghticoke native who wished to be recognized as a member of the Tribe. There is no information on the outcome of the decision. The Commission was authorized to pass on questions of eligibility to residents on the Reservation. There was also a request for house repair by a Reservation resident. In 1935, the State Park and Forest Department was given jurisdiction over the Tribe (A-32: Soulsby 1979) and there was a request for a release from a mortgage that had been executed in 1846 to the overseer of the Tribe. In 1936, there was a need for the Kilson house to be repaired, and a decision was made to move the house rather than repair it. There were no more funds for repairs. There was a meeting on February 5, 1936 where the State Park and Forest Commission recorded known members of Tribe, residents, and non-residents as of Dec. 1935 (A-39). The 3/11/36 Section 1587(c) of Connecticut General Statutes include the Schaghticoke Tribe. B-55 (1935)

The State Park and Forest Commission is the overseer of Schaghticoke and other tribes in 1935, stores all records, and makes all disbursements of tribal funds (A-38). In 1937, there was a legislative program to dictate the relationship between the State and the Tribe. In 1938, there was a release of a mortgage on property entered in 1867 held by the overseer of the Tribe.

In 1935, a genealogical letter shows members as descended from those born at "Scaticook." The State Park and Forest Commission held a meeting concerning the Tribe and documented known members of Tribe, residents, and non-residents as of Dec 1935 showing the continuance of the Tribe as an entity and their political interactions with the government of Connecticut meeting a, b, and c, criteria of 83.11. (A-39: February 5, 1936). The Commission documents the 400-acre reservation and current membership again on March 11, 1936. Membership requirements are decided by the Tribe but included in the State document. L-35.

In 1936, The Schaghticoke Tribe filed their *original* Schaghticoke Indian Claims with the Clerk of the Court of Claims (Elewaththum Swimming Eel Bearce to Willard L. Hart, Clerk, Court of Claims in Washington, D.C., letter dated February 8, 1951).

In March of 1938, the Schaghticoke residents of Reservation were recorded again and after October 1939 the report includes the list of residents with ages, 400 acres of land, and houses. L-49. A published article talks about baskets weaved in such a way that they are watertight. The article seems to show that there was once a booming iron industry in the area. There was also a photo accompanying the article showing an "Indian Day" photo. Indian Day was a pan-tribal powwow held on the Schaghticoke Reservation in August 1939 that was arranged by a pan-Indian organization of which Schaghticoke leadership was a part and so they hosted the event.

The Schaghticoke Indian Reservation Fund at Hartford Bank, records the continuous financial and political relationship between the State and the Tribe: 7/1/31-6/30/32 Schaghticoke Indian Reservation Fund; 7/1/30-6/30/32 Schaghticoke Trust Fund; 7/1/32-6/30/33, 7/1/33-6/30/34: Schaghticoke Indian Reservation Fund; 7/1/32-6/30-34 Schaghticoke Trust Fund; 7/1/35-6/30/36, 7/1/36-6/30/37 Schaghticoke Indian Reservation Fund, 7/1/35-6/30/37 Schaghticoke Trust Fund; 7/1/37-6/30/38, 7/1/38-6/30/39 Schaghticoke Indian Reservation Fund; 7/1/38-6/30-40 Schaghticoke Trust Fund. In 1937, United States opens Appalachian Trail on Schaghticoke land.

In 1938, Schaghticoke residents on the Reservation were documented. In 1939 the plan to widen and improve the Kent town road took width and material from the reservation. Schaghticoke residents of reservation were documented again in March 1938, which listed residents and ages, 400 acres of land, and houses. (October 1939.) Also, during 1939, the 1935 Act, section 1587c, authorizing an overseer of tribes was amended, further documenting the political relationship with the Tribe, the existence of the Indian entity, and the continuing collective community ongoing on the Reservation, meeting criteria a, b, and c of the regulations part 83.11.

In 1939 the Schaghticoke Tribe held it first of several public powwows, which showcased the Tribe's community, customs and leadership. Many publications before and after the event highlighted their Indian history, discrete tribal community, traditions, and present and past leaders, including several culture keepers (informal leadership) as well as formal (elected) leaders such as their Chief, Frank Cogswell (e.g., A-55: *New Milford Times*, "Kent and its Historic Past: Schaghticoke Indians Ever Played their Part in Kent", dated October 26, 1939; A-53: *New Milford Times*, "Indian Day is Celebrated in Spite of Rain/Governor Baldwin Guest at Kent School Lunch", dated October 5, 1939; A-52: Marian E. Cornwell, *The Schaghticoke: Descendants from Our First Americans*, The In-Kent Vicinity Associates, Kent, published September 1939).

#### **V Mid-Twentieth Century Distributions from the Schaghticoke Tribal Fund and Related Legislation.**

July 1, 1940 thru June 30, 1941 Schaghticoke Tribal Fund.

November 8, 1940 lists of those living on the Reservation. This documentation of Reservation residents continued from July 1, 1944 thru June 30, 1945 and July 1, 1946 thru June 30, 1947, and July 1, 1946 thru June 30, 1947.

In 1941, jurisdiction over the tribes transferred to the Welfare Department (A-32: Soulsby 1979; A-32: Manataka 2004) and the management of the tribal funds continued from July 1, 1941 through June 30, 1944 Schaghticoke Fund; July 1, 1943 through June 30, 1945 Schaghticoke Fund; 1944 through 1946 State appropriations Schaghticoke Fund; July 1, 1946 through June 30, 1947 Schaghticoke Fund; July 1, 1947 through June 30, 1948 Schaghticoke Fund, including residential count; April 1, 1948 through June 30, 1949 Schaghticoke Fund, documenting Reservation residents; June 8, 1949 map of reservation; July 1, 1949 through June 30, 1950 Schaghticoke fund report and documentation of Reservation residents; July 1, 1950 through June 30, 1951 Schaghticoke fund report and documents Reservation residents; July 1, 1951 through June 30, 1952 Schaghticoke Indian Fund; July 1, 1952 through June 30, 1953 Schaghticoke fund report and documentation of Reservation residents; and July, 1, 1953 through June 30, 1954 Schaghticoke fund report and documents Reservation residents.

In 1946, records show the area of the Schaghticoke Reservation, which provides the land base for their communal residence and continued community, criteria b; which was recognized by others, criteria a; first and foremost, the State; thus providing a tangible form of the political connection of the State and the Tribe. *Kent Land Records* col 30, P. 512 deed from January 1, 1925 shows line of title through December 11, 1868. This was a southerly portion of 600 acres deeded to Ebenezer Preston, Jr. September 1, 1801.

In 1947, the Tribe filed a land claim with Indian Claims Commission. (A-32: Manataka 2004). A June 1, 1954 letter to the Assistant Attorney General at the Department of Justice requests information about the Schaghticoke. L-78. A follow-up letter explains the May 31, 1954 newspaper clipping showing that the Schaghticoke were suing the U.S. for \$20 million dollars. A July 27, 1954 letter from Assistant A.G Perry Morton requests additional information about the Schaghticoke. A-73. The letter references a claim before the Indian Claims Commission. (Docket No. 112). The claim concerned tracts of land that were condemned.

July, 1949: *Minutes of the Legal Tribal Council*" meeting held at the Schaghticoke Reservation show that tribal members were concerned about the lack of housing on the reservation, especially the need for Reservation housing for tribal leadership, and it was resolved to notify the state official (Squires) who was in charge of reservation affairs. Significantly, 17 Schaghticoke members assembled at the meeting to vote "to accept and file" Revised Schaghticoke Indian Claims with the federal government. The Minutes indicate tribal leadership with community concerns actively seeking solutions. The document was signed by Heneratta Peckham as tribal Secretary. There were also followers - Schaghticoke members attending the meeting to listen to leadership discussion. The Minutes demonstrate community and political authority (A-

143: *Minutes* of the Legal Tribal Council Meeting, dated July 10, 1949 and inserted on page 11 of the Schaghticoke petition to the Indian Claims Commission – see below).

July, 1949: "The Kent Tribe of Schaghticoke Indians" presented a lengthy petition to the Indian Claims Commission (24 pages and a 5-page "Supplementary Appendix"), requesting "the right to file Revised Schaghticoke Indian Claims under public law 726, and plead that the Commission entertain a motion in behalf of the Kent Schaghticoke Tribe for a docket placement number, for a fair and just hearing and award by the Commission..." The tribe was seeking monetary damages in regard to unlawful loss of tribal lands. The word "Revised" is significant, as it indicates that the Schaghticoke Tribe had submitted a land claims prior to July 1949. The petition was signed on July 10, 1949 at a Schaghticoke tribal Council meeting by the five members of the Schaghticoke Indian Legal and Claims Committee "for the tribe". Swimming Eel Bearce notarized the petition and the July 10<sup>th</sup> tribal Council Meeting Minutes on July 18<sup>th</sup> and sent them to the Indian Claims Commission. It demonstrates political authority (Schaghticoke Petition dated July 10, 1949).

5/1951: Schaghticoke land claims filed with the federal Indian Claims Commission in May 1951. In 1958, the Schaghticoke land claims (Docket 112) was dismissed by the Commissioners of the Indian Claims Commission, apparently because the Tribe had not employed an attorney to represent them in their claim, The Commissioners noted that the Tribe's claim had been filed with the Commission on May 16, 1951. The document demonstrates community and political authority on the part of the "Local and Enrolled Members of the Kent Tribe of Schaghticoke Indians" (A-144: The Indian Land Claims Commission, "Order Dismissing Petition" dated September 9, 1958).

October 12, 1952 newspaper photos show tribal members' culture and community, and identification as an Indian tribe by the non-tribal community, criteria a, and the continuance of their community and culture, criteria b. "Holly Cosure and Warnette Cosure of Connecticut's Schaghticoke Tribe look mighty fierce in their tribal regalia for Indian week."

In 1955, the Schaghticoke complained that the CT Light and Power Company in Kent had moved the tribal burial grounds. (A-32: Soulsby 1979). The Department did not address the complaint and a few tribal members appealed the decision to the federal courts. (A-32: Soulsby 1979)

December 2, 1955 newspaper death announcement of William Russell. The announcement lists that he was born on the Schaghticoke Reservation. The announcement states that he was the grandson of the Schaghticoke Indian chief showing a continuing distinct, identifiable community, recognized by the surrounding community.

The following records continue the history for this period:

July 1, 1954 thru June 30, 1955 Schaghticoke fund report documentation of Reservation residents.

October 1954: A "Council Meeting" was held on the Schaghticoke Reservation, where the status of the Tribe's land claims was discussed, and elections were held. Tribal leaders Julia Parmalee, Lenare Thorpe, and Howard Harris were voted onto the "Schaghticoke Legal and Claims Committee", bringing it up to seven members. Howard was elected Chief of the Tribe. Theodore Cogswell was voted Rear Sagamore, Jean Renault was elected Treasurer. Some 22 tribal members plus Swimming Eel Bearce attended the meeting and signed the Minutes (B-59: Henaretta Peckham, Schaghticoke Secretary, "Official Minutes" dated October 24, 1954). Acting on behalf of the Tribe, Bearce notarized the *Minutes* and sent to the Indian Claims Commission in Washington, D.C, along with a "Petition of the Kent Tribe of Indians Connecticut for a review hearing by the Congress of the Tribes public legal and status relations with the Federal and State Sovereign Powers".

In 1949-1955 bank account ledger of State aid and collections of the Schaghticoke Indian Fund.

July 1, 1955 thru June 30, 1956 Schaghticoke fund report and documentation of Reservation residents.

July 1, 1956 thru June 30, 1957 Schaghticoke fund report and documentation of Reservation residents.

July 1, 1957 thru June 30, Schaghticoke fund report and documentation of Reservation residents.

November 1958 letter from Elevathum Bearce, Tribal Chairman to Pahei Theodore Cogswell, High Sachem Kent Schaghticoke Tribe of Indians about exhibits apparently submitted to the Attorney General's office.

July 1, 1958 thru June 30, 1959 Schaghticoke fund report and documents of Reservation residents.

In 1958, the Schaghticoke land claims (Docket 112) was dismissed by the Commissioners of the Indian Claims Commission, apparently because the Tribe had not employed an attorney to represent them in their claim, The Commissioners noted that the Tribe's claim had been filed with the Commission on May 16, 1951. The document demonstrates community and political authority on the part of the "Local and Enrolled Members of the Kent Tribe of Schaghticoke Indians" (A-144: The Indian Land Claims Commission, "Order Dismissing Petition" dated September 9, 1958).

January Session 1959: update to section 1587c of the 1935 supplement to the general statute: An Act Authorizing the Commissioner of Welfare to act as overseer of Indians residing in the State.

July 1, 1956 thru June 30, 1960 Schaghticoke fund report and documents of Reservation residents.

July/1956 thru March/1961 resources and reimbursements of the Schaghticoke Indian Fund

In 1960-61 Welfare Department refuses to provide fund to repair tribal members' homes, instead burns all but two residences on the Reservation. (A-32: Manataka 2004.)

Late 1960s: Schaghticoke spearheaded struggle against the Welfare Department. Other Connecticut tribes joined, and it became a State-wide movement for the tribes to have more autonomy. Acting cohesively as a tribal entity meets criteria b and action politically fulfills criteria c. Criteria a is clearly met as Schaghticoke is recognized as a tribe by the other tribes in the State and by the State through its arm, the Welfare Department. (A-32: Soulsby 1979)

July 1, 1960 thru June 30, 1961 total Indian appropriations, Schaghticoke fund report and documents Reservation residents. January 16, 1960 Schaghticoke reservation bill for repairs done to the Kilson residence. July 19, 1961 documentation of the bills submitted to repair the Kilson house.

May 15, 1961 bill to Welfare Department for the Schaghticoke Reservation for repairs to the Kilson house A-78

November 2, 1960 letter from Connecticut Asst. Attorney General about transfer of lease of reservation land from one non-Indian to another. The decision was made that this type of transfer of the lease is not possible. This notes the political relationship with the Tribe, two governmental entities involved in controlling their lands, meeting criteria c, and in fact a and b; the Tribe was recognized by the State government, and, had continued to exist on its land until this point, acting cohesively as a group (A-81).

November 1, 1961 thru June 30, 1962 Schaghticoke fund report documented 400 acres of land and Reservation residents showing political relationship with the State, criteria c, identification as an Indian entity by the State and its populace by providing a fund for Schaghticoke and acknowledging their land base, meeting criteria a, and the continuous community partially held in tact by their communal land holdings and their political relationship to the State A-82.

May 1963, the "Kent Tribe of Schaghticoke Indians" through its Tribal Committee present a "writ" regarding land claims to the United States District Court of Record and Common Pleas in New Haven, Connecticut on May 7, 1963. The writ lists the Schaghticoke tribal officers and the members of the Tribal committee on its page 4. Willam Cogswell's son Theodore Cogswell is listed as sachim. Herbert Johnson and Theodore's son Theodore Cogswell jr. are listed as sagamores. Heneratta Peckham is listed as "squaw sachem" and secretary. Beatrice Arlene Cogswell is listed as Treasurer. The Tribal Committee members are Theodore Cogswell, Julia Parmalee (nee Cogswell), Lenoria Thorpe, and Heneratta Peckham. The writ was originally signed on May 7th by Elewaththum Swimming Eel Bearce as chair of the Tribal Committee. Additional pages, including a "Revised Tribal enrollment List" were added and Bearce signed again on May 11th. The document demonstrates both community and political authority, in that it notes a body of tribal members with elected/appointed leaders (A-145: Elewaththum Swimming Eel Bearce to "United States District Court of Record and Common Pleas, New Haven, Connecticut "May 7 & 11, 1963).

In 10/21/1969, inventory of graves in the third and present Schaghticoke cemetery in Kent, death dates ranging from 1844-1961, show the connection of members to the Tribe throughout the centuries in choosing to have their remains buried on the Reservation and with Schaghticoke meeting criteria b and also c, as the governmental entity organized known burial grounds for its people. A later "List of Burials at Schaghticoke (taken from sexton records town of Kent)"

enumerates Schaghticoke deaths and burial on their Reservation from 1890 to 1993 (Anonymous, post May 1993, on file at the tribal office -- needs a number).

An October 12, 1970 article discusses the Schaghticoke Reservation. The chief at the time claimed that the Reservation was managed and owned by the federal government until about 1810 when it was turned over to the State. The article shows that there is support from the leaders of other southern New England tribes to have the land surveyed and the actual borders of the Reservation determined so that those who wish to move back are able to do so. This shows political activity with other tribal governments meeting criteria c and b, as the tribal community was still intact.

## VI Tribal Sovereignty in the 1970s

In 1973, Removal of Welfare Dept. as institutional tribal overseer (and replacement by Dept. of Environmental Protection) spearheaded by Schaghticoke Tribe (B-70). 1973, Creation of Connecticut Indian Affairs Commission spearheaded by Schaghticoke (A-32: Manataka 2004).

In 1974, article by William W. Bower (relevant sections added in other time periods) article shows that remnants of the Pequot settled near New London and arrived in Kent in 1637. It says that the name Schaghticoke comes from the sub-Pequot dialect for a word that means where the waters meet. Many were converted to Christianity in 1742. There are directions on how to reach the reservation. The reservation boundaries are outlined in the article. It is described as the largest reservation in the State, holding 400 acres. It is cited that the one of the last Schaghticoke was buried on the Reservation in 1971. The article cites that there is a powwow held every year in Danbury (8/19/1974) and their current chief at that time.

In a March 22, 1973 letter from then Chief of the Schaghticoke to his Uncle Charlie who had recently come back to Connecticut, the Chief tried to gain support of elders to lead the younger members of the Tribe. He shows the legitimization of the tribal rolls and that there is a strong political body on which the Tribe can stand.

In June 1973, Connecticut Governor Meskill signed an act establishing a Connecticut Indian Affairs Council (CIAC), whose members consisted of representatives from the state's five recognized tribes, which included the Schaghticoke tribe, and 3 gubernatorial appointees. Indian Affairs was placed under the authority of the Council in conjunction with the state Department of Environmental Protection, the tribes' new institutional overseer. The legislation demonstrated that Connecticut considered the Schaghticoke to be a bonafide Indian tribal community, with rights given solely to Indians, such as the right to hunt and fish in their reservations without a state license (A-147: Bridgeport Telegram, "Indian Council Measure is Set to be Approved, June 22, 1973; Bridgeport Telegram, "Governor Signs Bill on Indians", June 23, 1973). In 1973, Schaghticoke Indian Tribe forms a corporation. (A-32: Manataka 2004).

In 1974 a map of the Connecticut reservations shows the tribes recognized as distinct from the non-Natives and from each other, meeting criteria a and b. That the Reservation still exists in 1974 also demonstrates the continuity of the Tribe and shows the political relationship with the State involving property, meeting criteria c.

On July 6, 1977 Brenden S. Keleher, Indian Affairs Coordinator, drafts a memo to the file about the state of Indian affairs in Connecticut. The memo states that responsibility of the reservations, including Schaghticoke, had shifted from the Department of Welfare to the Department of Environmental Protection and the newly created Indian Affairs Council. It states that the genealogies for the tribes were at that time, in the custody of the Indian Affairs Council. The genealogical charts are described in detail. It further states that the genealogies were collected by the Park and Forest Commission; a genealogist was hired for the task and compiled between 1936 and 1940.

In 1974, Chief Irving Harris (Mikigu) was chairman of the Connecticut Indian Affairs Council.

In 1974, the Schaghticoke filed suit against 10 landowners in Kent for the return of tribal lands that were sold to the State in violation of the non-Intercourse Act of 1790; main defendants were the Kent School and the Preston Mountain Club. (A-32: Soulsby 1979).

In 1975, SIT files claim for Kent School lands in U.S. District Court.

In 1978, CT light and Power Company agreed to return 50 acres to the Tribe. (A-32: Soulsby 1979.) It never came to fruition. A-92.

On May 24, 1979 Letter Carmody to Mikki Agansata, the Indian Affair coordinator about the settlement with the Schaghticoke to determine which parcels were to be conveyed to the Tribe as part of the settlement. (A-149)

## **VII Modern Organizational Steps of SIT in the 1980s**

In 1981, SIT files Letter of Intent for federal recognition with BIA. (A-32: Manataka 2004).

**Part III**

**PROCEDURAL HISTORY WITH THE FEDERAL GOVERNMENT**

**"The Schaghticoke Indian Tribe of Connecticut"**

### III. CONTACT AND RECENT PROCEDURAL HISTORY WITH THE FEDERAL GOVERNMENT AND OFFICE OF FEDERAL RECOGNITION

The following outlines the Schaghticoke Indian Tribe's past filing attempts and previous correspondence with the Bureau of Indian Affairs, Office of Federal Acknowledgment:

- 03.04.82 Letter of Intent filed for Petitioner #79 – later usurped by STN
- 09.13.00 SIT separates from petition #79 and requests increase from informed to interested party status for #79
- 04.04.01 Chairman Alan Russell submitted Letter of Intent Resolution (1989 Letter of Intent had been usurped)
- 10.22.02 Petition material submitted
- 10.25.02 Letter from DOI
- Outlines regulatory steps SIT will comply with
  - Identifies what has been submitted as Petitioner #239
- 12.05.02 STN Proposed Finding
- 03.20.03 Informal technical assistance meeting
- 04.30.03 Letter from Department of Interior (DOI): partially documented petition
1. Met a,d,e,f,g
  2. B / Community: missing 1940 – 1967 and 1996 – present
  3. C / Political influence: missing 1900 – 1967 and 1996 – present
  4. Review STN PF Appendix A
  5. Staff working on SIT: George Roth  
Rita Souther  
Virginia DeMarce  
Lee Fleming
  6. Membership is a single body prior to 1997
- 01.29.04 STN Final Determination (FD) published in the Federal Register on February 5, 2004. 69 Fed. Reg. 5570
- 01.30.04 Letter from DOI: SIT's next steps after STN finding of positive FD
- 05.12.05 IBIA Ruling on STN FD: DOI OHA Interior Board of Indian Appeals Vacates and Remands Docket Nos. IBIA 04-83-A in light of *in re Federal Acknowledgment of the Historical Eastern Pequot Tribe*, 41 IBIA 1 (2005).
- 06.28.05 Letter from DOI: refers to SIT's partially documented petition
- 09.12.05 Petition material submitted
- 10.11.05 DOI Reconsidered STN Final Determination: STN did not meet requirements
- 01.12.06 STN filed a petition for review in Connecticut District Court
- 09.14.06 SIT technical assistance letter regarding petition
- 2.09 DOI meeting with Rita Souther
- 02.26.09 Letter from DOI outlines *To Do* list
- 01.16.13 Letter from DOI
- Between these dates: SIT submits documents
- 02.28.13 Letter from DOI. Confirms receipt of documents addressing 1.16.13 letter  
Need new membership list and certify list and new members.
- 03.12.13 SIT submissions
- 04.17.13 SIT submissions
- 6.13 SIT submission (referenced in 8.22.13 ltr)
- 08.09.13 DOI letter lists SIT submissions of 3.12.13 & 4.17.13  
DOI gives disc of membership list on file to SIT  
Need to address 9.14.06 & 1.13 technical assistance letters
- 08.15.13 Conference call with DOI
- 08.22.13 DOI letter: Please address technical assistance letters 4.30.03, 9.14.06, 2.26.09. Submissions to date (6.13) do not suffice. Read this letter to get DOI's recommendation of where to look for more probative documents.
- 09.12.13 Letter from DOI
- 11.08.13 DOI letter: received 9.05 & 9.13 membership lists

06.25.15 Meeting with BIA and provided 2.14.06 Constitution  
06.15 Submit Petition; Office of Federal Acknowledgement rejects electronically filed and referenced documents and wants hard copy filing system

### Procedural History

#### (i) The New Regulation at 25 CFR Section 83.4 (d) Does Not Affect This Petition

The Petition presently filed by SIT is the first complete Petition filed by the Tribe. Therefore, the new regulatory Section at 25 CFR Section 83.4(d) does not affect this entity. Subsection (d), according to the BIA's explanatory comments, was designed to prevent previously denied Petitioners from re-petitioning since entities like SIT have not had their Petitions reviewed. SIT is not a "reconstituted, splinter, spin off, or component" group of the STN.

As is well documented in the OFA's records, there have been two distinct groups of Schaghticoke Indians that have applied for federal recognition. The SIT as Petitioner # 239, and the Schaghticoke Tribal Nation Petitioner # 79. SIT and not the STN is the true and legitimate representative of the Schaghticoke. SIT is a separate Petitioner and was simply an interested party in the process of review of STN's Petition by OFA. From the time of SIT's original assignment of its own Petition # 239, the Tribe has opposed and challenged STN's legitimacy as the Schaghticoke tribe. SIT set forth many of these reasons in its brief before the IBIA entitled "Schaghticoke Indian Tribe's Opening Brief/Statement of Grounds for Reconsideration.

The BIA has previously addressed this issue in its Reconsidered Final Determination for Petitioner #79. While that decision addressed a prior version of the regulations, it is relevant because it notes "[s]ince those SIT members known to have been involved in STN in the recent past are not currently members of STN, the regulatory prohibition against repetitioning by a group already considered (83.10(p)) would not apply to the SIT..." (p. 64). Moreover, in that same Reconsidered Final Determination, the government confirms on page 63 that "[t]he ADS declines to reconsider the STN FD on the ground that SIT is the legitimate present-day continuation of the historical Schaghticoke Tribe. The SIT claim will be considered when its petition is complete and is reviewed under the acknowledgment regulations."

**Part IV**

**SEVEN MANDATORY CRITERIA**

#### IV. SEVEN MANDATORY CRITERIA- THOROUGH EXPLANATIONS OF HOW CITED SUPPORTING EVIDENCE APPLIES TO CRITERIA

##### 1 Criterion 25 C.F.R. § 83.11(a): Identification of Indian Entity

In accordance with Criterion § 83.11(a): Identification of Indian Entity, the following details a brief overview of how the Schaghticoke Indian Tribe meets criterion § 83.11(a) from 1900 to present. Identifications have been broken down into eleven subcategories, no more than ten years apart. Photocopies and/or image scans from sources that identify the Schaghticoke Indian Tribe as an Indian entity as required by § 83.11(a) have been provided and are labeled according to their corresponding index number, as well as identifiable in the bibliography of this narrative.

##### *1900 to 1909*

In his annual report to the Court of Common Pleas, the court appointed Schaghticoke overseer Martin B. Lane reported that the "Schaghticoke Tribe of Indians" consisted of tribal members living both on and off the reservation. He listed them by name; they represented three major tribal lineages: Cogswell, Harris, and Kilson. Elderly and sick tribal members were supported in part by the Tribe's "Indian fund" (A-1: Martin B. Lane, 1900, "Court of Common Pleas, Litchfield County", Volume 3, pg. 85, dated September 1st but listed in the October term, 1900). This fund was a bank account created ca. 1801 when the northern portion of the Tribe's Reservation was sold off by Abraham Fuller, a non-Native assigned to oversee the relationship with the Tribe, against the Tribe's wishes. A portion of the monies went to the Tribe after debts and fees were paid off. The fund was maintained throughout the 19<sup>th</sup> and into the mid-20<sup>th</sup> centuries with moneys received by the Tribe as an Indian entity (and held in trust by their white overseer) from sales and rents of tribal lands, the sale of other tribal resources such as cordwood from Reservation trees, and from bank notes secured by mortgages and savings bank loans on tribal lands (Crone-Morange and Lavin, 2004:161, note 103).

According to the 1900 overseer's report to the Court, elderly and ill tribal members were supported by the tribe's "Indian Fund". The government's treatment of the "Indian Fund" shows that the local overseer, the State of Connecticut by whom he was employed, and the Court to which he was legally bound to report, all recognized that the Schaghticoke were an Indian Entity distinct from the Kent town residents surrounding the Schaghticoke Reservation (A-1: Martin B. Lane, 1900. "Court of Common Pleas, Litchfield County", Volume 3, pg. 85, dated September 1, 1900).

A good example of this governmental trust relationship to the Schaghticoke as a traditional Indian Entity is provided in Schaghticoke Overseer Martin Lane's Motion for Judgment against Charles E. Cronkite "for his failure to pay the principal and interest on a mortgage held by the Schaghticoke Tribe of Indians" (A-3: State of Connecticut, Court of Common Pleas, 1900, Martin B. Lane Overseer vs. Charles E. Conkrite, *Motion for Disclosure and for Judgment*, filed October 4, 1900, underlined emphasis added).

Local historian Edward Dyer's guided tour of the Schaghticoke Reservation by tribal leader James Harris in April, 1902, and his interviews with some of its residents resulted in a full chapter in his 1903 book *Gnadensee: The Lake of Grace, A Moravian Picture in a Connecticut Frame* (Edward O. Dyer, 1903, pp. 213-221). Entitled "The Reservation at Scatacook", the chapter provided a good description and census of the contemporary Schaghticoke community, the Reservation lands, and the pre-Bull's Bridge dam tribal cemetery (which was later flooded over after completion of the dam on the adjacent Housatonic River). The author related that the community consisted of "nearly one hundred" members, about 15 of whom lived on the Reservation. Historian Dyer referred to the Schaghticoke as a "tribe", mentioned the existence of the Indian fund, and retold the Schaghticoke folktale about a locale on the Reservation haunted by the souls of tribal members. Dyer's descriptions portrayed the Schaghticoke community as a distinct Indian Entity quite separate from the surrounding Kent citizenry (A-97).

Documents from 1903 submitted by the New Milford Power Company and by Martin Lane to the Litchfield County Superior Court regarding the New Milford Power Company's petition to condemn over 21.76 acres of private property owned by Lane and Charles Lee (mortgagee) adjacent to the "land of the Schaghticook [*sic*] tribe of Indians" show that both the government and influential local Kent residents recognized that the Schaghticoke comprised a distinct Indian Entity who owned land in common in Kent. **The communal land ownership characterized the traditional corporate nature of a tribal Indian community** (A-5: Connecticut, State of, Litchfield County Supreme Court, 1903, "The New Milford Power Co. vs. Martin B. Lane et al., Stipulation as to Amendment, September 1, 1903, pg. 1).

In February of 1904, a significant legal document shows CT judicial recognition of the Schaghticoke as an Indian Entity owning land in common in Kent, and that the land contained a burying ground to which the Tribal community had strong spiritual ties. The corporate nature of Schaghticoke land ownership and shared spirituality in the Tribe's cemetery characterize a traditional, discrete Indian community. The Judgment of the Court of Common Pleas recognized the

existence of the Schaghticoke Burying Ground on the Reservation and its continued use by the Tribe as a sacred place by refusing to allow the New Milford Power Company to condemn the locus for its use. The Court specifically noted that the cemetery was NOT included in the conveyance of 3.25 acres of tribal land by its overseer Martin Lane to the power company. Further the Court recognized the importance for Tribal access to that sacred place by requiring that Schaghticoke members must be given a right of way from the highway to their Tribal burying ground:

"It is expressly understood that no part of the cemetery now in use passes by this conveyance and that the said Indians have a right of way from the highway to said cemetery at any convenient point" (pg. 393).

Local historian Theodore S. Gold described the Schaghticoke community in a volume of *Connecticut Magazine* devoted entirely to the American Indian in March of 1904. Based mainly on his first-hand knowledge of tribal members (who were his neighbors growing up, and later, employees on his Cornwall farm), he described their character, work ethic, and traditions. He also cited information he received in a letter from their CT-appointed overseer Martin Lane. Lane informed Gold that the Schaghticoke "had about three hundred (300) acres of land, five dwelling houses, five thousand dollars in cash". He noted that he was allowed to use the tribe's fund to support their oldest members. Lane confirmed that 30-40 of the tribe lived on the Reservation, while 110 lived off-Reservation. The article clearly shows that both Gold and Lane believed that the Schaghticoke were a discrete Indian Entity. The fact that the article was published in a major state historical journal in its volume devoted entirely to the American Indian shows clearly that the state historians comprising its editorial board also believed the Schaghticoke were a discrete Indian community (A-6: Theodore S. Gold, March 15, 1904, "Fostering the Habit of Industry", *Connecticut Magazine*, VIII (3):452-454).

In July of 1904 in his publication on Indian basketry, historian Conway Curtis portrayed the "Scatacook" as an Indian Entity. He described their tradition of woodsplint basketry as distinct from that of other surrounding tribes, and Schaghticoke basket maker Rachel Mauwee as a "pure-blooded Scatacook" whose "mind is a storehouse of Indian tradition" (A-7: Conway W. Curtis 1904, "The Basketry of the Pautatucks and Scatacook", *The Southern Workman* 33(7): 385-390). (B-6).

In May 1906, many newspaper articles showed that members of the press clearly believed they were writing about an Indian entity. For example, in this news account about the Schaghticoke, the journalist referred to Schaghticoke leader Jim Harris as "a real Indian and a Shaghticokes [*sic*]". He called the Reservation residents "the little colony of aborigines." He clearly believed the Schaghticoke to be an Indian community. Further, his use of racist, patronizing language to describe that community (e.g.; "chief", "wigwam", "Indian maiden", "Indian scouts", pidgin English to quote Reservation residents) definitely set the Schaghticoke apart from whites and the dominant white community of Kent townspeople in his mind. The author noted that;

"Around South Kent, the little colony of aborigines is called the 'Artichokes'. Jim Pan [Harris] does not like the name 'The last of the Artichokes'."

The quote demonstrates that the local white Kent folks also believed that the Schaghticoke were an Indian Entity, quite distinct from their white neighbors (A-8: *The New York Times*, "The Rattlesnake Club Makes a Good Haul", May 21, 1906). (C-47).

In May of 1907, lengthy news account with several photographs described in some detail the annual 1907 Schaghticoke Rattlesnake Club hunt on the Tribe's Reservation, in which the reporter's use of such terms as "wigwam", "sagwa", "Indian princesses", and "Indian Jim" shows that he believed he was visiting an Indian Entity. His patronizing attitude sets the Schaghticoke apart from the white outsiders, both local and non-local (A-9: *Bridgeport Sunday Herald*, "Schaghticoke Rattlesnake Hunt brings out Multitude of Intrepid Hunters and Ten Venomous Reptiles are Captured Alive", May 26, 1907).

In April of 1908, news article mentions "the famous Schaghticoke Indian Reservation" that "authorities of ethnology" have visited there, and how "the Schaghticokes were here long before the whites". These quotes indicate that the author and others (the ethnologists) believed that they were visiting an Indian Entity, distinct from surrounding whites, that was worthy of ethnographic study (A-10: *New York Herald*, "Kent has Naturalist who is after Mr. Roosevelt's Own Heart", April 26, 1908).

Later in 1909, an article reported on the skills of Schaghticoke snake handler Edson Charles Harris and a recent show he put on with a large rattlesnake for Newtown folks. The author referred to Harris as "one of the young braves of the Schaghticoke Indian tribe", showing that he believed (as did reporters from other towns who had come into contact with the Schaghticoke - see other articles listed herein) that the Schaghticokes were an American Indian Entity, separate from the surrounding white communities of New Milford and Kent and of course, Newtown (A-11: *Newtown Bee*, "Snake Stories", pg. 6, August 6, 1909).

1910 to 1919

In 1910, in their official *Handbook of American Indians*, The Bureau of American Ethnology (BAE), the United States government agency that conducted anthropological research focusing on American Indians of North America, described the Schaghticoke as “an Indian settlement and reservation on Housatonic r., a few miles below the present Kent, Litchfield co., Conn.” The Federal BAE referenced the research of respected anthropologist Frank G. Speck, who reported that Schaghticoke members still practiced their tribal traditions of woodsplint basketry and use of the bow and arrow, and that one tribal informant “still retained knowledge of the [Schaghticoke] language” (A-26: Frederick Webb Hodge, *Handbook of American Indians North of Mexico, Part 2*, Smithsonian Institution Bureau of American Ethnology, Bulletin 30, pp. 485-486).

In March of 1910, significant news article about a Schaghticoke origin myth, which begins with a sentence identifying the Schaghticoke as an American Indian Entity:

“The Schaghticoke Indians, who occupy a reservation in Connecticut some ninety miles north of Bridgeport, tell a weird folk legend of the origin of the rattlesnake” (A-127: *New York Times*, “A Connecticut Indian Legend”, dated March 10, 1910).

An article from May 6th of 1910 in the *New Milford Gazette* mentioned George Coggs well who lived on Scatacook land for 50 years prior to the publishing of the article. (Dating back to 1860) George led a tour of the Schaghticoke Reservation lands for the reporter. Mentions Benjamin Chickens who had died 80 years previously survived by two descendants (died 1830). Article mentions 130-year deeds to one parcel, the Rogers place, which dates that parcel on Scatacook land to 1780. George discussed other Schaghticoke homesteads along the tour and the tribal members who formerly occupied them. George’s keen knowledge of tribal history and even the very title of this news article demonstrate that the Schaghticoke were an American Indian Entity with a specific land base whose members were actively in tribal relations with one another (A-12: *New Milford Gazette*, “Encircling Tribal Lands”, dated May 6, 1910).

In January of 1915, bills before the CT General Assembly, such as this one, clearly showed that the State of Connecticut believed that the Schaghticoke community was a sovereign Indian Entity with whom the State had a trust responsibility. House Bill 335, “An Act making an Appropriation for the Schaghticoke Tribe of Indians,” provided \$600 for the “support, care and education of the Schaghticoke Tribe of Indians”. It was sent to the Senate Appropriations Committee on January 25, 1915 (A-13: State of Connecticut, *Journal of the State of Connecticut, January Session, 1915*, published by the State, Hartford, dated 1915).

In May of 1915, House Bill 362, a substitute for Bill 335 that lowered the appropriation for the “Schaghticoke Tribe of Indians” to \$400, passed both the House and the Senate on May 20, 1915 (A-14: State of Connecticut, General Assembly, *Special Acts Passed by the General Assembly*, Hartford, 1915). (A-78)

Later that month, in a Letter to the Editor of the *Hartford Courant*, Judge John T. Hubbard, Judge of Probate for Litchfield, identified the Schaghticoke as a discrete Indian Entity with a traditional land base, of which their Reservation was a part. He referred to the Schaghticoke as “Indians” and as a “tribe” throughout the letter. He noted the existence of a Schaghticoke fund, shared by the tribe and used to pay for their state-appointed overseers. He also noted that the grand juror of Kent refused to help the Schaghticoke because he recognized that the town had no jurisdiction over the tribe of Indians. Judge Hubbard also admonished the Colony and State of Connecticut for its callous treatment of the Tribe and accused the government of neglecting its trust agreement with the impoverished and weakened Schaghticoke community.

“I cannot see from a brief examination of the Colonial Records that the state ever did a thing for these Indians except appoint an overseer whose salary is paid by the Indians from the small and dwindling fund remaining from sale of their lands.....No criticism should be made of the overseers appointed by the court but they have a very small fund with which to care for the small and improvident tribe.”

Hubbard also mentioned the previous involvement of his colleague Gideon H. Welch, Judge of the Court of Common Pleas in Litchfield County from 1897 to 1914. Mandated by State Statute to appoint the Schaghticoke overseer, Judge Welch showed some interest in the community’s welfare. He visited the Reservation, ordered a census of the tribe, and removed some outsiders that were encroaching on the Reservation land. (see June 1911 above).

“Former Judge Gideon H. Welch [*sic*] took much interest in the Tribe and once went to the Reservation and caused some men who were living there unlawfully to be evicted. The Judge had hard work to get the grand juror to take action in the matter, as this official claimed the Town had no jurisdiction on the Reservation. Judge Welch [*sic*] had a census of the Indians made and found that, counting all there were 126 member of the Tribe in the State, but very few full blood” (A-15: Judge John T. Hubbard, “Appeal for the Scatacook Tribe”, reprinted in the *New Milford Gazette* on May 14, 1915).

The Letter demonstrates that officials of both the town and the State recognized that the Schaghticoke were a discrete Indian Entity in tribal relations. The fact that two high-ranking judicial officials believed this is significant because, as officers of the court, they would know the legal meaning of the term “tribe”.

In November of 1915, *Decorative Art of the Indian Tribes of Connecticut*, a publication by noted Eastern North American anthropologist Frank G. Speck, identified the distinctive art traditions of several Indian tribes in Connecticut, including the "Scaticook" Tribe, whom Speck recognized as an Indian Entity (A-16: Frank G. Speck, Department of Mines, Memoir 75, No. 10 Anthropological Series, Ottawa, 1915, pp. 1,5-7,33,35,37,39,41,62,63). (Bibliography attached under 1882 entry.)

Later that same month, the Indian funeral of Schaghticoke Mary (Kilson) Jessen was described. Traditional ceremonies such as lining the grave with evergreen boughs (signifying everlasting life; the rite is still performed during traditional Schaghticoke burial rites on the reservation) and interment in the Schaghticoke burying ground on the Reservation as well as 50 mourners at the ceremonies demonstrate a discrete Indian Entity. The ceremonies were performed by tribal leader George Cogswell (A-110: *New Milford Gazette*, "A Schaghticoke Funeral, dated November 5, 1915).

In May of 1917, House Bill 121, "An Act making an Appropriation for the Schaghticoke Indians," provided \$400 for the Tribe's "maintenance, support, care and education". It passed both the House and Senate on May 10<sup>th</sup>, showing that the State recognized the Schaghticoke as an American Indian Entity with which it had a trust responsibility (State of Connecticut, General Assembly, *Special Acts and Resolutions of Connecticut with Appendices containing Appropriations and Grants from the Treasury and Executive Appointments*, Vol. XVII - Part 2, Hartford). (A-78; A-10)

January and March of the following year, 1918, brought House Bill 266, "An Act making an Appropriation for the Schaghticoke Tribe of Indians," provided \$400 for the Tribe's support. It passed the House and went to the Appropriations committee on January 31<sup>st</sup>. On March 28<sup>th</sup> that committee recommended passage of the Bill and it went to the Senate where it was tabled "for the Calendar". The Bill shows that the State recognized the Schaghticoke as an American Indian Entity with which it had a trust responsibility (A-17: State of Connecticut, *Journal of the Senate of the State of Connecticut, Special Session, 1918*, pages 258 & 824, published by the State, Hartford).

In April of 1919, House Bill 266 was finally approved by the House and Senate on April 15<sup>th</sup>; \$400 was appropriated for the Tribe's "maintenance, support, care and education" of the Schaghticoke Tribe, demonstrating the State's recognition of the Schaghticoke as a discrete Indian Entity with whom they have a trust responsibility ((State of Connecticut, General Assembly, *Special Act Passed by the General Assembly*, of the State of Connecticut, Special Laws, pg. 108, Hartford). (A-10)

In December of that year, an extensive news article on the Schaghticoke that showed them to be an Indian Entity separate from the white Kent population in several ways. The title of the article, and the author's use of such terms as "squaw", "Indian princess", "sagwa" and "Indians" clearly showed he believed that the Schaghticoke were American Indians (A-18: *Hartford Courant*, "Where the Last of Our Red Men Linger", dated December 21, 1919). (C-209)

Later that month, another news account entitled "Schaghticoke" (spelled "Scatacook" in previous news articles), about the Schaghticoke community on their Reservation, based in part on the December 21<sup>st</sup> article that was published by the *Hartford Courant* (see above). The officers of *The New Milford Times* thought the *Courant's* portrayal of their local Indians - the Schaghticoke - "so good that we take the liberty of republishing some of the more important parts of it". The quote, the title of the news article, and subsequent account demonstrate that local newspaper men as well as those in Hartford, believed the Schaghticoke were a discrete Indian community with a specific land base (A-19: *The New Milford Times*, "Schaghticoke", dated December 25, 1919). (C-198)

## 1920 to 1929

In June of 1920, another news article on the Schaghticoke, in which the reporter's racist attitude, revealed in his use of pidgin English, and his use of the term "tribe" to describe the Schaghticoke, showed that he believed he was visiting a discrete Indian community: "Man bitten, rattlesnake, he die. No cure now. Prohibition. Big sport now, hunt rattlesnake. No cure" (A-20: "Only Three of Ancient Tribe Left, Trio of Indians Occupy 1,000 Acre Reservation in Connecticut Hills", news clipping from an unidentified newspaper dated June 1, 1920).

In 1921, an article on an incised wooden cup from northwestern Connecticut by George G. Heye, the founder and director of the Museum of the American Indian in New York City from 1916 until 1956. Heye identified the Schaghticoke as an American Indian entity, referring to them a "tribe" and as "Indians": "some descendants of the Scaticook tribe living near New Milford, and undoubtedly they are the Indians who inhabited the vicinity of Gaylord's Bridge, hence the cup may be attributed to the Workmanship of the Scaticook tribe. ...." (A-21: George G. Heye, "A Mahican Wooden Cup", *Indian Notes and Monographs*, 5(2): 16-18) at the end of the article, the author noted that Scaticooks are still in the area and are the Scaticook tribe. (A-2)

Later that year, overseer, Jabez Swift, wrote to the Governor of the State regarding the Tribe in Collections of the CT Historical Society, recording recognition of the Tribe as an Indian Entity and a distinct community, and the political relationship of that Entity with the State. A-22: Collections of the CT Historical Society Volume XIX (11, 3 pgs.). A-11

In April of 1921, Connecticut House Bill 424, "An Act making an Appropriation for the Schaghticoke Tribe of Indians" of \$400 was approved by the Senate and House on April 20<sup>th</sup> for the maintenance, support, care and education of said Indians". Its passage by the State General Assembly showed that Connecticut identified the Schaghticoke as a discrete American Indian entity with whom it had a trust responsibility (A-46: State of Connecticut, General Assembly, *Special Acts and Resolutions of the State of Connecticut with Appendices containing Appropriations and Grants from the Treasury and Executive Appointments*, Volume XVIII, Part 2, pg. 471, Hartford). (A-78)

In 1923, *A Tourist's Guide to Connecticut* listed the "Schaghticoke Reservation" as a major destination of interest to travelers. The *Guide's* publisher was The Mattatuck Historical Society of Waterbury, which signifies that state historians viewed the Schaghticoke as an American Indian entity distinct enough from the general population to be worth a trip to the boondocks of northwestern Connecticut (A-23: Rawson Haddon, *A Tourist's Guide to Connecticut, containing lists of old and historical houses, historical sites, and other things of interest in the State*, The Mattatuck Historical Society, Waterbury, pp. 38-39).

In May of 1923, Special Act 340 providing \$400 for the Schaghticoke Indians was approved by the Connecticut General Assembly on May 24, 1923. The appropriation demonstrated that the State recognized the Schaghticoke as a discrete American Indian entity with whom they had a trust responsibility (State of Connecticut, General Assembly, *Special Acts and Resolutions of the State of Connecticut with Appendices containing a List of Joint Stock Corporations, etc.*, Volume XIX – 1923 and 1925, pg. 220, Hartford). (A-78)

Connecticut Park and Forest Commission assumed responsibility over the State's Reservation and its Indian communities from individual overseers. Its biennial reports synopsized events on the Schaghticoke Reservation and reported transactions within the Schaghticoke Tribal Fund. These actions by a State Agency showed that the State Government identified the Schaghticoke as a discrete American Indian entity to which it had a trust responsibility (A-24: State of Connecticut, Park and Forest Commission. *Report of the State Park and Forest Commission to the Governor*, Hartford, December 1, 1924, pg. 139).

In 1925, the Legislative Committee on Parks and Reservations repealing some existing statutes and placing Indians under care of Commission. Appointed the State and Park Commission overseer of Indians in Litchfield County. Overseer Chase of Kent, arrangement to continue with Superintendent. Investigations of conditions required and referred to Field Secretary and Superintendent.

On January 29<sup>th</sup>, 1925, a letter from Schaghticoke tribal member George Coggsell was written to federal commissioner of Indian affairs regarding the Tribe's reservation. (National Archives, Indian Affairs, 1925 (B-46)).

In June of 1926, the Connecticut State Park and Forest Commission acknowledged that Schaghticoke was a discrete Indian community in its Biennial Report to the Governor. The report observed that the State "for nearly 200 years has recognized a right of use by the Tribe" on their Reservation in Kent (pg. 24). The Report's author stated that:

"There are, according to the best report I can obtain, some fifty people who claim relationship to this tribe scattered throughout the state, but there are only three on the Reservation" (pg. 42).

The quote acknowledges that the Tribe's on and off-Reservation members were in tribal relations. The Report listed the expenditures and assets for the time period covered to the "Schaghticoke Indian Reservation Fund" (A-25: State of Connecticut, Park and Forest Commission, *Ninth Biennial Report of the State Park and Forest Commission to the Governor*, Hartford, June 1926.)

In May of 1927, Kent resident Fred Lane, the Schaghticoke Tribe's overseer from 1905 to 1914 as well as their immediate neighbor south of the Schaghticoke Reservation -- wrote a description of the Reservation community in which he described each household on the Reservation. There are some discrepancies in vital statistics and genealogy, but his manuscript "The History of the Schaghticoke Tribe of Indians" clearly depicted a small but viable Indian community in tribal relations. The title of his work shows that Overseer Lane, a State official and local resident, himself believed the Schaghticoke were an American Indian entity. His long and close relationship with tribal members puts him in a strong position to make that determination (A-27: Fred Lane, unpublished manuscript dated May 20, 1927, on file with the Connecticut Park and Forest Commission, Hartford).

In February of 1929, another article about the Schaghticoke Tribe and its Reservation. The author reported that although only nine members lived on the Reservation, over 50 members lived off-Rez. His portrayal of the Schaghticoke is one of a small but viable Indian "tribe" in tribal relations, attempting to continue in its traditional lifeways. He described them as:

“a living remnant of the days when Connecticut was a forest and Thomas Hooker journeyed through the wilderness...chief product is rattlesnakes” (A-28: *Danbury Evening News*, “Indians Still State Wards: Nine Members of Schaghticoke Tribe present Problem to Connecticut”, pg. 9, dated February 1, 1929). The journalist obviously believed he was visiting a discrete American Indian entity separate from the surrounding white population.

### 1930 to 1939

From July of 1931 until June of 1940, the State Park and Forest Commission itemized the debts and assets to the “Schaghticoke Indian Reservation Fund”. The Fund was shared by tribal members in need, and its use mirrored the traditional nature of the Schaghticoke as an Indian community. The fact that the State regularly and continuously made appropriations to the Tribe showed that Connecticut recognized them as an American Indian entity and was dutifully executing its trust responsibility to them.

In 1932, Lewis S. Mills, the supervising agent for the Connecticut State Board of Education and a local historian familiar with the Schaghticoke Reservation community (which he visited, and photographed tribal members performing traditional activities; see below), recognized the Schaghticoke as an American Indian entity in his book on the history of Connecticut. He sympathized with the Schaghticoke’s efforts to survive as an indigenous community:

“It has been hard for these Indians to follow successfully the ways of the white man” (A-29: Lewis Sprague Mills, *The Story of Connecticut*, 1<sup>st</sup> edition, Charles Scribners Sons, New York, 1932). (B-2)

In April of 1932, Schaghticoke member Bertha Kilson Riley’s husband Michael died on April 10<sup>th</sup> and was buried in the Schaghticoke Burying Ground on the Reservation. One of the pall bearers was Schaghticoke Henry Bradley from Stratford, which showed tribal relations between on and off-Reservation members. The funeral and burial are one of a number of examples showing continued Schaghticoke use of its third consecutive cemetery on the Reservation for members and their spouses since it was created ca. 1904. The events show Schaghticoke to be a discrete American Indian entity.

The following year, 1933, two photographs by Connecticut educator and historian Lewis S. Mills dated 1933. One is a group photo of a gathering of tribal members dressed in regalia (traditional Indian clothing) and forming a ritual circle, entitled “Scatacook Indians – Kent 1933”. The second photo is of Frank Cogswell in regalia, entitled “Frank Cogswell. A Scatacook Indian of Kent 1933”. The photos show that tribal members continued to practice their Native traditions. They demonstrate the Schaghticoke are a discrete American Indian entity. Their captions show that a respected CT educator and historian also identified them as such (A-30: Connecticut State Library, *Mills Collection – Photographs 1933-1935*, Hartford).

In March of 1933, a letter from the Real Estate Purchasing Agent for the CT State Highway Dept. to the Schaghticoke Tribe’s institutional overseer, the Park and Forest Commission, showing Connecticut’s acknowledgment that “the Schaghticoke Indians” owned lands in common; that is, that they were a traditional corporate American Indian entity. In the letter, the Purchasing Agent asked that a portion of lands included in two mortgages transferred by William Talbott to “the Schaghticoke Indians” be released to the Highway Dept (A-31: A.H. Langley, Letter to the CT State Park and Forest Commission, Hartford, dated March 27, 1933).

In June of 1934, Schaghticoke member Charles William Kilson died June 22<sup>nd</sup> and was buried in the Schaghticoke Burying Ground on the Reservation, which was reserved as a spiritual resting place solely for Schaghticoke and their spouses. As with previous burials noted above, it demonstrates a discrete American Indian entity (Anonymous 1993, *List of Burials at Schaghticoke*).

In November of 1934, a news article about the 1934 Schaghticoke community on its Reservation was published. Reporter interviewed tribal elder Bertha Kilson Riley (1879-1939), who showed him photos of tribal members and provided detailed descriptions of them and of past tribal events. Bertha provided the reporter with a tour of the Reservation households and introduced him to the residents. The reporter concluded that the Schaghticoke were an American Indian entity:

“At one of the small houses, back of the others, on the hillside, lives the grand daughter of Value Kilson, the kindest and learned Indian of the Schaghticoke Tribe. She is very hospitable as were her Christian forefathers, and by pictures and personally will introduce a visitor to the other nine members of the settlement who are all related. They do not dress as their ancestors nor do they have those old blankets or the feathers of the braves for the Indian is buried

with all his possessions. A few years ago, when a hundred Indians had to be removed from an old burial ground to the one on the Reservation the remains were again wrapped in blankets, in tribute to the Indian rites.” From his use of such terms as “Schaghticoke Tribe”, “Indian” and “Indian rites”, it is obvious that the journalist believed he was visiting an American Indian community (“Last of Shaghticokes [sic] Lead Quiet Lives among Ancestral Relics at Kent”, news clipping from unidentified newspaper dated November, 1934).

In 1934, the state of Connecticut received an application or inquiry from a New York Schaghticoke native who wished to be recognized as a member of the tribe. The Commission was authorized to pass questions of eligibility for residents on the reservation.

In 1935, the State Park and Forest Department was given jurisdiction over the tribe (A-32: Soulsby 1979). Later, there was a request for a release from a mortgage that had been executed in 1846 to the overseer of the tribe.

Later in 1935, a photograph by CT historian and educator Lewis S. Mills of a ritual gathering of Schaghticoke tribal members in full regalia, entitled “Indians at Scaticook Reservation in Kent, 1935, lot 5-25”. The photo shows Schaghticoke tribal members participating in a traditional Indian ceremony and demonstrates that the Schaghticoke are a discrete American Indian entity (A-30: Connecticut State Library, *Mills Collection – Photographs 1933-1935*, Hartford). This document about the Schaghticoke Reservation residents by folklorist A-33: Francis R. Cole demonstrates that Cole knew he was visiting an American Indian entity. Cole interviewed Bertha Kilson Riley and Frank Cogswell at the Kilson house, where she and Frank were about to write an article on the Schaghticoke community, which had been solicited of them by an unnamed newspaper. With Cole, the two discussed Schaghticoke cultural traditions, especially the importance of the Schaghticoke rattlesnakes to the tribe, and their tribal burying ground, as documents cited above and below show had been used continuously for tribal funerals and burials since its inception ca. 1904, when the earlier tribal cemetery had been flooded during construction of Bull’s Bridge Dam. Cole referred to the Schaghticoke burying ground as an “ancient Indian cemetery”:

“They take excellent care of the ancient Indian cemetery which was moved a few years ago from its original spot, because it was too near the river, to another location” (A-33: Francis R. Cole, “The Last of the Schaghticokes”, in *Folklore and Folkways Survey*, Box S5210-211, RG33, *Records of the Works Projects Administration, CT 1935-1944*).

A *Map of Litchfield County* from 1935 highlighting major points of interest was produced by the Connecticut League of Women Voters for tourists and sightseers. The fact that the “Schaghticoke Indian Reservation” was included as a major point of interest shows that the CLWV considered the Schaghticoke “Indian” community to be distinct enough from the County’s white communities to be worth a visit (A-34: Jerome S. Hoxie, 1935, *Map of Litchfield County*, The Connecticut League of Women Voters, no city provided).

The Connecticut General Assembly passed Special Act 524, which provided \$1,700 “for care of Schaghticoke (sic) Indians”. The Act reaffirmed Connecticut’s identification of the Schaghticoke as a discrete American Indian entity to whom the state had a trust responsibility (A-35: State of Connecticut, General Assembly, 1935, *Special Acts and Resolutions of the State of Connecticut with Appendices containing Appropriations and Grants from the treasury and Executive Appointments*, Volume XXII, Part 1, pg. 394, Hartford).

The *Minutes* for the March 11, 1936 Meeting of the State Park and Forest Commission listed the indigenous “tribes of Indians” for whom Park and Forest was the institutional overseer. The list included the Schaghticoke, which clearly demonstrates that the state of Connecticut recognized the Schaghticoke as a discrete American Indian entity (A-36: State of Connecticut, Park and Forest Commission, *Meeting No. 282*, March 11, 1936).

Off-reservation Schaghticoke member Joseph Bradley died on April 24, 1936 and was buried in the Schaghticoke Burying Ground on the Reservation. The continual tradition of use of the burying ground for Schaghticoke members and their spouses shows the Schaghticoke to be a discrete American Indian entity (A-37: “Inventory of Schaghticoke Burial Ground”, sent to Paula Rabkin by Ann McMullen, Collections Manager at the American Indian Archaeological Institute sometime in the 1980s).

Off-reservation Schaghticoke member Lois Harris Finkenauer died on October 5, 1936 and was buried in the Schaghticoke Burying Ground on the Reservation. The continual tradition of use of the burying ground for Schaghticoke members and their spouses shows the Schaghticoke to be a discrete American Indian entity (A-37: “Inventory of Schaghticoke Burial Ground”, sent to Paula Rabkin by Ann McMullen, Collections Manager at the American Indian Archaeological Institute sometime in the 1980s).

A State Park and Forest Commission meeting: known members of tribe, residents, and non-residents as of Dec. 1935. 3/11/36 section 1587(c) of general statutes (1935) State Park and Forest Commission overseer of Schaghticoke and other tribes. disbursement of tribal funds (A-38, S-9).

On March 11<sup>th</sup>, 1936, 400-acre reservation, Schaghticoke Indian Reservation Fund report documenting Reservation residents. Membership requirements seem to be at tribal discretion but are included in the state document (A-39).

A 1937 document written by Kent resident Clifford Spooner (and published in 1989 by the Kent Historical Society) provides evidence that the Schaghticoke were identified as a discrete American Indian entity quite separate from local white communities by their contemporary Kent neighbors. Spooner acknowledged that the white townspeople recognized the aboriginal right of the Schaghticoke "Indians" to trees used in their traditional craft of woodsplint basketry. He recalled Schaghticoke cooperative work groups seeking out, preparing and carrying the wood back to their Reservation for basket manufacture:

"It might be said here that the Indians had to travel long distances sometimes in search of the timber for their basketwork.

Most of it was Black Ash, which is not a common tree in this part of the state, and whenever they found a tree they liked, they had a right to cut it and carry it away. The farmers all recognized this right and sometimes even took the logs home for them. But more time they had to carry them for miles on their shoulders and many times they were quite large and 12 to 15 feet long" (A-40: Clifford Spooner, "Who Knows" (1937) in *Kent Tales*, edited by the Kent Historical Society, Watershed Inland Press, New Milford, CT, 1989).

There was a legislative program to dictate the relationship between the State and the Tribe showing the State's recognition of the Tribe as distinct.

In January of 1937, Connecticut General Assembly passed Special Act No. 610, providing \$1675 for the support of the "Schaghticoke Indians", demonstrating that the state continued to identify the Schaghticoke as a discrete American Indian entity to whom they had a trust responsibility (A-41: State of Connecticut, General Assembly, 1937, *Special Acts and Resolutions of the State of Connecticut with Appendices containing Appropriations and Grants from the Treasury and Executive Appointments*, Volume XXII, Part II, pg. 1025, Hartford).

Later, Tribal member Ruth C. Kilson died on July 5, 1937 and was interred in the Schaghticoke Burying Ground on the Reservation (A-42: Anonymous, "List of Burials at Schaghticoke", 1993).

A November 1937 news account reported that the State Legislature had approved the drilling of an 87-foot deep well and the repair of a house on the Schaghticoke Reservation, showing that Connecticut continued to identify the Schaghticoke as a discrete American Indian entity to which it had a trust responsibility (A-43: *New Milford Times*, "Kent", dated November 4, 1937).

Publication of a tourist *Guide* to Connecticut featured the Schaghticoke Reservation as a major destination spot in 1938. It shows that the authors of the *Guide* believed the Reservation community to be so distinct from their surrounding white neighbors that they were an interesting cultural attraction for tourists and travelers (A-44: Workers of the Federal Writers, *American Guide Series - Connecticut, A Guide to its Roads, Lore, and People*, Houghton Mifflin Co., Boston, pp. 454-455, 1938).

In April of 1939, in the State General Assembly, the House passed a bill providing a \$2,000 appropriation for the Schaghticoke Indian Reservation, demonstrating that Connecticut continued to identify the Schaghticoke as a discrete American Indian entity to which it had a trust responsibility. Not only had the bill passed without any opposition, but the Schaghticoke's right to the appropriation was forcibly defended by legislators from nearby Kent and New Milford. When the bill was introduced in the House, Rep. Tonkonow of Meriden made "a number of facetious remarks" about Indians, at which point Representatives Peet of Kent and Marsh of New Milford championed the Schaghticoke, with Mr. Marsh directing Tonkonow to visit Litchfield County and its "glories and compare them with Meriden". This exchange demonstrated that the State Representatives from towns adjacent to the Reservation were familiar enough with the history of the Schaghticoke as an ancient Indian community to show them the respect they deserved (A-45: *Danbury News-Times*, "War Whoops Sound", dated April 13, 1939).

In May of 1939, the State Senate also approved the above bill, and so on May 2, 1939 the General Assembly passed an Act to expend the balance of the 1937 appropriation (reported above) for "any lawful expenses of the Schaghticoke Indians", demonstrating the State Legislature's identification of the Schaghticoke as an American Indian entity (A-46: State of Connecticut, General Assembly, *Special Acts and Resolutions of the State of Connecticut with Appendices containing Appropriations and Grants from the Treasury and Executive Appointment*, Volume XXIII, Part I, 1939, pg. 142, Hartford). Swimming Eel Bearce's letter to the CT Board of Fisheries and Game, that same month, on behalf of the Schaghticoke, Mohegan, and Pequot Tribes regarding tribal rights to hunt and fish without the need for licenses is an example of those tribes' use of an experienced, non-tribal mediator in dealing with outsiders. In this case, Bearce as a pan-Indian leader was much more experienced in dealing with federal and state officials than Schaghticoke *et al.* leadership. The triple tribal alliance showed that the Mohegans and Pequots identified the Schaghticoke as a *bonafide* American Indian entity (A-47: *Letter to R.P. Hunter* dated May 18, 1939, CT Board of Fisheries and Game, Hartford).

In showing a distinct community, the artifact of Schaghticoke residents of reservation 10/1939 (after this date): list of residents and ages, 400 acres of land, and houses is useful (A-48). Further, an invitation from the Schaghticoke Tribe on

behalf of the Indian Association of America demonstrated that other American Indian tribal entities recognized Schaghticoke as a bonafide Indian tribe (A-49).

In August of 1939, Swimming Eel Bearce responded to a letter from Dr. Frank Speck inquiring about the Schaghticoke community. In the letter the Eel mentioned that "our Sachem the Cocksure" was attending a Narragansett powwow with him. Cocksure was the original name for Cogswell and indicates Swimming Eel was referring to one of the Cogswell brothers, likely Frank, who is named as the Schaghticoke Chief in articles on the Tribe's October powwow (A-50: Elewaththum Bearce, letter to Dr. Frank G. Speck, August 13, 1939).

Later in August 1939, a news announcement of the "Indian Day" celebration co-sponsored by the Schaghticoke and the American Indian Association of America (AIAA), which was scheduled to be held October 1<sup>st</sup> on the Schaghticoke Reservation. The announcement supports Schaghticoke as a recognized American Indian entity, in that the AIAA, a pan-Indian association, chose them to co-sponsor the event and chose their reservation as the locality for that event. AIAA also allowed Schaghticoke leadership to lead some of the main proceedings of the event. The "address of welcome" was provided by "the Schaghticoke sachem" Frank Cogswell (not identified in this article but he is in other documents that described the event -- see below). Earl Kilson, identified in a previous document as a Schaghticoke Sagamore, made bows and arrows at the event. "Gray Owl, Scattacook" raised the flag of the American Indian Association", and the Tribe's non-Schaghticoke intermediary, A-139: Franklin "Swimming Eel" Bearce, lit the Council Fire, lead the peace pipe ceremony, and danced the rattlesnake dance. None of this would have happened if the AIAA did not identify the Schaghticoke as an Indian community (A-51: *New Milford Times*, "Heap Big Powwow," dated August 24, 1939).

In September of 1939, written in conjunction with the Indian Day celebration announced above, this publication recounted the history and traditional culture of the Schaghticoke community from the viewpoint of a local Kent resident, Marian Cornwell. It leaves the distinct impression that Kent folks liked and sympathized with their long-time neighbors, that everyone knew the Schaghticoke were real Indians, albeit friendly and peaceful, and that their community was still quite distinct from those of the local whites. Included was a discussion of Schaghticoke woodsplint basketry, local whites' recognition of the Schaghticoke's pre-emptive right to basket wood anywhere in Kent, and Schaghticoke rattlesnake expertise. Cornwell profiled several tribal leaders -- both informal culture keepers and formally recognized leadership -- and provided photos of them and the reservation community. They included Frank Cogswell, whom the author identified as the "Schaghticoke Sachem", who would hold "a post of honor in the American Indian Day Celebration." (A-52: Marian E. Cornwell, *The Schaghticoke: Descendants from Our First Americans*, The In-Kent Vicinity Associates, Kent, published September 1939).

In October of 1939, Sharon hospital bill for tonsillectomies performed on three Schaghticoke children -- [REDACTED], Russell Kilson, and Earl Kilson that was stamped "paid" and "with my approval John W. Chase" written upon it. Chase was the Schaghticoke's previous white overseer, and now functioned as the tribe's superintendent, appointed by the state. A Connecticut state purchase order showed that the payment came out of the "Schaghticoke Indian Fund", all of which demonstrated that the state of Connecticut recognized the Schaghticoke as an American Indian entity with whom they had a trust responsibility. Significantly, this document clearly shows that the State oversaw the Schaghticoke tribal members as well as their Reservation lands (Sharon Hospital Association, Inc. "Receipt for [REDACTED] et al." dated October 1, 1939). (C-189)

Later that month, a news account of the Indian Day celebration held October 1<sup>st</sup> on the Schaghticoke Reservation that was co-hosted by the Schaghticoke and by a pan-Indian association, American Indian Association of America. Fifty representatives from other Indian tribes attended the event, including reps from the Mohicans, Narragansetts and Penobscots as well as the Schaghticoke. The Governor of CT gave a speech. The co-hosting by AIAA and the attendance by leaders from 50 local and nonlocal tribes showed that other Indian leadership considered the Schaghticoke an Indian entity. That the State of Connecticut did so as well was clearly shown by its Governor formally participating in the "Indian Day" activities (A-53: *New Milford Times*, "Indian Day is Celebrated in Spite of Rain/Governor Baldwin Guest at Kent School Lunch", dated October 5, 1939).

An additional news account of the Indian Day celebration, which reported 600-700 people in attendance. Native American tribal participants mentioned included Schaghticoke, Blackfeet, Narragansett, Seminole, Pocasset, and Mohican. The reporter noted that "Frank Cogswell represented the local reservation in peace pipe ceremony" (A-148: *Newtown Bee*, "Kent: Indian Celebration held on Sunday, pg. 14, dated October 6, 1939). The presence and participation of the numerous tribal peoples showed that local and nonlocal Indian tribes acknowledged the Schaghticoke as an Indian Entity.

Schaghticoke tribal member Bertha Watson Kilson Riley died on October 7, 1939 and was buried on the Reservation, which demonstrated the Tribe's continuing use of its burying ground as its spiritual center (A-54: *New Milford Times*, "Obituaries", pg. 5).

One of several newspaper articles in the local paper on the Bicentennial celebration in the town of Kent, CT. This one focused completely on the Schaghticoke community and the large part the "Schaghticoke Indians" played in the history of the town right up to the present.

"The Schaghticoke Indians and their Reservation certainly have a place in Kent's history, since they were the first settlers in our town."

The article discussed several Schaghticoke folk tales and traditions, especially basket making and tribal basket makers. The widespread extent of this activity within the Tribe indicated that the tradition had been passed down through generations, which indicated culture keeping and culture keepers. Several tribal leaders were mentioned and depicted in photographs, including the current Schaghticoke chief, Frank Cogswell (see documents above and below), and its recent Indian Day celebration. The author wrote with pride about the past and present accomplishments of the Tribe. He obviously did not view them as a dying remnant, but as an active Indian community still contributing to the history of the region (A-55: *New Milford Times*, "Kent and its Historic Past: Schaghticoke Indians Ever Played their Part in Kent", dated October 26, 1939).

In 1939, there was an amendment to 1935 act, section 1587c, authorizing overseer of tribes (C-40).

Later in 1939, there was a Schaghticoke powwow. Connecticut governor attends. (A-56: *Bridgeport Post*, Oct. 1, 1939; Cornwell, 1939: 1; Eugene Bull, 1994 interview). STN Petition Narrative p. 57 (A-57).

An article about Schaghticoke, recognizes a reservation from October 28<sup>th</sup>, 1939 shows leave of land from 12/19/1746 for 999 years to white settlers for the total sum of £200. Schaghticoke chief converted to Christianity in 1742 and more than 100 members were baptized. 1771 the tribe petitioned for a new overseer. By 1801 there were 1500 acres. The north part of the land holdings was sold to pay off debts for £1300. The excess money was invested in a fund to help members in need. Just after 1836 the Schaghticoke cemetery was moved due to dam construction. Article talks about baskets weaved in such a way that they are watertight. The article seems to show that there was once a booming iron industry in the area. There was also a photo accompanying the article showing an "Indian Day" photo (A-57).

#### 1940 to 1949

Letter to anthropologist Dr. Frank G. Speck from Elewaththum Bearcé, in response to a previous letter from Speck, who apparently enquired about Frank Cogswell in August of 1940. His deference to Frank, and Bearcé's referral to Frank as "the Cocksure Sachem at Schaghticoke" (referring to the 18<sup>th</sup> century name for the Cogswell lineage) clearly demonstrated Frank's official role as the Chief of the Schaghticoke Tribe. The letterhead on which Bearcé wrote was The Federated Eastern Indian League (of which he was an officer), and it included Schaghticoke as an affiliate of that multi-tribal organization, demonstrating that other Eastern tribal leaders viewed Schaghticoke as a discrete American Indian entity (A-58: Elewaththum Bearcé, "Letter to Frank Speck" dated August 5, 1940).

Later that month, a news announcement of a three-day inter-tribal powwow scheduled to be held the Schaghticoke Reservation later that month. It would include traditional dancing, crafts, games and ceremonies. The powwow was sponsored by the American Indian Association and the Eastern Federated League of Indians, of which the Schaghticoke Tribe was an affiliate, as noted in the above document. The acceptance of the Schaghticoke by these two pan-Indian organizations shows that they and other Indian tribes identified Schaghticoke as a discrete American Indian entity (*Bridgeport Post*, "Tribes Plan Greatest pow-wow at Kent 'Corn Harvest Dance'", dated August 11, 1940).

Another newspaper account of the Corn Dance powwow held on the Schaghticoke Reservation, in which over 250 tribal representatives from 14 states were participants. Representative tribes included Schaghticoke, Narragansett, Mohegan, Pequot, Wampanoag, Shinnecock, and Iroquois. It included traditional dances, songs, crafts, and ceremonies "by real Indians". The author clearly believed that he was witnessing an event conducted by members of discrete Indian communities, which is emphasized by the title of his article. The fact that so many tribes sent representatives to this event at Schaghticoke shows that other Indian tribes viewed the Schaghticoke as an American Indian entity ("Kent Indians Hold Three-Day Dance", news clipping from an unidentified newspaper dated August 17, 1940).

A document from November 8<sup>th</sup>, 1940 details a list of those living on the reservation. 7/1/1944-6/30/1945 Schaghticoke Indian Reservation Fund report documenting Reservation residents. 7/1/1946-6/30/1947: State report on reservation data (A-59).

In 1941, State transfers jurisdiction to Welfare Department (A-32: Manataka 2004) (A-32: Soulsby 1979)(CT General Statutes Section 692F (1941)).

The 1941 Annual Corn Harvesting Festival of the Federated Eastern Indian League is hosted by the Schaghticoke on the Schaghticoke reservation. (STN Petition Narrative p. 58 citing *Bridgeport Post*, August 7, 1941.)

State Appropriations from the period of 7/1/1941-6/30/1944 detail the Schaghticoke Fund. 7/1/1943-6/30/1945 Schaghticoke Fund. 1944-1946 State appropriations Schaghticoke Fund. 7/1/1946-6/30/1947 Schaghticoke Fund.

In 1946, documentation supports the State of Schaghticoke reservation. Kent land records col 30. P. 512 deed from 1/25/1925 showing line of title to 12/11/1868. This was a southerly portion of 600 acres deeded to Ebenezer Preston, Jr. 9/1/1801. The deeds and chains of title seem to show that the original 1736 reservation land as of 1946 was primarily privately owned by multiple parties (A-60).

Further documentation details the period of 1946-1948 and respective state appropriations. C-59.

In 1947, the Tribe filed an unsuccessful land claim with Indian Claims Commission (A-32: Manataka 2004).

From the period of 7/1/47-6/30/48: Schaghticoke Indian Reservation Fund report documenting Reservation residents. A-61

The following period, from 4/1/48-6/30/49, details Schaghticoke Indian Reservation Fund report documenting Reservation residents (A-62).

In an official Mohawk tribal booklet published post-1947, The Schaghticoke of Kent are recognized by a major Northeastern tribal nation as an Indian tribe. The Mohawk youth counselors brought Mohawk youth to the Schaghticoke Reservation in their continuing efforts to introduce their tribal youth to other Indian tribal peoples. Frank Cogswell was recognized as the Chief of the Schaghticoke Tribe by Mohawk tribal leadership. "Chief Frank A. Cogswell" is featured in a photograph with a group of Mohawk tribal members who visited the Schaghticoke Reservation. The booklet is undated, but the latest date in the text is 1947. Since Frank died in 1954, the visit likely occurred sometime in the late 1940s (A-63: *The Record, Laws and History of the Akwesasne Mohawk Counselor Organization*, St. Regis Mohawk Reservation, Hogansburg, NY, pp. 7, 45).

A 6/8/49 map of the reservation (A-64).

An addition document from the period of 7/1/49-6/30/50 shows the Schaghticoke Indian Reservation Fund report documenting Reservation residents.

### **1950 to 1959**

The following contains an itemized, chronological list of documents that model § 83.11(a): Identification of Indian Entity.

1949-1955: Bank account ledger of State aid and collections of the Schaghticoke Indian Fund (A-65).

7/1/50-6/30/51 Schaghticoke Indian Reservation Fund report documenting Reservation residents (A-65).

7/1/1951-6/30/1952 Schaghticoke Indian Reservation Fund report documenting Reservation residents (A-66).

A-67: 1952 Indian Claims Commission Case Docket No. 112

A-68: 7/1/1952-6/30/1953 Schaghticoke Indian Reservation Fund report documenting Reservation residents.

A-69: 7/1/1953-6/30/1954 Schaghticoke Indian Reservation Fund report documenting Reservation residents.

A-70: 10/12/1952: newspaper photos "Holly Cosure and Warnette Cosure of Connecticut's Schaghticoke tribe look mighty fierce in their tribal regalia for Indian week."

1953: Article on Frank Cogswell, oldest member living on reservation, acknowledges the Tribe as a distinct entity. (*Waterbury Republican*, August 17, 1953.) A-71

A-72: June 1, 1954: Letter to assistant attorney general in the United States Department of Justice for a request for information about the Schaghticoke Tribe. Letter explains a May 31, 1954 newspaper clipping showing that the Schaghticoke were suing the U.S. for \$20 mil. The federal government's reference to them is as a collective entity and the filing shows the Tribe acting on their shared cultural identity.

7/27/1954: letter from Assistant A.G Perry Morton requesting additional information about Schaghticoke. The letter references a claim before the Indian Claims Commission. (Docket No. 112). The claim is concerning tracts of land that were condemned A-73

7/1/1954-6/30/1955 Schaghticoke Indian Reservation Fund report documenting Reservation residents A-74

7/1/1955-6/30/1956 Schaghticoke Indian Fund record A-74

11/22/1955 death certificate for William Shelton Russell. Parents were Allen Russell and Valentine Harris. The street number for the deceased address is listed as "Schadticoke". The cemetery where he was to be buried is listed as Schaghticoke. Birthplace is listed as Kent, CT. A-75

12/2/1955: newspaper death announcement of William Russell. The announcement lists that he was born on the Schaghticoke reservation. The announcement states that he was the grandson of the Schaghticoke Indian chief A-75

A-77: 11/1958: Letter from Elewaththum Bearce, tribal chairman, to Pahei Theodore Cogswell, High Sachem Kent Schaghticoke Tribe of Indians about exhibits seemingly to the attorney general's office. Apparently, Theodore had taken over the office of Chief of the Schaghticokes from Howard Harris.

### 1960 to 1969

From 1960 until 1961, the Welfare Department refused to provide fund to repair tribal members' homes, instead burns all but two residences on the Reservation. (A-32: Manataka 2004).

A document from 1/16/60 shows the Schaghticoke reservation bill for repairs done to the Kilson residence. 7/19/61 documentation of the bills submitted to repair the Kilson house A-78

On 1/28/1960, an article on Connecticut tribes and Schaghticoke noting they hold land and the State's annual appropriation to maintain its political relationship with the Tribe. (A-79: Hartford AP Jan 28, 1960).

A *New Haven Register* article on Gail & Allan Russell was published on February 28<sup>th</sup>, 1960, noting them as members of the Schaghticoke Tribe that had been there for two centuries. Also explains Tribe as politically independent entity with no access to schools or tax funds ("tax free"), receiving healthcare, etc. A-80

A document from the period of 7/1/1960-6/30/1961 shows total Indian appropriations A-78

Dated 11/2/1960, a letter from CT Asst. AG about transfer of lease of reservation land from one non-Indian to another. The decision was made that this type of transfer of the lease is not possible (A-81).

From the period of 1961 - Present: CT specifically lists Schaghticoke Tribe as a tribe in their current statutes. S-1: C.R.S. 47 Section 63 (2015).

A Bill to welfare department for the Schaghticoke reservation for repairs to the Kilson house dated May 15<sup>th</sup>, 1961 meets this criterion (A-78).

From the period 7/1/1961-6/30/1962, there was no Fund for Schaghticoke. 400 acres of land with Schaghticoke Indian Reservation Fund report documenting Reservation residents (A-82).

A 1966 unpublished manuscript written on present day Schaghticoke Tribe (A-83: Wilbur, John F., "The Scaticook Indians of Kent, Connecticut," WCSU Archives - Student Exhibition Space - WestD, accessed April 14, 2016, <http://archives.library.wcsu.edu/studentOmeka/items/show/2238>.)

A-84: 12/31/1969: Article about marriage and Kent reservation.

In the late 1960s, Schaghticokes spearheaded struggle against the Welfare Department. Other CT tribes joined, and it became a statewide movement for the tribes to have more autonomy. (A-32: Soulsby 1979).

### 1970 to 1979

An article from October 10<sup>th</sup>, 1970 discusses the Schaghticoke reservation. The article shows that there is support from the leaders of other southern new England tribes to have the land surveyed and the actual borders of the reservation determined so that those who wish to move back are able to do so (A-85).

Throughout 1970, Records of the Moravian Mission Among the Indians of North America. Moravian Mission, Research Publications, Inc. New Haven (microfilm). (Bibliography attached under 1882 entry.) A-86:

A 11/30/72 Tribal membership list: identified itself as a discreet Indian entity A-87.

In 1973 tribal movement spearheaded by Schaghticoke leaders led to the creation of the CT Indian Affair Council in 1973. (A-32: Soulsby 1979).

A 5/22/1974 letter from the Navajo Health Authority about ability to discuss information that they have concerning medical school and related activities for Indian peoples. They are asking for information to maintain a mailing list. A-88:

A 1974 Article by William W. Bower (relevant sections added in other time periods) article shows that remnants of the Pequot settled near New London and arrived in Kent in 1637. It says that the name Schaghticoke comes from the sub-

Pequot dialect for a word that means where the waters meet. Many were converted to Christianity in 1742. There are directions on how to reach the reservation. The reservation boundaries are outlined in the article. It is described as the largest reservation in the state at holding 400 acres. It is cited that the one of the last Schaghticoke was buried on the reservation in 1971. The article cites that there is a powwow held every year in Danbury (8/19/1974) and that Irving Harris was their current chief at that time.

1974 Map of CT reservations (A-89).

In 1974, the Schaghticoke filed suit against 10 landowners in Kent for the return of tribal lands that were sold to the state in violation of the non-Intercourse acts of 1790. Primary defendants were the Kent School and the Preston Mountain Club. (A-32: Soulsby 1979).

A letter dated 2/26/1974 from Truman Coggsell to Havasupai Tribal Council lending support from the Schaghticoke Tribal Council in the Havasupai Council's efforts to regain lost lands A-90.

From 1975 – Present, the Tribe specifically identified by Connecticut Indian Affairs Council. S-2: 47 C.R.S. 59b-10 & 29 (1976).

In 1975: SIT files claim for Kent School lands in U.S. District Court. A-91

A chapter in the book "1776—Independence Lost" by Macy Whitehead details the 18th century Schaghticoke with a reference to a 1939 article about this history of Kent A-92.

9/11/1976: A-93 Letter to Vine Deloria. The letter informs Mr. Deloria of the suit against Kent school since he went there. IT states that they were being represented by Pine Tree Legal Assistance at the time who was being assisted by NARF. The Docket No. for the petitions was H75-125.

A document from July 6<sup>th</sup>, 1977 details Brenden S. Keleher, Indian Affairs Coordinator memo to the file about the state of Indian Affairs in CT. The memo states that responsibility toward the reservations, including Schaghticoke, had been shifted from the Department of Welfare to the Department of Environmental Protection and the newly created Indian Affairs Council. It states that the genealogies for the tribes were at that time in the custody of the Indian Affairs Council. The genealogical charts are described in detail. States that the genealogies were collected by the Park and Forest Commission, a genealogist was hired for the task. They seemed to have been compiled between 1936 and 1940.

In 1978: CT Light and Power company returned 50 acres to the tribe. (A-32: Soulsby 1979).

A letter dated May 24<sup>th</sup>, 1979 from Carmody to Mikki Agansata, the Indian affair coordinator about the settlement with the Schaghticoke to determine which parcels were to be conveyed to the Tribe as part of the settlement (A-149).

In November of 1979, A report was made on the Schaghticoke Tribe and given to the Ct Indian Affairs Council. (A-32: Soulsby 1979).

## 1980 to 1989

An article from December 2<sup>nd</sup>, 1980 in *The News Times* showing Chief Maurice "Butch" Lydem as a leader in the effort to develop land and become more self-sufficient.

In 1981, HUD grants Tribe funds to development a plan for their Reservation. (B-2: Schaghticoke Reservation Development Plan 1981)

Later that same year, SIT files Letter of Intent for federal recognition with BIA. (A-32: Manataka 2004)

Article in *Record Journal*, from May 7<sup>th</sup>, 1981, details the Meriden about use of natural harvests. STN member is cited as an expert on the issue. The note said that she supports the SIT efforts (Trudie Lamb)

The 8/13/81: Rainmaker report. Includes map of the reservation and notes about the efforts to dig for precious metals (B-3).

In September of 1984, a proclamation signed by Governor William A. O'Neill proclaiming September 28, 1984 to be "Indian Day", and listing the indigenous tribes of Connecticut, which included the Schaghticoke:

"the five officially recognized Connecticut tribes" – the Golden Hill Paugussett; the Mashantucket (Western) Pequot; the Schaghticoke; the Paucatuck (Eastern) Pequot; and the Mohegan. The heritage and ideals of these people laid the foundation for our progress and continue to advance the strength and prosperity of our state and nation" (B-4: State of Connecticut, "By His Excellency William A. O'Neill, Governor: a Proclamation" dated September 14, 1984). 9/15/1984 Connecticut Indian Affairs Commission decision as to the Schaghticoke representative to the CIAC. The 1980 constitution was accepted as valid, the tribal council elected on B-5: 6/26/1983 was recognized as the tribal council by CIAC, and Alan Russell was recognized as the representative to CIAC with the alternate of Trudie Lamb L-122A

An article from November 9<sup>th</sup>, 1984 about leadership dispute under a new constitution (B-6). Cites that nearly 200 people vote in Schaghticoke elections, and that there are about 400 Schaghticoke in the State. Also talks about logging industry on Schaghticoke land. Addresses claim that some of the lands were sold in violation of the non-Intercourse acts.

On 7/21/85, the Tribe identifies itself by Chairman asserting he did not attend a meeting that was not held by the actual Tribe. Affidavit Russell, April 29, 2004 (B-7).

In September of 1988, a Proclamation signed by Governor William A. O'Neill proclaiming September 30, 1988 to be "Indian Day", and listing the indigenous tribes of Connecticut, which included the Schaghticoke:

"Today, five officially recognized Connecticut tribes remain" – the Golden Hill Paugussett; the Mashantucket (Western) Pequot; the Schaghticoke; the Paucatuck (Eastern) Pequot; and the Mohegan. The knowledge, customs, and ideals of these people are an important and integral part of our heritage, and their contributions advance the strength, prosperity and progress of communities throughout our state" (B-4: State of Connecticut, "By His Excellency William A. O'Neill, Governor: a Proclamation" dated September, 1988)

In 1989, the OLR Research Report by CT State Associate Attorney refers throughout document to an Indian entity, Schaghticoke, as distinct group and community. It discusses various events throughout. Under State Recognition point 5, State legislature passed 1989 act recognizing five "indigenous tribes" which included the Schaghticoke. OLR Research Report, 2002-R-0517, p.8/State Recognition Pt. 5 (B-9: Christopher Reinhart May 23, 2002).

### 1990 to 1999

In June, 1993: CT's Office of Legislative Research confirmed that Schaghticoke was one of five state-recognized, "self-governing" Indian tribes "possessing powers and duties over tribal members and reservations" as noted in Connecticut's General Statutes Sec. 47-59A (B-10: Lavin 2013:359, citing senior attorney David Leff, Office of Legislative Research in a Memorandum dated June 25, 1993, pg. 5).

In 1996: Manitou American Indian Archaeological Institute Washington, CT legends of the Schaghticoke and information about their region and people (B-11).

In November of 1996, an official Statement by Connecticut Governor John Rowland designating November Native American Month in Connecticut and naming Schaghticoke as one of the five state-recognized tribes, whom he identified as self-governing political entities (referencing S-3: Connecticut Public Law 368, Sec. 16, passed in 1989):

"Whereas, Connecticut further recognizes that the indigenous tribes, the Schaghticoke, the Paucatuck Eastern Pequot, the Mashantucket Pequot, the Mohegan, and the Golden Hill Paugussett are self-governing entities possessing powers and duties over tribal members and reservations" (B-12: Connecticut, State of, "Official Statement", November 1996; also quoted in Lucianne Lavin, *Connecticut's Indigenous Peoples: What Archaeology, History and oral Traditions teach us about their Communities and Cultures*, New Haven: Yale University Press, 2013, pp. 359-360).

In 1997, a letter to the editor of the *Waterbury Republican*. Letter references an article where Schaghticoke want to stop the sale of older baskets. Letter shows anti-Indian sentiment (B-13).

A 11/21/1997: Letter from Commissioner of CT Department of Environmental Protection stating that they do not have the authority to resolve intra-tribal matters (B-14).

On 10/24/1997: "The Gathering of the Tribe" joint statement that STN is not the same as SIT and that STN has no authority over them (B-15).

On 11/11/1997: letter about inquiry concerning the possible donation of land to SIT. Request was made by Alan Russell. She chose to keep the land in case she needed to sell for debts (B-53).

A 11/97: Newsletter to tribal members and families. Addresses the need to consult with Chairman before allowing anyone to dig on the reservation. They are trying to keep cultural artifacts from being taken (B-17).

A 1997 newsletter demonstrates the goal to have a cultural school similar to the Kahnawake (Mohawk) school. Includes photographs, quote from "Indian Grandfather", quote from Ben Black Elk (Sioux), copy of a page from a book about New England Indian traditions, children's activities, quote by Joseph (Nez Perce), flyer about powwow in NC, handout from powwows.com about what a powwow is B-18.

On 3/22/1998, documentation shows Tribal meeting notice. Discussion of Richard Velky, the constitution, and other matters concerning the membership rolls (B-19).

A 3/1998 Newsletter. Article from Indian Country about Means arrest, photos, and new facts about the CT Dept of Environmental Protection. Mentions general electric and their fishing waters (B-20).

1998 (August?) Tribal newsletter: notice about powwow in Uncasville, ct B-21. In addition, a letter/complaint from SIT tribal member to State and federal government on behalf of tribal and tribal affairs issues. [REDACTED] December 27, 1998).

On 11/22/1999 a letter from Law Offices of Michael J. Burns to Alan Russell suggesting topics to be included in the newsletter (B-22).

In 1999, a letter from Alan Russell to Richard Blumenthal about the removal and placement of sludge at the Kent sewer treatment plant. Claim that sludge is being dumped on historically Schaghticoke lands that are subject to litigation (B-23).

On 12/21/1999: letter by Alan Russell to H. John G Rowland regarding the submission of a constitution by Richard Velky to state of CT. Letter says that Velky has no authority (B-24).

## **2000 to 2009**

In 2000, the Federal courts recognize Tribe and its testimony of how contamination of its river has affected the Tribe. S-4: Pleadings U.S. District Court Massachusetts Western Division June 20, 2000. Action Nos. 99-30225, 99-30226, 99-30227-MAP

On 2/29/2000: response to letter send by Russell about home repairs stating letter was attached and sent to attorney, no letter attached (B-25).

On 9/13/2000: response to request by SIT to be an interested party in petitions for fed. Recognition. The STN petition had been listed under the SIT name, BIA noted in ability to resolve the internal conflicts between STN and SIT (B-26).

A 1/19/2001: Letter from the executor of the estate of Florence Baker Bonos authorizing Russell as the chairman of the tribe to be the agent of the estate (C-1).

On 4/7/2001: Resolution by Tribal council to send a letter of intent to apply for recognition (C-2).

On 5/29/2001: US support of SIT motion to intervene in US v. 43.74 acres of land (C-3).

An 8/16/01 Email notice of Council meeting regarding a resolution (C-4).

On 12/19/01 Genealogist Choquet identifies Gail Russell Harrison as a Blue Heron Clan member of the Schaghticoke Indian Tribe acknowledging tribe as an Indian community. Letter from Schaghticoke Indian Tribe Genealogist to Member Harrison 12/19/2001 (C-5).

On 5/23/2002: OLR Research Report by CT State Associate Attorney refers throughout document to an Indian entity, Schaghticoke, as distinct group and community. It discusses various events throughout. Under State Recognition point 5, State legislature passed 1989 act recognizing five "indigenous tribes" which included the Schaghticoke. 2002-R-0517 (C-6).

A 10/25/2002: Letter to Alan Russell from Lee Fleming concerning petition at the time for federal recognition. It was going to be considered simultaneously with STN's petition (C-7).

A 2/15/2004: Article in New York times discusses the conflict between STN and SIT, it also discusses some of the history of the tribe as well as conflict with the state (C-8).

On 3/19/2004: Letter from Michael Burns to Nicholas Bellantoni, Office of State Archaeology, about excavation. Letter explains that SIT is in control of reservation and that the State does not have the jurisdiction to make decisions regarding the land (C-9). The letter regarding the Schaghticoke Road that had been built in 1811 after being surveyed in 1752 through the then extant reservation. Letter from Kent Town attorney to First Selectman. Recognizes that SIT is distinct from STN. Letter says that road is situated just north of existing reservation (C-9).

On 4/28/2004: notice about the presence of a tribal marshal and protection from intrusion by local government (C-10).

On 5/2004: Council resolution showing exclusion from tribal lands of any unauthorized persons or groups (C-10).

Dated 5/1/04, the Tribe identifies self as an Indian community/tribe when Chairman clarifies those who are not members. Affidavit Russell, May 1, 2004 (C-11).

On 5/28/2004 A newspaper recognizes Tribe and Russell as leader. Russell also builds a border to define the Reservation, asserting Tribe's political influence and making an important decision on behalf of all members and the Tribe. State Police Arrest Alan Russell, Chief of the Local Schaghticoke Indian Tribe, Kent Trib., May 28, 2004 (C-12).

On 5/28/2004 Newspaper recognizes Tribe and Russell as leader. Russell also builds a border to define the Reservation, asserting Tribe's political influence and making an important decision on behalf of all members of the Tribe. "Local Schaghticoke Indian Chief Faces Continuing Court Appearances in Dispute over Control of Schaghticoke Reservation in Kent", *Kent Trib.*, August 21, 2004.

On 6/14/2004, the Tribe recognized and acknowledged by newspaper. Rick Green, Tribes Await Federal Rulings, *Hartford Courant/CTNOW.com*, June 14, 2004 (C-14).

On 11/11/2005 Letter to state authorities about some of the voted-on issues at 11/10/05 special meeting (C-15).

Dated 1/27/2006: Letter from Ed Sarabia of Ct Department of Environmental protection about newspaper articles mentioning a development plan. Letter states "The State of Connecticut has a trust relationship to the reservation, and the Department of Environmental Protection (DEP) has certain responsibilities set forth in the General Statutes over and

above the DEP's responsibility for the environment in the state of Connecticut as a whole. . . The DEP is sensitive to the issue of tribal sovereignty and has attempted to discharge its responsibilities in a manner respectful of those areas where state law indicates that decision-making is vested in the tribe, its leadership and membership" (C-16).

Dated 6/6/2006: council meeting minutes. Received money for economic development (vote to move forward), vote to have salaries for chairman, vice chairman, secretary, and one other, vote to have new signatures for SIT checking account, vote to check on expired 99 year lease in SIT land vote to have in person council meeting, vote to meet with Algonquin Council in Bangor (C-17).

On 1/17/2007: resolution of tribal council concerning economic development. Later that year, on 6/6/2007: a statement by the council that they are the true tribe and that any representatives already claiming to be the Schaghticoke representatives are not representatives of the tribe (C-18).

On 3/11/2008: Newsletter including a March 11, 2008 article about the fire on the reservation and Alan (C-19).

On 3/11/2008: article from *Indianz.com* about fire, same article from *Hartford Courant* (C-20).

On 4/21/2008: Resolution to give permission to Lucky Cricket Productions to use reservation for filming. A Letter from Litchfield Hills Film festival thanking "Chief Alan Ressel" for extending knowledge and time to help with documentary film about Schaghticoke Nation and Moravian movement (C-21).

From 6/2008: minutes from tribal council meeting. Note to resolve the conflict with Gail. Call in to state police to help exclude trespassers from reservation. Goal to contact department of environmental protection to help with fire clean up (C-22).

Dated 6/14/2008: print out from A-32: Manataka American Indian Council about Schaghticoke Indian tribe, however there is a seal from the Schaghticoke tribal nation included.

On 12/05/2008: article in Kent Dispatch about attempt to stop quarrying on the reservation SIT and STN joined forces to remove Michael Rost who was taking materials off the reservation without permission of SIT council (C-24).

From 12/20/08 Notice to membership, exercising authority of Tribe; acting as Indian entity and identifying itself as such (C-25).

Dated 2/11/2009: response from Ed Sarabia in the CT Department of Environmental Protection to a FOIA request from Tribe (C-26).

2/26/2009: Letter from Lee Fleming to Gail Harrison-Donovan about the need to respond to the 2006 TA letter and how to continue with the petition (C-27).

5/7/2009: council meeting minutes. Discussed cease and desist to protect land. Discuss need for a new computer.

Discussion of land claims to Kent School land (C-28).

7/1/2009: print out from Algonquian Confederacy of the Quinnipiac Tribal Council. Two articles listed that reference the Schaghticoke (C-29).

April 2008: Council meeting minutes discussing Lucky Cricket productions wish to use the reservation, donation to rebuild Russell home, Birch housing on reservation request, talk about land claims and need of advice from an attorney (C-30).

8/1/2009: complaint by SIT against [REDACTED] concerning land that was sold on behalf to the tribe after 1790 in violation of the non-Intercourse Acts (C-31).

8/6/2009: Letter concerning a proposed restraining order on land that Kent School claims it owns (C-32).

### **2010 to Present**

Dated 3/10/2010: Invitation to Algonquian Confederacy of the Quinnipiac Tribal Council meeting (C-33). Later that month, on 3/30/2010: motion to dismiss Jennifer Calhoun v. Gail Donovan. Uses Schaghticoke as a sovereign tribe with a reservation (C-34).

On 9/11/2010: Letter in response to report from Alan Russell about [REDACTED] activities on Appalachian Trail National Park (C-35).

On 7/20/2010: Letter regarding a structure on the reservation and the cost that it would take to repair that structure (C-36).

Dated 8/2/2010: Letter about the summons and complaint in the case against [REDACTED] (C-37).

On 9/24/10 State of Connecticut via its Superior Court recognizes Tribe's reservation held by the State of Connecticut's for the Schaghticoke Indians. Kent Inland Wetland Commission v. Rost, (Superior Court Litchfield Judicial District, 2010.) The Court case: "Connecticut law recognizes the Schaghticoke as an indigenous, self-governing tribe that possesses powers over its members and reservation." Kent Inland Wetland Commission v. Rost, (S-5: Superior Court Litchfield Judicial District, 2010.)

Dated 9/2010: council meeting minutes. Discussion of an expansion of council, national park service call about Rost, intent to contract department of environmental protection, need to provide security on weekend, and need to fill in gaps in petition (C-38).

On 3/28/2011: Letter from First Selectman-Town of Kent certifying that Alan Russell is Chief of SIT (C-39).

Council meeting minutes from June of 2011 discussed status conference on land claim where SIT was recognized as a tribe.

On 12/21/2012: article in Republican American about SIT wanting to gain federal recognition and that they are a separate group from STN (C-41).

In 2013: Identification of SIT as an Indian entity throughout book. Lucianne Lavin, *Connecticut's Indigenous Peoples* p. (Yale University 2013, C-42).

Dated 2/7/2013: Letter from CT Department of Energy and Environmental Protection about need to repair a structure, DEEP decided the structure needed to be removed. Response letter from SIT that STN does not have influence on the reservation and that they are a non-recognized faction (C-43).

Dated 7/21/2013: need to replace council member who passed away, voted in new member, sheriff had not yet served meeting with mayor of Danbury to discuss land claims (C-44).

S-6: State of Connecticut General Statutes Section 47 - 59a: "(a) It is hereby declared the policy of the state of Connecticut to recognize that all resident Indians of qualified Connecticut tribes... It is further recognized that said Indians have certain special rights to tribal lands... (b) The state of Connecticut further recognizes that the indigenous tribes, the Schaghticoke, the Paucatuck Eastern Pequot, the Mashantucket Pequot, the Mohegan and the Golden Hill Paugussett are self-governing entities possessing powers and duties over tribal members and reservations. Such powers and duties include the power to: (1) Determine tribal membership and residency on reservation land; (2) determine the tribal form of government; (3) regulate trade and commerce on the reservation; (4) make contracts, and (5) determine tribal leadership in accordance with tribal practice and usage." Enacted pre-1902

General Statutes Sections 47 - 63: "The following terms as used in this chapter, shall have the following meanings: 'Indian' means a person who is a member of any of the following tribes, Paucatuck Eastern Pequot, Mashantucket Pequot, Schaghticoke, Golden Hill Paugussett and Mohegan; 'reservation' means... "Schaghticoke reservation in the town of Kent, assigned to the Schaghticoke tribe...." Also cited in court case: Kent Inland Wetland Commission v. Rost, (Superior Court Litchfield Judicial District, 2010.)

## 2 Criterion 25 C.F.R. § 83.11(b) Distinct Community

The following documents clearly show that from 1900 to the present, the Schaghticoke were continuously recognized as a distinct American Indian community by the Connecticut government; professional anthropologists, ethnologists and historians; local and regional journalists; local historical societies; other Indian tribes and pan-Indian tribal organizations; and the townspeople who were their neighbors. Each ten-year time frame below demonstrates distinct community under Criterion 25 C.F.R. § 83.11(b).

### 1900-1910

In September of 1900, in his annual report to the Court of Common Pleas, the court appointed Schaghticoke overseer Martin B. Lane reported that the "Schaghticoke Tribe of Indians" consisted of tribal members living both on and off the reservation. He listed them by name; they represented three major tribal lineages: Cogswell, Harris, and Kilson. Elderly and sick tribal members were supported in part by the Tribe's "Indian fund" (A-1: Martin B. Lane, 1900, "Court of Common Pleas, Litchfield County", Volume 3, pg. 85, dated September 1, 1900). This fund was a bank account created ca. 1801 when the northern portion of the Tribe's Reservation was sold off by their white overseer Abraham Fuller against the Tribe's wishes, a portion of the moneys going to the Tribe after debts and fees were paid off. The fund was maintained throughout the 19<sup>th</sup> and early 20<sup>th</sup> centuries with moneys received by the Tribe as a corporate entity (and held in trust by their white overseer) from sales and rents of tribal lands, the sale of other tribal resources such as cordwood and wood charcoal from Reservation trees, and from bank notes secured by mortgages and savings bank loans on tribal lands (Crone-Morange and Lavin, 2004:161, note 103).

For an example of this governmental trust relationship to the Schaghticoke as a traditional corporate Indian tribe, see Overseer Lane's Motion for Judgment against Charles E. Cronkite "for his failure to pay the principal and interest on a mortgage held by the Schaghticoke Tribe of Indians" (A-3: State of Connecticut, Court of Common Pleas, 1900, Martin

B. Lane Overseer vs. Charles E. Conkrite, *Motion for Disclosure and for Judgment*, filed October 4, 1900, underlined emphasis added).

According to the 1900 overseer's report to the Court, elderly and ill tribal members were supported by the tribe's "Indian Fund". The government's treatment of the "Indian Fund" as a reflection of the corporate nature of an American Indian tribe shows that the local overseer, the State of Connecticut by whom he was employed, and the Court to which he was legally bound to report, all recognized that the Schaghticoke were a tribal community distinct from that of the Kent town residents surrounding the reservation (A-1: Martin B. Lane, 1900. "Court of Common Pleas, Litchfield County", Volume 3, pg. 85, dated September 1, 1900).

Throughout the first two decades of the 20<sup>th</sup> century, approximately from 1900 until 1926, the Schaghticoke Rattlesnake Club was an active tribal institution that demonstrated that the Schaghticoke were a distinct tribal community whose members worked together to ensure its continuance within what remained of the traditional Schaghticoke homeland – the Reservation. Land losses leading to depopulation, poverty, and detribalization had been a serious problem for Connecticut tribal peoples since English settlement in the early 17<sup>th</sup> century (e.g., Lucianne Lavin, 2013, *Connecticut's Indigenous Peoples: What Archaeology, History and Oral Traditions Teach Us about their Communities and Cultures*, New Haven and London: Yale University Press, pp. 321-335). Since the mid-18<sup>th</sup> century, when whites began to settle in adjacent Kent, the Schaghticoke tribe continually acted and reacted to English and American attempts to take tribal lands and destroy their tribal community through peaceful negotiation based on Anglo-American law and its court system, often with the help of non-Indian intermediaries – white men sympathetic to the tribe's causes (A-2: Lavin, *op. cit.* 334-335; Paulette Crone-Morange and Lucianne Lavin, 2004, "The Schaghticoke Tribe and English Law: A Study of Community Survival", *Connecticut History*, 43(2):132-162). Citing various tribal documents, Schaghticoke historian Crone-Morange and anthropologist Lavin noted that: A-98

"The numerous tribal petitions, memorials, and letters to the Connecticut legislature and courts throughout the eighteenth, nineteenth, and twentieth centuries demonstrate that from earliest historic times the Schaghticoke Tribe established a survival strategy of negotiation and cooperation based on English law that has successfully conserved tribal resources and tribal communities while maintaining the Tribe's distinct identity as a separate entity from that of their non-Schaghticoke neighbors. They managed this through education, Anglo intermediaries, and direct tribal participation in the English Court system. The efficacy of this political strategy is demonstrated by the fact that the Tribe and part of its original Homelands at Schaghticoke Reservation have survived to this day in a world dominated by Anglo-American society, while neighboring tribal governments emigrated west or dissolved" (A-2: Crone-Morange and Lavin 2004:153).

The Rattlesnake Club was begun in the late 19<sup>th</sup> century as an important political and economic survival strategy (See section Iiciii above). This was a time of very anti-Indian fervor, exacerbated by the Indian wars in the West. In the early 20<sup>th</sup> century, the Connecticut government was hoping to detribalize the state's Indian reservations by turning them into state parks (B-10: Lavin :351, *op. cit.*, citing the Connecticut State Park and Forest Commission, 1926, *Report of the State Park and Forest Commission*, pg. 42). Fred Lane, the Schaghticoke's overseer from 1905 to 1914, wrote a poem about it called "The Schaghticoke Trail":

"They saw their weakness resigned to the fate, gave up their struggle and applied to the state... Thus, my friends they will leave their mark... The reservation will become a State Park" (Fred Lane, nd, unpublished manuscript cited in B-10: Lavin :351).

These events put the Schaghticoke at risk for losing the last remnant of their beloved Homeland, given to them by the Creator, where their ancestors lived, died, and were buried, and where mnemonic devices on the landscape marked episodes in the tribe's history. The events also threatened to disrupt their tribal community, for whom the Reservation was a social and political center as well as an important residential center. As they had done in the past (A-2: Crone-Morange and Lavin, 2004: 148-150), tribal leadership focused on a way to cultivate friendships with prestigious white men who might be called upon to act as tribal intermediaries with the Connecticut government if the threat of Reservation loss became a reality. Creation of the Schaghticoke Rattlesnake Club was their answer.

The Club functioned as a means of meeting and forming relationships/ friendships with white authority figures who would – and did (e.g., See the Club news accounts below written by white Club members) publicly support the tribe's efforts to maintain their Reservation and community. The Club consisted of Schaghticoke members and influential men from the ruling white establishment. The latter included newspapermen, politicians, physicians, even a judge from Connecticut and New York (See *The New York Times*, "Rattlesnake Club Saved by a 'Breed'", June 16, 1913). They would come to Schaghticoke when the snakes were emerging from their den and collect as many as they could in one day to place on exhibit in a Bridgeport storefront or present to a zoo.

As documents cited below demonstrate, the tribe led the event and the Club. Schaghticoke leaders George Cogswell (AKA Coggswell) and James Harris filled the positions of Club President and Scout, respectively. They coordinated the preparations leading to the hunt and the hunt itself. The entire Schaghticoke community worked together

to make the event a success. The men ensured there would be rattlesnakes by collecting them days before the event, led the way to the den and showed newcomers how to capture the snakes with forked sticks and pillowcases. The women picked up the members who arrived by train and transported them to the Reservation in horse-drawn buggies, prepared the Club meals, provided entertainment with Native dancing, and sold their traditional woodsplint baskets to the whites.

Anthropologist Dr. Lucianne Lavin summarized the activities and functions of the hunts in her 2013 book *Connecticut's Indigenous Peoples: What Archaeology, History and Oral Traditions Teach Us about their Communities and Cultures* (New Haven and London: Yale University Press):

"Tribal members would catch rattlesnakes and store them in pillowcases during the week before the annual club meeting, when the white members would come to the reservation to catch the snakes. On the day of the meet, the handlers would let loose the snakes at the top of Schaghticoke Mountain ahead of the others, ensuring an easy hunt that would guarantee a return hunt each year. A survival strategy dating to the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, Rattlesnake Club activities helped the local indigenous economy (Indian women kept what was left of the food the whites brought for them to cook, and the Indians sold the visitors "souvenir" baskets) and enhanced political ties with important white men, especially newspapermen and politicians who made up most of the club's membership" (B-10: Lavin :345).

The Club newsmen wrote many positive articles about the annual rattlesnake hunt, the Schaghticoke Tribe of Indians, and their Reservation, replete with photographs of the snakes and hunters. The reporters provided sympathetic portrayals of the tribe, depicting them as "brave", "peaceful" and "friendly Indians" and publicized their distinctive cultural traditions, such as woodsplint basket making and snake lore. (Articles are described below in the years they were published.)

The Club met regularly from at least 1889 to 1919, when Prohibition supposedly outlawed the tribe's alcoholic snakebite remedy, "sagwa". More likely causes were the aging and deaths of the tribal leaders who spearheaded Club activities, James Harris (in 1909) and George Cogswell (in 1923), as well as America's entrance into World War I and the subsequent involvement/enlistment of both tribal members and Club members. The Club did hold a reunion in 1926, where they revisited the snake den and paid homage at the graves of the deceased Schaghticoke Club leaders. The event was led by Howard Harris, the youngest son of James Harris and a WWI veteran (A-95: Lindsey Dennison, 1926, "Snake Hunters Capture Memories but No Rattlers," *Bridgeport-Waterbury Herald*, June 6, 1926, editorial section, pg. 1). They held another reunion in 1939 (*Bridgeport Post*, "Indians Back in Rattlesnake Haunts", dated October 1, 1939).

Cogswell and Harris's formation and oversight of the Schaghticoke Rattlesnake Club also demonstrate political authority for this time period. The news articles listed below show them acting as culture keepers and tribal intermediaries.

In February 1901 the death notice of George Bradley, a Schaghticoke tribal member living off the Reservation in Bridgeport, was printed in the *New Milford Times*, one of the major newspapers covering New Milford and Kent at this time period. Bradley family members obviously wished to inform Schaghticoke members living on the Reservation and in the surrounding areas of George's death. (Roads to Kent would have been impassable in winter, which can be harsh in northwestern Connecticut, and the main roads were not paved until the introduction of the automobile several decades later. The best and fastest way to inform the tribe of a member's passing would be via newspaper). The publication supports Martin Lane's overseer report (discussed above), which implied ongoing tribal relations between on and off-Reservation Schaghticoke members (A-96: Anonymous, 1901, "Bulls Bridge", *New Milford Times*, pg. 2, February 1, 1901).

Local historian Edward Dyer's guided tour of the Schaghticoke Reservation by tribal leader James Harris in April, 1902, and his interviews with some of its residents resulted in a full chapter in his 1903 book *Gnadensee: The Lake of Grace, A Moravian Picture in a Connecticut Frame* (Edward O. Dyer, 1903, pp. 213-221). Entitled "The Reservation at Scatacook", the chapter provided a good description and census of the contemporary Schaghticoke community, the Rez lands, and the pre-Bull's Bridge dam tribal cemetery (which was later flooded over after completion of the dam on the adjacent Housatonic River). The author related that the community consisted of "nearly one hundred" members, about 15 of whom lived on the Reservation. Historian Dyer referred to the Schaghticoke as a "tribe", mentioned the existence of the tribal fund, and retold the Schaghticoke folktale about a locale on the Reservation haunted by the souls of tribal members. Dyer's descriptions indicate a distinct tribal community quite separate from the surrounding Kent citizenry. James Harris's role as guide and intermediary between Dyer and the Tribe illustrates authority and tribal leadership. The guide role is also considered traditional "Indian work" by anthropologists, which characterized tribal peoples in the 19<sup>th</sup> and early 20<sup>th</sup> centuries (A-4: Ann McMullen 1992:20; see June, 1906 below for a fuller discussion of the definition of "Indian work" and other examples, also see A-97).

In May 1902, a news article was published featuring Schaghticoke George Cogswell, President of the Tribe's Rattlesnake Club, and his prowess as a rattlesnake hunter. The article supports subsequent ones on George as a tribal

leader and culture keeper who passed down his knowledge of rattlesnake lore to later generations of Schaghticoke members (*Danbury News*, "Hunting Rattlers", May 14, 1902, A-98).

In October of 1902, a news article about the anonymous author's trip to Amenia in eastern New York and to the Schaghticoke Reservation in nearby Kent, Connecticut was published. The newspaperman interviewed "Mrs. Kilson, a Reservation resident (likely Nancy Kilson or Bertha Kilson – both reservation residents around that time), who described her neighbor, Rachel Mauwee, as "the only living full-blooded Schaghticoke" and related a Schaghticoke folktale about Dr. Raymond's unethical seizure of the northern portion of the Reservation, indicating a discrete community. Additionally, the article indicates that the author believed he was visiting an Indian community whose members were in tribal relations with one another (A-99: *New Milford Gazette*, "Trip to Amenia", October 13, 1902).

In May 1903, a news article about George Cogswell and the Schaghticoke Rattlesnake Club in which the author interviewed George after one of the hunts was published. He referred to him as "the renowned rattlesnake hunter of the Indian settlement above Bull's Bridge, and the genial president of the famous Rattlesnake Club". The quote indicates that the journalist believed he was visiting an Indian community distinct from the townspeople of Kent, and one of its tribal leaders. The article shows that George is a Schaghticoke culture keeper, passing down rattlesnake lore and snake handling traditions to the younger generation of Schaghticoke. He is also portrayed as a tribal intermediary, representing the tribe to outsiders such as this journalist. Outsiders deferred to George for information on the tribe and its Reservation (as they also did to Schaghticoke James Harris – see April 1902 above). During the interview, Cogswell invites the author to join the Schaghticoke Rattlesnake Club – an attempt to increase the tribe's number of white political intermediaries and potential source of tribal income (see other articles below) (A-100: *New Milford Gazette*, "A Renowned Snake Hunter", May 1, 1903). In the same month, a news item in the same paper as above, announced that Robert Kilson had killed a rattlesnake. It is evidence that the older generation of Schaghticoke members (George Cogswell, James Harris, or Robert's father Charles Kilson) was passing down the Tribe's snake lore to the younger generation, indicating community (A-101: *New Milford Gazette*, "Bull's Bridge News", May 1, 1903).

News article from May 1903 on the Schaghticoke members of the Schaghticoke Rattlesnake Club. Club president George Cogswell is described as "the most renowned rattlesnake hunter in Connecticut". His eldest son Will Cogswell (1867-1942) was also described as a rattlesnake hunter and the keeper of the "sagwaw, which was the Tribe's traditional snakebite cure. Several articles make humorous references to the fact that it contained a high percentage of alcohol and narcotic. It was apparently a tincture, which is an herbal medication with an alcoholic base. Many patent medicines of the 19<sup>th</sup> century were tinctures (A-101: *New Milford Gazette*, "In the Rattler's Den", May 6, 1903). George's younger son Frank was also a member of the Rattlesnake Club (A-150: Nancy MacLennan, 1939, "Indians Back in Rattlesnake Haunt", *Bridgeport Post*, October 1, 1939). The articles indicate that George Cogswell was a Schaghticoke culture keeper who passed down the Tribe's snake lore (snake behavior, methods of capture, preparation of tribal snakebite medication, etc.) to the younger generation of Schaghticoke.

An article in the local newspaper focused on the Schaghticoke Reservation community and its leadership, particularly James Harris from July 1903. Other leading residents included in the article were Value Kilson, George Cogswell (whom the author described as a "great rattlesnake hunter"), basket maker and herbalist Rachel Mauwee, and basket maker and tinsmith Henry Harris. Rachel and Henry were both deceased, yet their reputations as culture keepers and tribal elders were such that the Schaghticoke members pointedly referred to them in their interview with the journalist. Harris, Kilson and Cogswell were also lineage heads. The author referred to Schaghticoke as a "settlement", and the gist of the article is that Schaghticoke is a small yet viable Indian community in tribal relations, distinct from the Kent townspeople (A-103: "Preacher Jim Harris", *New Milford Gazette*, July 17, 1903).

Anthropologist Frank G. Speck visited the Schaghticoke Reservation and described them as a "band of Indians" from August 1903. "Band" is a specific anthropological term for a small, egalitarian, kin-based society. Speck's use of it to describe the Schaghticoke shows that he believed they were a discrete Indian community. A well-respected specialist in Northeastern Native American cultures and societies, Speck was the chair of the University of Pennsylvania's Department of Anthropology for four decades, until a year before his death in 1950. In an article published in 1903, he reported that 16 tribal members representing three major lineages (Kilson, Cogswell, and Harris) presently resided on the Reservation, while an additional 125 members lived off-Reservation. His statement that the off-Reservation members "claim tribal rights and relationship with this clan" -- which included rights to the Schaghticoke tribal fund (see his August 15<sup>th</sup> account in his field notebook) clearly demonstrates that the off-Reservation members were in community relations with those members living on-Reservation (Frank G. Speck, "Notes on Scattacook Indians", dated August 15, 1903 in his unpublished field notebook, in *Speck's Papers*, Box 14, call no. 572.97, American Philosophical Society, Philadelphia. J. Dyneley Prince and Frank G. Speck, "Dying American Speech-Echoes from Connecticut", *Proceedings of the American Philosophical Society* 42(171): 346-352, read November 6, 1903, C-57).

Documents from September, 1903 submitted by the New Milford Power Company and by Martin Lane to the Litchfield County Superior Court regarding the New Milford Power Company's petition to condemn over 21.76 acres of private property owned by Lane and Charles Lee (mortgagee) adjacent to the "land of the Schaghticoke [sic] tribe of Indians" show that both the government and influential local Kent residents recognized that the Schaghticoke were a distinct tribal community who owned land in common in Kent. The communal land ownership characterized the traditional corporate nature of a tribal Indian community (A-5: Connecticut, State of, Litchfield County Supreme Court, 1903, "The New Milford Power Co. vs. Martin B. Lane et al., Stipulation as to Amendment, September 1, 1903, pg. 1).

This professional publication from November of 1903 was based on anthropologist Frank G. Speck's August visit to the Schaghticoke Reservation to study its residents (see August 1903 above). In this paper, Prince and Speck refer to the Reservation residents as an Indian "clan" and "settlement," and focused on the fact that tribal members still shared words in their original Schaghticoke language, indicative of community (J. Dyneley Prince and Frank G. Speck, "Dying American Speech-Echoes from Connecticut", *Proceedings of the American Philosophical Society* 42(171): 346-352, C-57).

In February of 1904, *The Judgment of the Court of Common Pleas* recognized the existence of the Schaghticoke Burying Ground on the Reservation and its continued use by the Tribe as a sacred place by refusing to allow the New Milford Power Company to condemn the locus for its use. The Court specifically noted that the cemetery was NOT included in the conveyance of 3.25 acres of tribal land by its overseer Martin Lane to the power Company. Further the Court recognized the importance for Tribal access to that sacred place by requiring that Schaghticoke members must be given a right of way from the highway to their Tribal burying ground:

"It is expressly understood that no part of the cemetery now in use passes by this conveyance and that the said Indians have a right of way from the highway to said cemetery at any convenient point" (pg. 393). This significant legal document shows government recognition of the Schaghticoke as a Tribe of Indians owning land in common in Kent, and that the land contained a burying ground to which the Tribal community had strong spiritual ties. The corporate nature of Schaghticoke land ownership and shared spirituality in the Tribe's cemetery characterize a traditional, discrete Indian community.

In March of 1904, local historian Theodore S. Gold described the Schaghticoke community in a volume of *Connecticut Magazine* devoted entirely to the American Indian. Based mainly on his first-hand knowledge of tribal members (who were his neighbors growing up, and later, employees on his Cornwall farm), he described their character, work ethic, and traditions, which included woodsplint basket making and splint broom making. Gold reported that the Schaghticoke "were allowed by a sort of preemption title to good splint timber wherever they could find it, a practice not relinquished by those who follow the same craft today". This tribal right continued to be publicly acknowledged by the Kent white leadership as late as 1937 and 1939 (see Clifford Spooner 1989 and Marian E. Cornwell 1939:9 under the years 1937 and 1939 below).

He also cited information he received in a letter from their tribal overseer Martin Lane. Lane informed Gold that the Schaghticoke "had about three hundred (300) acres of land, five dwelling houses, five thousand dollars in cash". He noted that he was allowed to use the tribe's fund to support their oldest members. Lane confirmed that 30-40 of the tribe lived on the Reservation, while 110 lived off-Reservation.

The article clearly shows that both Gold and Lane believed that the Schaghticoke were a discrete Indian community. Significantly, Lane mentioned the Schaghticoke's communal ownership of land and cash fund shared by tribal members, characterizing the traditional corporate nature of an Indian community. The fact that the article was published in a major state historical journal in its volume devoted entirely to the American Indian shows clearly that the state historians comprising its editorial board also believed the Schaghticoke were a discrete Indian community (A-6: Theodore S. Gold, March 15, 1904, "Fostering the Habit of Industry", *Connecticut Magazine*, VIII (3):452-454).

A June 1904 Newspaper article about the annual Schaghticoke Rattlesnake Club hunt. It described the Schaghticoke tribal leader, George Cogswell, as the president and leader of the Club, who showed new white members how to capture the snakes. Photographs included Cogswell and Harris family members, demonstrating that both lineages were involved in the snake hunt and accompanying social activities (A-105: *Sunday Herald*, "Hunting the Schaghticoke Rattler", June 3, 1904).

From July of 1904, Local historian Conway Curtis's article shows that the Schaghticoke Tribe's tradition of woodsplint basketry was distinct from that of other surrounding tribes. He also confirmed that tribal elder and basket maker Rachel Mauwee was a Schaghticoke culture keeper: "There is but one pure-blooded Scatacook living (ca. 1902). Rachael, aged ninety-three and still sound and active. It is said that her mind is a storehouse of Indian tradition." (A-7: Conway W. Curtis 1904, "The Basketry of the Pautatucks and Scatacook", *The Southern Workman* 33(7): 385-390).

Anthropologist Frank G. Speck's *Papers* housed at the American Philosophical Society included a list of Indian vocabulary with the name "Kilson" in parenthesis after one entry in December of 1904. It shows that other tribal members

besides James Harris (noted previously in August 1903) provided Speck with examples of Schaghticoke vocabulary, demonstrating that tribal members still shared some traditional language at that time (Frank G. Speck, *Papers*, 572.97, Wp, Box 14, dated December 1904).

Ca. 1904-1905: When the Bull's Bridge Dam built by the New Milford Power Company was completed, the rise in river water began to flood the Schaghticoke's 2<sup>nd</sup> historic burying ground. In a 1934 newspaper article, a Schaghticoke tribal member described to a reporter how the remains of tribal members buried in that burying ground were dug up and reburied in the tribe's 3<sup>rd</sup> historic burying ground on the Reservation by tribal members (the one still in use today). Further, according to the reporter's tribal informant, the granddaughter of Value Kilson, they were reburied in the traditional manner: "A few years ago when a hundred Indians had to be removed from an old burial ground to the one on the Reservation, the remains were again wrapped in blankets, in tribute to the Indian rites": (A-116: Anonymous 1934, "Last of the Shaghticoke Lead quiet Lives among ancestral Relics at Kent", news clipping from an unidentified newspaper dated November, 1934).

The Division of Anthropology at the Yale Peabody Museum of Natural History in New Haven, Connecticut has photographs of tribal member Value Kilson removing the corpses via horse and buggy. See Lucianne Lavin, 2013, *Connecticut's Indigenous Peoples*, New Haven: Yale University Press, pg. 356, for two of those photographs. The presence of specific Schaghticoke tribal cemeteries solely for member use, tribal oversight of the reburials, and in a traditional manner, all indicate an Indian community.

A news article from May of 1905 described the annual 1905 Schaghticoke Rattlesnake Club snake hunt on the Tribe's Reservation, which was led by Club president and Schaghticoke leader George Cogswell. Newspaper readers were solicited to join the Club through an instruction to write either Cogswell or Club member Dr. John Monroe. As noted previously, increased membership benefited the tribe economically and politically. James Harris's eldest son, Edson Harris, also participated in the hunt (A-106: *New Milford Gazette*, "Rattlesnake Den Attacked", May 12, 1905). As the hunters marched to the snake den, they encountered Edson carrying a live rattlesnake. Many years later in a 1972 newspaper interview, Edson explained this event when he noted that tribal members would catch snakes earlier in the week and replenish the snake den the day of the hunt so the white hunters would always find snakes to capture, and thus ensure that these white authority figures would continue to return to the Reservation for future hunts (A-107: Linda Rose, "Red Feather - Chief of a Dying Race", *Connecticut Sunday Herald*, November 19, 1972, pg. 20a). These are just two of many articles about the Schaghticoke Rattlesnake Club hunts that show members of the Schaghticoke lineages cooperating in the success of the event, demonstrating community. It also shows that Edson's father James Harris was a traditional leader and culture keeper who passed the tribe's rattlesnake lore on to the next tribal generation.

August, 1905: In his letter to New York historian Isaac Huntington, Schaghticoke Rattlesnake Club member Dr. John Monroe reported that the Club was founded seven years ago [but that is incorrect, since there is a 1889 news article on it (see above)], and that the Club receives letters annually from New York and other newspapers that wish to have reporters cover the hunt event. He noted that this year's hunt included reporters from the *New York World*, *Bridgeport Herald*, and the *Waterbury Republican* (John Monroe, letter to Isaac Huntington dated August 14, 1905). The letter suggests that the Tribe's strategy of using journalists as potential political intermediaries and for advertising the tribal event to gain more white intermediaries was successful.

News article describing the annual 1906 Schaghticoke Rattlesnake Club hunt on the Reservation. Club president George Cogswell is also referred to as the "chief" of the Schaghticoke Reservation. George oversaw the hunt, gave orders to the hunters, and hosted the post-hunt festivities at his home. Visitors deferred to George and James Harris as Schaghticoke leaders. As the Club Scout, James led the way to the snake den and provided guidance to the inexperienced white hunters. One of Jim's daughters greeted the hunters. As with the earlier hunts, members of the Cogswell and Harris lineages cooperated to ensure the success of the event.

The journalist referred to Jim Harris as "a real Indian and a Shaghticoke [sic]". He called the Reservation residents "the little colony of aborigines". He clearly believed the Schaghticoke to be an Indian community. Further, his use of racist, patronizing language to describe that community (e.g.; "chief", "wigwam", "Indian maiden", "Indian scouts", pidgin English to quote Reservation residents) definitely sets the Schaghticoke apart from whites and the dominant white community of Kent townspeople in his mind. The author noted that: "Around South Kent, the little colony of aborigines is called the 'Artichokes'. Jim Pan [Harris] does not like the name 'The last of the Artichokes'." The quote demonstrates that the local non-Schaghticoke Kent folks also believed that the Schaghticoke were a separate Indian community, quite distinct from their white neighbors (A-8: *The New York Times*, "The Rattlesnake Club Makes a Good Haul", May 21, 1906).

Another news article from May of 1906 on the annual 1906 Schaghticoke Rattlesnake Club hunt. It cited Schaghticoke George Cogswell and James Harris as the Club's president and guide, respectively, and described them as leading the white hunters to the snake den and teaching them how to capture a snake. The Schaghticoke's alcoholic anti-

venom "sagwa" is described. Photos show members arriving in horse-drawn buggies, members with snakes, James Harris' youngest son Howard, and the Club logo (A-108: *The New York Times*, "Some Joys of a Rattlesnake Hunt", Sunday Edition, May 27, 1906). Schaghticoke rattlesnake lore (knowledge of snake habits, methods of capture, medicinal remedy for snakebite) and the collaboration of the Cogswell and Harris lineages in the event demonstrate tribal relations and community.

A news article from June of 1906 on the annual 1906 Schaghticoke Rattlesnake Club hunt described the event's activities, which included Schaghticoke leaders George Cogswell and James Harris as Club President and Scout overseeing the hunt, Schaghticoke women selling their traditional woodsplint baskets as souvenirs to the white hunters, and photos of Schaghticoke members participating in the event. Intra-tribal cooperation of Cogswell and Harris lineage members and leaders demonstrate community, as do the continued manufacture of woodsplint basketry. (A-109: *Sunday Herald*, "Exciting Day's Sport of the Schaghticoke Rattlesnake Club", June 5, 1906).

Additionally, the author noted that George Cogswell "knew every ledge in the wild mountains". This and other articles listed below show that Cogswell and Harris were approached by journalists and other white outsiders not only because they were considered tribal leaders, but also as "guides" because of their special knowledge of the local physical environment. As defined by anthropologists, guiding white sports fishermen and hunters was one of several traditional types of "Indian work" in the 19<sup>th</sup> and early 20<sup>th</sup> centuries, tied to traditional tribal activities and the bush. Another was basket-making and making brooms, wooden objects and rustic furniture (A-111: Tom McFeat "Space and Work in Maliseet Basket-Making", pp. 72-73 in *A Key into the Language of Woodsplint Baskets*, 60-73, ed. By Ann McMullen and Russell G. Handsman, American Indian Archaeological Institute, Washington CT, 1987).

Schaghticoke Reservation resident Alexander Value Kilson died January 25, 1907 and was the first tribal member to be buried in the tribe's 3<sup>rd</sup> burying ground on the Reservation since the reburial of corpses from the tribe's 2<sup>nd</sup> burying ground, which was flooded over by the construction of a dam at Bull's Bridge (as noted above). The cemetery has continued to be the sacred resting place of many Schaghticoke tribal members ever since, demonstrating indigenous community. (A-112: Town of Kent Sexton's Report, Kent, CT, 1969).

**Pre-May 20, 1907:** Copy of the invitation to participate in the Schaghticoke Rattlesnake Club Hunt on the Tribe's Reservation that year on Club letterhead, which depicted a rattlesnake, snake tongs, sagwa (the tribe's medicinal antidote for snakebite), and the names of the Club's officers. They included George Cogswell and James Harris as well as local white luminaries. The invitation noted that hunters would be picked up at the railroad station (by Schaghticoke tribal members, according to other documents) and brought to "the wigwam of President George Cogswell". (A-113: Dick Howell, 1907, "Open Invitation to Schaghticoke Rattlesnake Club Hunt", undated but obviously sent prior to the actual hunt on May 20, 1907 - see below)

News announcement about President George Cogswell being "in town" and having captured 4 rattlesnakes on the Reservation a week before from May of 1907. Tribal leadership was obviously attempting to stimulate participation in the upcoming Schaghticoke Rattlesnake Club annual hunt for the political and economic good of the tribe. Later documents show that this becomes a common Tribal strategy. Tribal leaders (normally Cogswell or James Harris) relating Schaghticoke rattlesnake stories to journalists who enthusiastically published them to tantalize their readers; Cogswell often visited the *New Milford Gazette* office to promote positive news coverage of the Reservation and its residents, both tribal and reptilian (A-114: *New Milford Gazette*, "Odd Fellows Grand Lodge and Town News", dated May 17, 1907).

The same month, a lengthy news account with several photographs described in some detail the annual 1907 Schaghticoke Rattlesnake Club hunt on the Tribe's Reservation. It shows that the Schaghticoke Tribe were active participants and leaders in all hunt activities: greeting the hunters and transporting them to the Reservation; preparing the rattlesnake den (with snakes), and leading and instructing the white participants in snake capture; preparing the snakebite antidote; and preparing and serving food and beverage after the hunt. The reporter's commentary and descriptions of tribal actions depict Indians in tribal relations and show Schaghticoke political authority. The fact that the annual hunts were a regular tribal event on the Reservation is clearly shown by the journalist's comment that he had been a participant for six years (since 1902). As with previous (and subsequent) articles on the Schaghticoke Rattlesnake Club hunts, this one described Schaghticoke inter-lineage cooperation to make a successful hunt, elegantly symbolized by the journalist's comment that "wine punch was prepared for the hunters by Mrs. Stella Cox, daughter of Indian Harris, and served from George Cogswell's table".

The article also mentioned the partaking of sagwa - the Tribe's antidote for snake bite, and President George Cogswell and Scout James Harris leading activities and guiding the white outsiders in hunt procedures. Some of the latter caught the train in Bridgeport to Kent, where they were met and transported in 16 (!) wagons to Cogswell's house on the Reservation; Schaghticoke women drove at least one of the wagons. So many wagons indicate a large number of white participants (in fact, they were divided into four separate hunt groups) - future political "friends" on whom tribal leaders could (and did) turn in times of need. In point of fact, the article listing of the Club's participants included reporters and

editors from 10 local and regional newspapers: *The Bridgeport Herald*, *Waterbury Herald*, *Waterbury American*, *New Haven Union*, *Evening Post*, *The Standard*, *New York World*, *New York Sun*, *New York Herald*, and *Evening Farmer* as well as other VIPs such as Connecticut State Representative Shang Wheeler. In subsequent years, reporters from some of these papers wrote positive, supportive articles about the Schaghticoke Reservation community (e.g., see April 1908, see document below). Significantly, the author reported that Jim Harris's son, snake handler Edson Harris, "went up in the den early in the morning before the band of hunters arrived". His comment supports the May, 1905 account of the hunt, and Edson's interview in 1972, that the younger Schaghticoke men and boys planted rattlesnakes in the path of the white hunters just prior to the hunt, encouraging further white participation next year, thus strengthening their ties to the tribe and their continued good will.

The reporter's use of such terms as "wigwam", "Indian princesses", and "Indian Jim" shows that he believed he was visiting an Indian community, and his patronizing attitude sets the Schaghticoke apart from the white outsiders, both local and non-local. His description of Jim's 16-year-old son Edson as "thoroughly trained in rattlesnake handling" – so much so that the boy led the 4<sup>th</sup> group of hunters – supports other documents that James Harris was a culture keeper who passed his knowledge of rattlesnake lore to the younger generation of Schaghticoke (A-9: *Bridgeport Sunday Herald*, "Schaghticoke Rattlesnake Hunt brings out Multitude of Intrepid Hunters and Ten Venomous Reptiles are Captured Alive", May 26, 1907).

A news article from July of 1907 concerning the Schaghticoke Rattlesnake Club's wish to create a game preserve on Long Mountain in South Kent, near the Reservation. The purpose for the preserve is not mentioned, probably because it was so obvious to the local readership. Hunting was a traditional economic activity of the Schaghticoke but game was steadily diminishing in the area since the early 1800s. A game preserve would have helped to increase the populations of such tribal food staples as deer, bear, turkey, and other game birds (A-115: *New Milford Gazette*, "A Day in Kent", July 5, 1907).

News article from April of 1908 mentions "the famous Schaghticoke Indian Reservation", that "authorities of ethnology" have visited there, and how "the Schaghticoke were here long before the whites". These quotes indicate that the author and others (the ethnologists) believed that they were visiting an Indian community, distinct from that of surrounding whites, that was worthy of ethnographic study. The article also discussed the Schaghticoke Rattlesnake hunts and how tribal members acted as "guides" during them. The fact that outsiders needed guides to hunt the snakes indicates that tribal members had traditional knowledge of their homelands not shared with outsiders – further evidence of a distinct community (A-10: *New York Herald*, "Kent has Naturalist who is after Mr. Roosevelt's Own Heart", April 26, 1908).

An article from April of 1909 discusses several topics that demonstrate the Schaghticoke are a distinct Indian community. Firstly, it shows that tribal members shared special information not known to outsiders (e.g., in-depth knowledge of the physical environment of the Reservation and habitat/behavior of its wildlife; woodsplint basketmaking). Secondly, it demonstrates cooperation among the Schaghticoke lineages in making the Rattlesnake Club a successful economic and socio-political event for the entire tribal community. The reporter described George Cogswell as the President of the Club. George escorted him over to the James Harris house where he met Mrs. Sarah Harris, who was busily making traditional woodsplint baskets as souvenirs for the white members of the Club. "She was busy with her housework routine when we called but said that she could not keep up with the orders she received for baskets. She had recently completed twenty-five souvenirs for the Schaghticoke Club's hunt, due sometime in May."

The quote showed that an important aspect of the Club hunt was its contribution to the economy of the Schaghticoke community. The reporter himself ordered a large, covered workbasket. Cogswell then took the journalist to the rattlesnake den, where he discussed in detail rattlesnake behavior and lore. As noted in earlier and later articles, the younger generation of Schaghticoke were taught snake lore and handling by their elders, and their cooperation in the preparations for the snake hunt were integral in its annual success. They monitored the snake dens throughout the year, salted the locale of the annual Club Hunt with snakes they had caught previously and stored in pillowcases, and showed the inexperienced white members how to capture the snakes. The following quote from the article supports those documents. "Ed Harris [eldest son of Schaghticoke Rattlesnake Club "guide" James Harris], catcher and tamer of venomous snakes, and chief warden of the rattlesnake den, was playing ball with some other boys in the field opposite his home. ....He stopped long enough to say that the hide of the "copperhead" he took a few days before from the Copperhead den on the Reservation was in the house. He visits the den frequently and keeps close watch on the movements of the occupants."

The article also demonstrates Schaghticoke leadership. George Cogswell's behavior as tribal intermediary – showing the reporter around the Reservation and introducing him to tribal members, as well as promoting the economy of the community by introducing the reporter to one of its basket makers and inducing him to purchase a basket – demonstrates leadership. Additionally, both George and James Harris are portrayed as culture keepers (informal

leadership), preserving and handing down tribal knowledge of rattlesnake lore to the next generation of Schaghticoke. (A-117: *New Milford Gazette*, "At the Rattlesnake Den, April 23, 1909).

In May 1909, an article announced that the annual Schaghticoke Rattlesnake Club hunt was scheduled for May 30<sup>th</sup> "on the Schaghticoke Indian Reservation". James Harris was interviewed by the reporter, who described Jim as a full-blooded Schaghticoke Indian. "Jim Pan, the only full blood Schaghticoke Indian living, reports that the rattlers wintered well, and are out in numbers exercising themselves into venomous activity..."

The tribe's traditional medicinal antivenom for rattlesnake bite, "sagwa", was mentioned as having saved a member who had been bitten at last year's hunt. The journalist invited his readership to join the hunt and provided directions for doing so. The charge for participating was \$5.00 and included a wagon ride to and from the Kent train station to the reservation, and a "sheep bake" with chowder. As with other documents, this article shows the economic significance of the Club hunt for tribal members. Other documents above and below show that tribal members drove the wagons, and also prepared and served the food at the event, demonstrating community – a distinct "Schaghticoke Indian" community, as the reporter acknowledged. It also shows that newspapermen provided free and positive information about the tribe and its social activities, an important political benefit that was much needed in the anti-Indian climate generated by the recent Indian wars in the West and in the Tribe's continual quest to retain the remains of their original land base.

James Harris's report on the conditions at the tribe's rattlesnake den demonstrated political authority, in his roles as intermediary for the tribe with the white outsiders and as culture keeper of their rattlesnake lore and den (A-118: *New Milford Gazette*, "Rattlesnake Hunt. Annual Trip to South Kent will take place Next Sunday, May 28, 1909).

Another article announced the beginning of the Schaghticoke Rattlesnake Club Hunt in May of 1909. This article also mentioned that the event included a sheep roast, clam chowder "and other good things". The article is incorrect in that it was not the sixth annual hunt, which had occurred at least several years earlier (see above). The article illustrates Schaghticoke political authority in that it mentioned James Harris acting as tribal intermediary between the Tribe and the press in regard to an important economic and socio-political event for the Schaghticoke. Again, Harris is described as a "full blood Schaghticoke Indian" and expert in rattlesnake activities on the Reservation (A-119: *Bridgeport Sunday Herald*, "They're Off! They're Off! Snake Hunters Depart on Sixth Annual Expedition. Snakes are Lively", May 30, 1909, pg. 10).

That same month, another news article described the 1909 Schaghticoke Rattlesnake Hunt on the Tribe's reservation. The journalist obviously believed he was describing an American Indian community. He reported how members of the Cogswell and Harris lineages cooperated in the preparations for the event, as described in earlier articles. Tribal members are depicted as having special knowledge about the reservation lands that were not shared by outsiders, a characteristic of discrete community. Upon the whites' arrival for the event, James Harris's daughter announced that he was already at the snake den "making a start in corralling the snakes". This supports earlier evidence that tribal members "salted" the snake den with rattlesnakes on the day of the hunt, to ensure that the white authority figures who were club members had a successful hunt and would continue to return to the Reservation and write favorable stories about the Tribe (A-120: *New York Times*, "Snake Hunters Bag 24 Rattlers", May 31, 1909).

In July of 1909, a news article about the author's visit to "Scatacook village", where he interviewed several Reservation residents, who discuss tribal traditions. George Cogswell discussed rattlesnake lore; Mrs. James Harris discussed woodsplint basketmaking. His describing the Reservation as a tribal village along with his interviewing its residents on tribal traditions shows that the author believed he was visiting a Native American community. The reporter calls Ed Harris "custodian of the Rattlesnake Den", which supports other documents indicating that his father James was a tribal culture keeper of rattlesnake lore and handling who passed down his special knowledge to the next tribal generation (A-121: *New Milford Gazette*, "A Drive and its Scene", page 1, July 23, 1909). A brief news item that "Ed Harris of Scatacook village" came into the town of New Milford carrying a four-foot-long rattlesnake. As above, the use of the term Scatacook village demonstrates that the author believed he was writing about an Indian from an Indian community separate from the surrounding white villages. Ed's bringing a large rattlesnake into New Milford was a sure way to get the Reservation favorably mentioned in the local newspaper and drum up members for the Tribe's Rattlesnake Club (A-122: *New Milford Gazette*, "Village and Vicinity. Notes and Gleanings, July 30, 1909).

In August of 1909, a news article reported on the skills of Schaghticoke snake handler Edson Charles Harris and a recent show he put on with a large rattlesnake for Newtown folks. The author referred to Harris as "one of the young braves of the Schaghticoke Indian tribe", showing that he believed (as did reporters from other towns who had come into contact with the Schaghticoke – see other articles listed herein) that the Schaghticoke were an American Indian community, separate from the surrounding white communities of New Milford and Kent and of course, Newtown (A-11 *Newtown Bee*, "Snake Stories", pg. 6, August 6, 1909).

Obituary for James Harris, published in a regional paper that served the towns of Shelton, Derby, Ansonia, Seymour, and Stratford in the lower Housatonic Valley. The service area is significant, because a goodly number of

Schaghticoke were living in this area, likely drawn by the economic opportunities offered in these mill towns. James' kin obviously wished to inform off-Reservation members of the tribal community of his death. The quickest way would be through the newspaper, since they had no telephone lines at Schaghticoke, and Route 7 (the main route to Kent) was a dirt road virtually impassable after a winter snowfall (A-124: *The Evening Sentinel*, "Victim of Diphtheria: Full-blooded Indian, Well-known to Snake Hunters is Dead," pg. 1, December 3, 1909). The news announcement of the death of James Harris, noting that James was a full-blooded Indian and a scout of the Schaghticoke Rattlesnake Club. In 1907 he had been invited to march in New Milford's Bicentennial parade, indicating that white outsiders viewed him as a Schaghticoke leader. He was buried in the Tribe's burying ground on the Schaghticoke Reservation, where he and his family had lived. The burying ground was and still is to this day the Tribe's official cemetery for their members and spouses solely, characterizing community (A-125: *New Milford Gazette*, "Bull's Bridge", Reel C-06:1, December 17, 1909).

An additional obituary for James Harris, noted he was a full-blooded Schaghticoke Indian and that he was buried in the Schaghticoke Burying ground. It also noted his position as scout and guide in the Schaghticoke Rattlesnake Club, and his vast knowledge of rattlesnake lore. As with the obit in the *Evening Sentinel* above, the service area is significant, because a goodly number of Schaghticoke were living in the Greater Bridgeport area (A-126: *Bridgeport Herald*, "Last of the Schaghticoke", December 5, 1909).

The 1910 Indian Census described taxable Indians to be "civilized Indians....living off-Reservation and found scattered among the general population". No Schaghticoke Tribal member is listed as a taxable Indian on the Census, which shows that the government considered the Schaghticoke on the Reservation in Kent to be an uncivilized, distinct community separate from the general population of Kent (S-7: *United State Department of Commerce, Indian Population in the United States and Alaska 1910*. Government Printing Office, Washington, D.C, printed 1915). The United States government agency that conducted anthropological research in America, focusing on American Indians in North America, identified the Schaghticoke as an American Indian community that was located "below the present Kent" in their official *Handbook of American Indians*. The Federal Bureau of American Ethnology (BAE) described the Schaghticoke as "an Indian settlement and reservation on Housatonic r., a few miles below the present Kent, Litchfield co., Conn." The BAE referenced the research of respected anthropologist Frank G. Speck, who reported that Schaghticoke members still practiced their tribal traditions of woodsplint basketry and use of the bow and arrow, and that one tribal informant "still retained knowledge of the [Schaghticoke] language". (A-26: Frederick Webb Hodge, *Handbook of American Indians North of Mexico, Part 2*, Smithsonian Institution Bureau of American Ethnology, Bulletin 30, pp. 485-486).

A significant news article about a Schaghticoke origin myth, which demonstrates a discrete tribal community. "The Schaghticoke Indians, who occupy a reservation in Connecticut some ninety miles north of Bridgeport, tell a weird folk legend of the origin of the rattlesnake. "The sacred story is set at the time of the American Revolution, when the Schaghticoke were attacked by a pro-British tribe. The battle ended on the top of Schaghticoke Mountain, after the Creator turned the enemy warriors into rattlesnakes and the Schaghticoke won the day. The story highlights Schaghticoke rattlesnake lore as a unique cultural tradition, which not only included special knowledge of snake behavior on Schaghticoke Mountain and rattlesnake handling techniques (as shown in previous news accounts), but also a unique mythology that connected the Tribe to the snake den and its denizens (A-127: *New York Times*, "A Connecticut Indian Legend", dated March 10, 1910).

Another Schaghticoke myth associated with the Reservation rattlesnakes is that the snakes were placed there by the Creator to protect the sacred medicinal plants that grow on the Reservation (A-128: Trudie Richmond, 1987, "Algonquian Women and the Land: A Legacy". In *Rooted like the Ash Trees: New England Indians and the Land*). Ed. Richard G. Carlson, pp. 6-8, Naugatuck, CT: Eagle Wing Press, pg. 6). In fact, the rattlesnake is the spiritual animal of the Schaghticoke Tribe (Lucianne Lavin, 2013, *Connecticut's Indigenous people: What Archaeology, History and Oral Traditions Teach Us about their Communities and Cultures*, New Haven and London: Yale University Press, pg. 278).

A news article from May 1910 demonstrated George Cogswell's deep knowledge of the Schaghticoke Reservation – both its physical environments and tribal history. George, who is described as having lived on the Reservation for 50 years [since ca. 1860] led a tour of the Reservation lands, taking outsiders to various points of interest that included the tree-blazed western boundary line between the Reservation and New York State, old wood roads connecting charcoal-making areas, and former homesteads of tribal members on Schaghticoke Mountain. During the walk he talked about the Schaghticoke charcoal industry on the Reservation. George himself had worked as a collier, as had other tribal members (noted in the 19<sup>th</sup> century U.S. Censuses). One of them was Value Kilson. George mentioned that Value had researched the early land deeds and noted that the deeds for the homestead on the Schaghticoke Reservation known as the "Rogers' Place" dated back to 1780 and made no mention of an occupant by that name. George discussed other Schaghticoke homesteads along the tour and the tribal members who formerly occupied them. George's keen knowledge of tribal history, his informational exchange with Value, and even the very title of this news article

demonstrate that the Schaghticoke were an Indian community with a specific land base and whose members were actively in tribal relations with one another (A-12: *New Milford Gazette*, "Encircling Tribal Lands", dated May 6, 1910).

Announcement from May 1910 that George Cogswell was elected "Scout" of the Schaghticoke Rattlesnake Club, to fill the empty position once held by the recently deceased Schaghticoke leader James Harris. As noted in other documents cited, the role of Scout was to lead Club members to the Schaghticoke rattlesnake den during the annual hunt, and to ensure that they found and safely captured snakes. The fact that only Schaghticoke tribal members ever held this position shows that they had special, traditional knowledge of Reservation lands and rattlesnakes that was not shared with outsiders; that special knowledge indicated a discrete community separate from local white Kent folks. The news account also mentioned several Club members who were not Schaghticoke. They included a local politician and several newspaper men, white authority figures whose friendship the Tribe was obviously cultivating for future political support (A-122: *New Milford Gazette*, "Village and Vicinity", dated May 27, 1910, Reel C-02:4).

### 1911-1920

News announcement from June of 1911 of the upcoming Schaghticoke Rattlesnake Club hunt on the Schaghticoke Reservation. It noted that clam chowder would be served at "Scout" George Cogswell's house, a sheep dinner would be served after the hunt, and James Harris' grave in the Tribe's burying ground would be decorated. Treatment of George and James as tribal leaders by the newspaperman indicates political authority. The author's mention of Schaghticoke as "the Indian Reservation" shows he regarded Schaghticoke as an Indian community. The captured rattlesnakes would be brought to Bridgeport and placed in Dan Smith's cigar store window for public viewing. The article is meant to peak the public's interest in the Schaghticoke and its Club and engender interest in joining the hunt (A-129: *Sunday Herald*, "Hunters of the Rattlers Ready for Annual Drive", dated June 4, 1911).

This news article noted the efficacy of the Tribe's use of the press to maintain a positive public identity: "Automobile traveling through Scatacook is peculiarly difficult this week as the road on the west side of the river is being put to order by the road machine. The number of touring cars going over the road increases annually, caused no doubt by the advertising the locality has received through the medium of the annual rattlesnake hunts. Among those who made the trip to Scatacook village this week were superior Judge William L. Bennett of New Haven and probate Judge John T. Hubbard of Litchfield".

The visits to "Scatacook village" by judges from the superior court and the probate court indicate that the government viewed Schaghticoke as a discrete Indian community with whom they had a trust responsibility. The reporter's use of the term "Scatacook village" shows that he also believed that Schaghticoke was an Indian community distinct from the adjacent Kent town people (A-130: *New Milford Gazette*, "Kent", dated June 16, 1911).

This article from July 1911 is one of several news articles entitled "Scatacook", which described its residents and their daily lives, providing the public with a view of an American Indian community near Kent, giving the tribe the friendly publicity sought by its leadership. (A-131: *New Milford Gazette*, "Scatacook", dated July 28, 1911).

Newspaper interview from September of 1911 with Sarah Harris, the widow of Schaghticoke leader James Harris. Sarah was a noted basket maker. The reporter verified that the local white townspeople continued to acknowledge the preemptive rights of Schaghticoke members to trees traditionally used for making woodsplint baskets, despite on whose land the trees were growing.

**"The right of an Indian to cut basket timber in the Housatonic Valley will never be questioned as long as grass grows and water runs"** (A-122: *New Milford Gazette*, "Village and Vicinity", pg. 4). This quote echoes earlier and later cited documents on the aboriginal rights of the Schaghticoke, demonstrating their identification as an Indian community.

Another news article from July of 1912 simply entitled "Scatacook", which described the effects of that summer's drought on Scatacook and its rattlesnakes. The author distinguished Schaghticoke and its residents from Kent and other local communities by referring to it as a "village," and noting the Tribe's well-known reputation as snake handlers: "When any community wants to clear up the season's crop of rattlesnakes on a tract, they always send a messenger here to procure a snake charmer. All the dwellers of this village are friendly with rattlesnakes and know how to handle them." The writer obviously believed "Scatacook" was a discrete Indian community with special knowledge of its physical environments and animals within them (*New Milford Gazette*, "Scatacook", dated July 12, 1912).

Another article on "Scatacook" from September of 1912 described the rural scenery on a warm rainy day and provided a positive portrait of tribal leader George Cogswell as president of the Schaghticoke Rattlesnake Club and a person esteemed by his past schoolteachers for both his good behavior and scholarly endeavors. The author actually provided copious quotes from ca. 20 school "merit certificates" given to George by his teacher in the 1840s, kept by George and shown to the author. Cogswell obviously wants the outside world to know that he and the other members of

the Schaghticoke community are good, intelligent beings worthy of white respect (*New Milford Gazette*, "Scatacook", dated September 6, 1912).

Another news article from November of 1912 generated by George Cogswell's visit to the *New Milford Gazette* and his subsequent interview by one of its reporters. The "president and scout of the Schaghticoke Rattlesnake Club" discussed a hunting trip and told a story of when he was the guide of a surveying party on Schaghticoke Mountain. Night overtook them and he guided the party down the mountain in the dark. The journalist concurred that "Mr. Cogswell, who resides at Scatacook, is one who can find his way about in a fog or in the dark and has hunted over every part of it". The article acknowledged that Schaghticoke members such as George held special knowledge of their Reservation lands not shared with outsiders, and so non-residents, such as the surveyors, required George to guide them when they visited the Rez. Such special knowledge characterizes the distinct community the author referred to as "Scatacook", separate from the general Kent population (A-132: *New Milford Gazette*, "George Cogswell's Hunting Trip", dated November 12, 1912).

Tribal member Walter Rylus died and was buried in the Schaghticoke burying ground in February of 1913, demonstrating its continual use as the Tribe's spiritual center and its identity as a discrete Indian community (*New Milford Gazette*, "Bull's Bridge", dated February 28, 1913, Reel C-05:7).

News announcement from June 1913 of the annual Schaghticoke Rattlesnake Club hunt. The reporter discussed the planned events of the day, which included a storytelling session at which George Cogswell "will narrate some of his stirring tales of the old-time rattlesnake hunting on the Reservation". (*Sunday Herald*, "Schaghticoke Rattlesnake Club goes after Rattlers Today", dated June 15, 1913). This is one of several documented instances of Schaghticoke storytelling. Stories were passed down by Schaghticoke tribal members (as noted above and below); the stories often focused on tribal traditions such as rattlesnake lore and basketmaking. Oral traditions such as these characterize tribal communities.

The same month, a news report of the annual Schaghticoke Rattlesnake Club hunt held on the Schaghticoke Reservation, describing the usual events of that day, which included drinking of the Schaghticoke antivenom (sagwa), the hunt, and the sheep roast. Of note is the reporter's list of some of the white authority figures who attended, demonstrating the efficacy of Tribal frequent interviews and visits to the newsroom, cultivating relationships with newsmen: "Mayor Clifford B. Wilson of Bridgeport, George S. Hill, Police Commissioner, Dick Howell, newspaper proprietor and editor, Dad Barber, artist, City Clerk Boucher of Bridgeport, and other great men of Connecticut were on hand" (A-133: *New Milford Gazette*, "Snake Hunt at Scatacook, New York Sun Writer tells about Sunday's Gathering", dated June 20, 1913, Reel C-05:8).

Boston Globe article recognizing Tribe and customary traditions from June of 1913. References annual traditions of rattlesnake hunt and Great White Way (A-134: *The Boston Globe*, "Hunting Rattlers on Schaghticoke", dated June 22, 1913).

Another news article entitled "Scatacook", demonstrated that the local white communities recognized that the Tribe was a distinct Indian community centered in a specific geographic region – their Reservation lands near the town of Kent in July of 1913 (*New Milford Gazette*, "Scatacook", dated July 18, 1913).

Another news interview with George Cogswell, the Schaghticoke Rattlesnake Club "Scout", from June of 1914 about the rattlesnake den on the Tribe's Reservation. The journalist reported that George was keeping two rattlesnakes in a "woven-wire cage at his home at Scatacook village". His use of the term "Scatacook village" for the Reservation residents demonstrates that he believed they were a discrete Indian community separate from their white neighbors residing in the nearby village of Kent (A-122: *New Milford Gazette*, "Village and Vicinity", dated June 5, 1914, Reel C-06:4).

Another news interview with George Cogswell, "scout of the Schaghticoke Rattlesnake Club" from August of 1914. George mentioned that the events of the rattlesnake hunt had been filmed by a motion picture photographer. The tribe allowed the photographer to film the hunt because it planned to use the movie to advertise itself throughout the United States as a brave, friendly Indian community: "If the moving pictures of the hunt turn out well, they will be shown in the theaters of the country and thus the fame of Scatacook and its people will be widely increased."

The above quote showed that the journalist believed he was writing about a specific Indian community with its home base at "Scatacook". In fact that number of articles on and/or entitled "Scatacook" through the years published by the *New Milford* paper (and obviously agreeable to its editorial staff and publisher as well as its readership – see above and below) show that the local white communities also believed that "Scatacook" was a discrete Indian community separate from their communities of New Milford and Kent (A-122: *New Milford Gazette*, "Village and Vicinity", dated August 14, 1914, Reel C-06:5).

Another news report entitled "Scatacook", reported on happenings at "Scatacook village" in December of 1914. The reporter called Scatacook a "village" throughout the article, demonstrating his belief (and those of the paper's editors

and publishers, since they allowed his article to appear in print) that Scatacook was an Indian community separate from other communities in the surrounding towns and villages of Kent, New Milford, Sharon, and Dover Plains (*New Milford Gazette*, "Scatacook", dated December 11, 1914, Reel C-06:1).

Bills before the CT General Assembly, such as this one from January of 1915, clearly showed that the State of Connecticut believed that the Schaghticoke community was a sovereign Indian Tribe with whom the State had a trust responsibility. House Bill 335, "An Act making an Appropriation for the Schaghticoke Tribe of Indians," provided \$600 for the "support, care and education of the Schaghticoke Tribe of Indians". It was sent to the Senate Appropriations committee on January 25, 1915 (A-13: State of Connecticut, *Journal of the State of Connecticut, January Session, 1915*, published by the State, Hartford, dated 1915).

House Bill 362, a substitute for Bill 335 that lowered the appropriation for the "Schaghticoke Tribe of Indians" to \$400, passed both the House and the Senate on May 20, 1915 (A-14: State of Connecticut, General Assembly, *Special Acts Passed by the General Assembly, Hartford, 1915*).

In a Letter to the Editor of the *Hartford Courant*, from May of 1915, Judge John T. Hubbard, Judge of Probate for Litchfield, identified the Schaghticoke as a discrete Indian community with a traditional land base, of which their Reservation was a part. He referred to the Schaghticoke as "Indians" and as a "tribe" throughout the letter. He noted the existence of a Schaghticoke fund, shared by the Tribe and used to pay for their state-appointed overseers. He also noted that the grand juror of Kent refused to help the Schaghticoke because he recognized that the town had no jurisdiction over the Tribe.

He also admonished the Colony and State of Connecticut for its callous treatment of the Tribe. He blamed the Tribe's sad history on Connecticut's "harsh and unjust laws," which forced out their Christian Moravian missionaries and educators, allowed government-appointed white overseers to sell off tribal homelands, and allowed white outsiders to sell liquor to tribal members. He accused the government of neglecting its trust agreement with the impoverished and weakened Schaghticoke community: "I cannot see from a brief examination of the Colonial Records that the state ever did a thing for these Indians except appoint an overseer whose salary is paid by the Indians from the small and dwindling fund remaining from sale of their lands. ....No criticism should be made of the overseers appointed by the court but they have a very small fund with which to care for the small and improvident tribe."

Hubbard also mentioned the previous involvement of his colleague Gideon H. Welch, Judge of the Court of Common Pleas in Litchfield County from 1897 to 1914. Mandated by State Statute to appoint the Schaghticoke overseer, Judge Welch showed some interest in the community's welfare. He visited the Reservation, ordered a census of the tribe, and removed some outsiders that were encroaching on the Reservation land. Judge Hubbard also visited the Schaghticoke Reservation (see June 1911 above): "Former Judge Gideon H. Welch [*sic*] took much interest in the Tribe and once went to the reservation and caused some men who were living there unlawfully to be evicted. The Judge had hard work to get the grand juror to take action in the matter, as this official claimed the Town had no jurisdiction on the Reservation. Judge Welch [*sic*] had a census of the Indians made and found that, counting all there were 126 member of the Tribe in the State, but very few full blood" (A-15: Judge John T. Hubbard, "Appeal for the Scatacook Tribe", reprinted in the *New Milford Gazette* on May 14, 1915). The Letter demonstrates that officials of both the town and the state recognized that the Schaghticoke were a discrete Indian community in tribal relations. The fact that two high-ranking judicial officials believed this is significant because, as officers of the court, they would know the legal meaning of the term "tribe".

Publication by noted Eastern North American anthropologist Frank G. Speck, who identified the distinctive art traditions of several Indian tribes in Connecticut, including the "Scatticook" Tribe from November of 1915. Speck noted several characteristics of Schaghticoke baskets and basket making tools that made Schaghticoke baskets and basket makers distinct from those of other tribes. The publications support Schaghticoke identification as a distinct Indian community (A-16: Frank G. Speck, Department of Mines, Memoir 75, No. 10 Anthropological Series, Ottawa, 1915, pp. 1,5-7,33,35,37,39,41,62,63). (Bibliography attached under 1882 entry.)

That same month, the funeral of Schaghticoke Mary (Kilson) Jessen was described. Traditional ceremonies such as lining the grave with evergreen boughs (signifying everlasting life; the rite is still performed during Schaghticoke burial rites) and interment in the Schaghticoke burying ground on the Reservation as well as 50 mourners at the ceremonies demonstrate a discrete Indian community. The ceremonies were performed by tribal leader George Cogswell (A-110: *New Milford Gazette*, "A Schaghticoke Funeral, dated November 5, 1915).

House Bill 121, "An Act making an Appropriation for the Schaghticoke Indians," provided \$400 for the Tribe's "maintenance, support, care and education". It passed both the House and Senate on May 10<sup>th</sup> of 1917 showing that the State recognized the Schaghticoke as an Indian community with which it had a trust responsibility (State of Connecticut, General Assembly, *Special Acts and Resolutions of Connecticut with Appendices containing Appropriations and Grants from the Treasury and Executive Appointments*, Vol. XVII - Part 2, Hartford).

In a 1982 interview, New Milford Town Historian Howard Peck reminisced on Schaghticoke rattlesnake handlers. He recalled that Earl Kilson caught the largest known rattlesnake – eight to 10 feet long. Peck remembered seeing a news photo of tribal member William Russell (1899-1955) holding the live snake. He believed that Russell had been 18 or 19 years old at the time, which would place the year of the event as 1917 or 1918 (A-135: *Community Study Oral History Interview*, conducted by Paula Rabkin, April 5, 1982). Howard's interview showed the passing down of a Schaghticoke tradition – rattlesnake lore – to younger generations of tribal members, indicative of discrete Indian community. Earl Kilson was the son of Bertha Kilson and the grand nephew of snake handler Charles Kilson. Bill Russell was a grandson of tribal leader and Scout of the Schaghticoke Rattlesnake Club James Harris; he was also the father of the present SIT chief, Alan Russell.

House Bill 266, "An Act making an Appropriation for the Schaghticoke Tribe of Indians," provided \$400 for the Tribe's support. It passed the House and went to the Appropriations committee on January 31<sup>st</sup> of 1918. On March 28<sup>th</sup> of the same year, that committee recommended passage of the Bill and it went to the Senate where it was tabled "for the Calendar". The Bill shows that the State recognized the Schaghticoke as an Indian community with which it had a trust responsibility (A-17: State of Connecticut, *Journal of the Senate of the State of Connecticut, Special Session, 1918*, pages 258 & 824, published by the State, Hartford).

House Bill 266 was finally approved by the House and Senate on April 15<sup>th</sup>, 1919; \$400 was appropriated for the Tribe's "maintenance, support, care and education" of the Schaghticoke Tribe, demonstrating the State's recognition of the Schaghticoke as a discrete Indian community with whom they have a trust responsibility ((State of Connecticut, General Assembly, *Special Act Passed by the General Assembly*, of the State of Connecticut, Special Laws, pg. 108, Hartford).

An extensive news article on the Schaghticoke that showed them to be an Indian community separate from the general Kent population in several ways was published in 1919. The author's use of such terms as "squaw", Indian princess", and "Indian" clearly showed he believed that the Schaghticoke were an Indian community. He mentioned a recent tribal census that showed about 100 members living on and off the Reservation in tribal relations. Off-Reservation members, such as Robert Kilson who lived in New Haven, did so to obtain work. They continued to keep in contact with Reservation members and return to the Rez when they were able. The journalist discussed a number of tribal members by name, their offspring and their ancestors, and included photographs of a number of them.

According to the article, the last year of the Schaghticoke Rattlesnake Club hunt was 1918; it had not been held this year due to the onset of Prohibition and the fact that sagwa, the traditional Schaghticoke antivenom for snakebite consumed by the hunters, contained alcohol. Sagwa was part of the Tribe's rattlesnake lore – special information on the Reservation snake den, snake behavior, snake stories, etc. passed down to tribal members by their culture keepers – a characteristic identifying a discrete Indian community:

"At the last gathering, much ceremony was made of destroying the recipe of the snake bite cure. This recipe was handed down by the Indians from generation to generation."

The traditional events of the Club hunts were enumerated, including snake capture, the celebratory sheep roast and green corn dinner, and Schaghticoke women sometimes provided entertainment with dancing:

"In the early history of the club, some of the squaws on the reservation furnished some kind of entertainment in the way of dancing" (A-18: *Hartford Courant*, "Where the Last of Our Red Men Linger", dated December 21, 1919).

Another news account entitled "Schaghticoke" (spelled "Scatacook" in previous news articles), about the Schaghticoke community on their Reservation, based in part on the December 21<sup>st</sup>, 1919 article that was published by the *Hartford Courant* (see above). The officers of *The New Milford Times* thought the *Courant's* portrayal of their local Indian tribe – the Schaghticoke – "so good that we take the liberty of republishing some of the more important parts of it". The quote, the title of the news article, and subsequent account demonstrate that local newspaper men as well as those in Hartford, believed the Schaghticoke were a discrete Indian community with a specific land base. Like the *Courant*, *The Times* article also noted that the last hunt of the Schaghticoke Rattlesnake Club was in 1918 due to its snake bite remedy, sagwa, having been banned by Prohibition (A-19: *The New Milford Times*, "Schaghticoke", dated December 25, 1919).

Another news interview with George Cogswell from June 1920. The reporter's racist attitude, revealed in his use of pidgin English, and his use of the term "tribe" to describe the Schaghticoke, shows that he believed the Reservation residents were part of a discrete Indian community: "Man bitten, rattlesnake, he dies. No cure now. Prohibition. Big sport now, hunt rattlesnake. No cure" (A-20: "Only Three of Ancient Tribe Left, Trio of Indians Occupy 1,000 Acre Reservation in Connecticut Hills", news clipping from an unidentified newspaper dated June 1, 1920).

An article from 1921 on an incised wooden cup from northwestern Connecticut by George G. Heye, the founder and director of the Museum of the American Indian in New York City from 1916 until 1956. Heye noted that "some descendants of the Scaticook tribe [are still] living near New Milford, and undoubtedly they are the Indians who inhabited the vicinity of Gaylord's Bridge; hence the cup may be attributed to the Workmanship of the Scaticook tribe of the Mahican." Heye's use of the terms "Indians" and "tribe" when discussing the Schaghticoke show that he believed they were a discrete Indian community (George G. Heye, "A Mahican Wooden Cup", *Indian Notes and Monographs*, 5(2): 16-18).

Overseer, Jabez Swift, wrote to the Governor of the State regarding the Tribe in Collections of the CT Historical Society, recording recognition of the Tribe as an Indian Entity and a distinct community, and the official political relationship of that Entity with the State in 1921. A-22: Collections of the CT Historical Society Volume XIX (11, 3 pgs.).

Connecticut House Bill 424, "An Act making an Appropriation for the Schaghticoke Tribe of Indians" of \$400 was approved by the Senate and House on April 20<sup>th</sup>, 1921, "for the maintenance, support, care and education of said Indians". Its passage by the State General Assembly showed that Connecticut identified the Schaghticoke as a discrete Indian community with whom it had a trust responsibility (A-46: State of Connecticut, General Assembly, *Special Acts and Resolutions of the State of Connecticut with Appendices containing Appropriations and Grants from the Treasury and Executive Appointments*, Volume XVIII, Part 2, pg. 471, Hartford).

*A Tourist's Guide to Connecticut* listed the "Schaghticoke Reservation" as a major destination of interest to travelers in 1923. The Guide's publisher was The Mattatuck Historical Society of Waterbury, which signifies that state historians viewed Schaghticoke as an Indian community distinct enough from the general population to be worth a trip to the boondocks of northwestern Connecticut (A-23: Rawson Haddon, *A Tourist's Guide to Connecticut, containing lists of old and historical houses, historical sites, and other things of interest in the State*, The Mattatuck Historical Society, Waterbury, pp. 38-39).

Special Act 340 providing \$400 for the Schaghticoke Indians was approved by the general Assembly on May 24, 1923. The appropriation demonstrated that the State recognized the Schaghticoke as a discrete Indian community with whom they had a trust responsibility (State of Connecticut, General Assembly, *Special Acts and Resolutions of the State of Connecticut with Appendices containing a List of Joint Stock Corporations, etc.*, Volume XIX – 1923 and 1925, pg. 220, Hartford).

Connecticut Park and Forest Commission assumed responsibility over the state's Reservation and its Indian communities from individual overseers. Its biennial reports synopsized events on the Schaghticoke Reservation and reported transactions within the Schaghticoke Tribal Fund in 1925. These actions by a State Agency showed that the State Government identified the Schaghticoke as a discrete Indian community to which it had a trust responsibility (A-24: State of Connecticut, Park and Forest Commission. Report of the State Park and Forest Commission to the Governor, Hartford, December 1, 1924, pg. 139).

That same year, the Legislative Committee on Parks and Reservations repealing some existing statutes and placing Indians under care of Commission. Appointed the State and Park commission overseer of Indians in Litchfield County. Overseer Chase of Kent, arrangement to continue with Superintendent. Investigations of conditions required and referred to Field Secretary and Superintendent.

Letter from Schaghticoke tribal member George Cogswell to federal Commissioner of Indian affairs regarding the Tribe's Reservation. From January 29<sup>th</sup>, 1925. (National Archives, Indian Affairs, 1925.)

Chief Clerk C. F. Hauke letter to Schaghticoke tribal member regarding the Tribe's reservation from March 10<sup>th</sup>, 1925. (S-8: National Archives, Indian Affairs, Assistant Commissioner E.B.) (Please see attachment under first posting: 1925.)

Letter dated March 19, 1926 from DOI Indian Affairs clarifying that Schaghticoke Indian Reservation is administered by the state and not the federal government to inquiring tribal member, Frank Cogswell. (A-136: Letter E.B. Meritt, Assistant Commissioner, Indian Affairs to Schaghticoke Tribal Member, Frank Cogswell (S-8: National Archives, Indian Affairs, Assistant Commissioner E.B.) (Please see attachment under first posting: 1925.)

The Connecticut State Park and Forest Commission acknowledged that Schaghticoke were a discrete Indian community in its Biennial Report to the Governor in June of 1926. The report observed that the State "for nearly 200 years has recognized a right of use by the Tribe" on their Reservation in Kent (pg. 24). The Report's author stated that: "There are, according to the best report I can obtain, some fifty people who claim relationship to this tribe scattered throughout the state, but there are only three on the Reservation" (pg. 42).

The quote acknowledges that the Tribe's on and off-Reservation members were in tribal relations. The Report listed the expenditures and assets for the time period covered to the "Schaghticoke Indian Reservation Fund" (A-25: State

of Connecticut, Park and Forest Commission, *Ninth Biennial Report of the State Park and Forest Commission to the Governor*, Hartford, June 1926.

News article on the reunion of the Schaghticoke Rattlesnake Club in June 1926 on the Tribe's Reservation. The reunion was coordinated by Howard Harris, the youngest son of James Harris, deceased Scout of the Club until his death in 1909 (see above news articles). Frank Cogswell, a son of the Club's deceased President George Cogswell, kept a "register" of the reunion attendees. Over 75 years later (ca. 2003), the register was mentioned by Truman Cogswell, a great-grandson of George Cogswell, in a telephone conversation with anthropologist Lucianne Lavin. Truman believed that one of the Cogswell family members living in New Haven was in possession of the document (Lavin, personal communication 2018). Club members visited the Schaghticoke Burying Ground to place flowers on James' grave and attempted to climb Schaghticoke Mountain to visit the snake den. (A-137: Lindsey Denison, "Snake Hunters Capture Memories but No Rattlers", *Bridgeport-Waterbury Herald*, editorial section, pg. 1, dated June 6, 1926). Howard was unsuccessful in reconvening the original Schaghticoke Rattlesnake Club. He and other tribal members did, however, continue the annual snake hunts informally for many years, according to his daughter Adele(Harris) Garby (1926-1992): "Garby noted every May her father returned to the rattlesnake hunts which 'were a social affair – like going out to play gold'" (B-45: Jill Peacock, "Milford Woman Attends Canonization of First American Indian Saint", undated news clipping from the *Milford Citizen*). Other evidence that the Schaghticoke continued the annual rattlesnake hunts for many years after 1918 was provided by Howard Harris's grand-niece, Mary Fradette (AKA Dolly Kodamac (b. 1918), the eldest daughter of Ella (AKA Alice) Harris Storm Kodamac Van Valkenburgh, Howard's niece and the daughter of Howard's older sister, Grace Harris Storm) in an interview. She recalled that her mother would attend hunts and capture snakes. The motive was economic as well as social: "I remember my mother going but me you couldn't get me to go. I said you go I'm not going. And when they did, I didn't care. I mean selling skins, they want to sell the skins and the meat for oil. I said you go I'm not going. As for me I want no part of the snakes" (A-138: pg. 6, *Interview of Mary Fradette and Flora Story* by Angelito Palma, February 28, 2003). The continued tradition of rattlesnake hunts by the Tribe demonstrates community.

Kent resident Fred Lane, the tribe's overseer from 1905 to 1914 as well as their immediate neighbor south of the Schaghticoke Reservation – wrote a description of the Reservation community in which he described each household on the Reservation in May of 1927. There are some discrepancies in vital statistics and genealogy, but his manuscript "The History of the Schaghticoke Tribe of Indians" clearly depicted a small but viable Indian community in tribal relations. The title of his work shows that Lane himself believed the Schaghticoke were an Indian community. His long and close relationship with tribal members puts him in a strong position to make that determination (A-27: Fred Lane, unpublished manuscript dated May 20, 1927, on file with the Connecticut Park and Forest Commission, Hartford).

Another article about the Schaghticoke Tribe and its Reservation from February of 1929. The author reported that although only nine members lived on the Reservation, over 50 members lived off-Rez. His portrayal of the Schaghticoke is one of a small but viable Indian "tribe" in tribal relations, attempting to continue in its traditional lifeways. He described them as: "a living remnant of the days when Connecticut was a forest and Thomas Hooker journeyed through the wilderness".....chief product is rattlesnakes" (A-28: *Danbury Evening News*, "Indians Still State Wards: Nine Members of Schaghticoke Tribe present Problem to Connecticut", pg. 9, dated February 1, 1929). The journalist obviously believed he was visiting a discrete Indian community separate from those of the surrounding white population.

### 1931-1940

From July 1931-June 1940, the State Park and Forest Commission itemized the debts and assets to the "Schaghticoke Indian Reservation Fund". The Fund was shared by tribal members in need, and its use mirrored the traditional nature of the Schaghticoke as an Indian community. The fact that the State regularly and continuously made appropriations to the Tribe showed that Connecticut recognized them as an American Indian entity and was dutifully executing its trust responsibility to them. 7/1/31-6/30/32 Schaghticoke Indian Reservation Fund. 7/1/30-6/30/32 Schaghticoke Trust Fund. 7/1/32-6/30/33, 7/1/33-6/30/34: Schaghticoke Indian Reservation Fund. 7/1/32-6/30-34 Schaghticoke Trust Fund. 7/1/35-6/30/36, 7/1/36-6/30/37 Schaghticoke Indian Reservation Fund. 7/1/35-6/30/37 Schaghticoke Trust Fund. 7/1/37-6/30/38, 7/1/38-6/30/39 Schaghticoke Indian Reservation Fund. 7/1/38-6/30-40 Schaghticoke Trust Fund.

Lewis S. Mills, the supervising agent for the Connecticut State Board of Education and a local historian familiar with the Schaghticoke Reservation community (which he visited and photographed tribal members performing traditional activities; see below), recognized the Schaghticoke as an Indian community in his book on the history of Connecticut in 1932. He sympathized with the Schaghticoke's efforts to survive as an indigenous community: "It has been hard for these Indians to follow successfully the ways of the white man" (A-29: Lewis Sprague Mills, *The Story of Connecticut*, 1<sup>st</sup> edition, Charles Scribners Sons, New York, 1932).

Bertha Kilson Riley's husband Michael died on April 10<sup>th</sup>, 1932 and was buried in the Schaghticoke Burying Ground on the Reservation. One of the pall bearers was Schaghticoke Henry Bradley from Stratford, which showed tribal relations between on and off-Reservation members. The funeral and burial are one of a number of examples showing continued tribal use of its third consecutive cemetery on the Reservation for members and their spouses since it was created ca. 1904. The events show Schaghticoke to be a discrete Indian community.

Two photographs by Lewis S. Mills dated 1933. One is a group photo of a gathering of tribal members dressed in regalia (traditional Indian clothing) and forming a ritual circle, entitled "Scatacook Indians - Kent 1933". The second photo is of Frank Cogswell in regalia, entitled "Frank Cogswell. A Scatacook Indian of Kent 1933". The photos show that tribal members continued to practice their Native traditions, demonstrating they are a discrete Indian community (A-30: Connecticut State Library, *Mills Collection - Photographs 1933-1935*, Hartford).

The Schaghticoke Tribe began preparing their federal land suit known as Docket 112 as early as 1933, according to Franklin (AKA Elewaththum) "Swimming Eel" Bearce (1878-1965), a non-Schaghticoke mediator for the Tribe in that matter, in his letter to on and off-Reservation members ("All Reservation and Isolated Kent Schaghticoke Indians") dated May 16, 1955. Bearce focused on the revised lawsuit, but he also noted that at some time before the Tribe initially filed their suit, they reorganized their political structure.

"The Tribe reorganized. William Cogswell senior was elected Sachem, [Earl] Kilson and Howard Pan Harris Sagamores and the Eel Medicin [sic] man. When Claims were filed the Eel was elected Tribal Chairman [of the Schaghticoke Claims Committee] and has functioned in such capacities to date" (A-139: Franklin "Swimming Eel" Bearce, *Letter to All Reservation and Isolated Kent Schaghticoke Indians* dated May 16, 1955).

Tribal leaders were elected to formal offices and a "Claims Committee" was formed. Although a non-Schaghticoke, Bearce was appointed chairman of that committee by the Tribe for several reasons. Bearce also appeared to have the economic resources to spend the time and money to pursue the lawsuit on the Tribe's behalf. His most important asset, however, was his active membership in several politically savvy pan-Indian organizations. These organizations began to appear in the 1920s, and by the 1930s they were flourishing (A-140: Hazel W. Hertzberg, *Search for an American Indian Identity*, Library of Congress 77-140889, 1971, pp. 218-236. "The most explicit statements made by the leaders of the society [of American Indians] concerned self-determination" (Hertzberg, *op. cit.* pg. 180). "Thus, by the early thirties, fraternal Pan-Indianism could be clearly identified and had emerged as a continuing force in American Indian life. Like reform Pan-Indianism, it used the idea of 'the Indian race' as the Indian common ground and emphasized past Indian virtues assumed to have been held in common by all Indians...The activities of the various clubs tended to be quite similar, being fraternal, social, and educational. Often dances and powwows were featured. The celebration of American Indian Day continued as a favorite activity of many clubs, and better education was a perennial theme" (Hertzberg, *op. cit.* pp. 234-235).

Their members were very cognizant of the legal procedures tribes must follow to file claims against the federal government for recovery of their lost homelands under the Indian Reorganization Act of 1934. Bearce's use of the term "reorganized" in the quote above obviously referred to this Act. Factors likely leading to the Tribe's decision to file a land claim were the pro-Indian environment in Washington that resulted in the enactment of the Act, their connection to pan-Indian society members, and the fact that a number of the Tribe's newsmen friends and other influential former Schaghticoke Rattlesnake Club members were still alive to provide assistance.

Bearce's description of the tribal election at this time was corroborated by Howard C. "Bud" Harris, Howard Harris's eldest son, in a 1997 interview. Bud reported that his father had been a "War Sagamore" before he was elected Chief in 1954 - and before Bud left home to enter the U.S. Navy ca. 1943. He remembered Howard possessed an axe and other symbolic paraphernalia of that office that he used in tribal ceremonies (A-141: Howard Harris, "Community Study and Oral interview conducted by Lucianne Lavin, Ph.D. on November 19 & 20, 1997, pg. 12).

Prior to the 1930s, Schaghticoke leadership appeared to be more informal with (1) culture keepers preserving and passing down tribal history and traditions, and (2) lineage heads coordinating and leading tribal economic and socio-political activities. The ca. 1933 Schaghticoke election created formal leadership positions more suitable for negotiating with federal officials (as shown in documents above).

Letter from the Real Estate Purchasing Agent for the CT State highway Dept. to the Schaghticoke Tribe's institutional overseer, the Park and Forest Commission, showing Connecticut's acknowledgment that "the Schaghticoke Indians" owned lands in common; that is, that they were a traditional corporate entity, which characterizes an Indian community. In the letter, the Purchasing Agent asked that a portion of lands included in two mortgages transferred by William Talbott to "the Schaghticoke Indians" be released to the Highway Dept in March of 1933 (A-31: A.H. Langley, Letter to the CT State Park and Forest Commission, Hartford, dated March 27, 1933).

Sarah Harris died in September of 1933 and was buried in the Schaghticoke Burying Ground on the Reservation, which continued to be the Tribe's cemetery for its members and their spouses since its second burying ground had been

flooded over by the building of Bull's Bridge Dam in 1904, demonstrating Schaghticoke was a discrete Indian community (Paula Rabkin, "Inventory of Schaghticoke Burial Ground," unpublished ms. Sent to Rabkin by anthropologist Ann McMullen, who at the time was the Collections Manager at the American Indian Archaeological Institute).

1934: There was also a request for house repair by a reservation resident. 1934: CT received an application or inquiry from a New York resident of 1/4 Schaghticoke blood who wished to be recognized as a member of the tribe. There is no information on the outcome of the decision. The Commission was authorized to pass questions of eligibility for residents on the reservation. Doubtful cases would be referred to the U.S. District Attorney.

Charles William Kilson died June 22<sup>nd</sup>, 1934 and was buried in the Schaghticoke Burying Ground on the Reservation. As with previous burials noted above, it demonstrates a discrete Indian community (Anonymous 1993, *List of Burials at Schaghticoke*).

News article that provided a tribal perspective of Schaghticoke history and the 1934 Schaghticoke community on the Reservation. Reporter interviewed tribal elder Bertha Kilson Riley (1879-1939), who showed him photos of tribal members and provided detailed descriptions of them and of past tribal events. Bertha provided the reporter with a tour of the Reservation households and introduced him to the residents.

Bertha's information on the Tribe was extensive and holistic in the sense that she knew well the life histories and stories about members from all Schaghticoke lineages, not just her own. For example, she discussed the Civil War exploits of Nathan Cogswell and the craftsmanship of Henry Harris as a tinsmith and blanket maker, as well as the Christian work ethic of Value Kilson and Parmelia Mauwee Kilson's English-type plank house – the first one on the Reservation ca. 1803. She told the reporter stories about the Schaghticoke rattlesnake hunts, the tribe's traditional summer migrations to Long Island Sound to collect and dry shellfish, and the Tribe's ordeal of having to remove and rebury their ancestors from the tribal burying ground 30 years previous when the cemetery was flooded during creation of the Bull's Bridge Dam. (The Peabody Museum of Natural History at Yale University has several photographs of the event, including Value Kilson removing his father's remains for reburial in the Tribe's third known burying ground on the Reservation. One of the photos included Bertha Kilson – See Lucianne Lavin op. cit. 2013:356.) Significantly, the ancestral remains were reburied in the traditional Schaghticoke manner, showing the community continued to follow certain Schaghticoke cultural traditions: "At one of the small houses, back of the others, on the hillside, lives the grand-daughter of Value Kilson, the most kindly and learned Indian of the Schaghticoke Tribe. She is very hospitable as were her Christian forefathers, and by pictures and personally will introduce a visitor to the other nine members of the settlement who are all related. They do not dress as their ancestors nor do they have those old blankets or the feathers of the braves for the Indian is buried with all his possessions. A few years ago, when a hundred Indians had to be removed from an old burial ground to the one on the Reservation the remains were again wrapped in blankets, in tribute to the Indian rites."

Bertha's familiarity with tribal history that occurred well before she was born (e.g., tribal involvement with the Civil War, Parmelia's plank house built in the early 19<sup>th</sup> century) indicates that knowledge of these events were being passed down orally to tribal members through the generations – another characteristic of a tribal community. Additionally, by his use of such terms as "Schaghticoke Tribe", "Indian" and "Indian rites", it is obvious that the journalist believed he was visiting an Indian community ("Last of Shaghticoke[sic] Lead Quiet Lives among Ancestral Relics at Kent", news clipping from unidentified newspaper dated November, 1934). The article clearly shows that in 1934 the Schaghticoke remained a discrete Indian community who still practiced tribal traditions and shared tribal stories orally.

A photograph by Lewis S. Mills of a ritual gathering of Schaghticoke tribal members in full regalia, entitled "Indians at Scaticook Reservation in Kent, 1935, lot 5-25". The photo shows Schaghticoke tribal members participating in a traditional Indian ceremony and demonstrates that Schaghticoke is a discrete Indian community (A-30: Connecticut State Library, *Mills Collection – Photographs 1933-1935*, Hartford).

This document about the Schaghticoke Reservation residents by folklorist A-33: Francis R. Cole supports both tribal community and tribal leadership in 1935. Cole interviewed Bertha Kilson Riley and Frank Cogswell at the Kilson house, where she and Frank were about to write an article on the Schaghticoke community, which had been solicited of them by an unnamed newspaper. With Cole, the two discussed Schaghticoke cultural traditions, especially the importance of the Schaghticoke rattlesnakes to the tribe, and their tribal burying ground, as documents above show had been used continuously for tribal funerals and burials since its inception ca. 1904, when the earlier tribal cemetery had been flooded during construction of Bull's Bride Dam – see above articles: "They take excellent care of the ancient Indian cemetery which was moved a few years ago from its original spot, because it was too near the river, to another location" (A-33: Francis R. Cole, "The Last of the Schaghticoke[s]", in *Folklore and Folkways Survey*, Box S5210-211, RG33, *Records of the Works Projects Administration, CT 1935-1944*).

This *Map of Litchfield County* highlighting major points of interest was produced by the Connecticut League of Women Voters for tourists and sightseers. The fact that the "Schaghticoke Indian Reservation" was included as a major point of interest shows that the CLWV considered the Schaghticoke "Indian" community to be distinct enough from the

County's white communities to be worth a visit (A-34: Jerome S. Hoxie, 1935, *Map of Litchfield County*, The Connecticut League of Women Voters, no city provided). The publication is an example of the long-term effectiveness of the Tribe's public relations strategies under George Cogswell and James Harris during the early 1900s – see documents above.

In 1935, the State Park and Forest Department was given jurisdiction over the tribe (A-32: Soulsby 1979). There was also a request for a release from a mortgage that had been executed in 1846 to the overseer of the tribe.

The Connecticut General Assembly passed Special Act 524, which provided \$1,700 “for care of Schaghticoke (*sic*) Indians” in January of 1935. The Act reaffirmed Connecticut's identification of the Schaghticoke as a discrete Indian community to whom the state had a trust responsibility (A-35: State of Connecticut, General Assembly, 1935, *Special Acts and Resolutions of the State of Connecticut with Appendices containing Appropriations and Grants from the treasury and Executive Appointments*, Volume XXII, Part 1, pg. 394, Hartford).

The Schaghticoke Tribe filed their original land claim with the Clerk for the Court of Claims in Washington, DC in 1936, according to Elewaththum “Swimming Eel” Bearce in his February 8, 1951 letter to the Clerk for the Court of Claims. The letter is one of three documents in which Bearce stated that the Schaghticoke land claim was originally filed in 1936 (see also 1933 above).

“In 1936 representatives of the Kent Tribe of Schaghticoke Indians filed original Schaghticoke Indian Claims with the Clerk of the Court....” (A-142: Elewaththum Bearce, letter to Willard L. Hart, Clerk, dated February 8, 1951). The time frame of events fit well with the Tribe's involvement with pan-Indian organizations in the early 1930s and the enactment of the federal Indian Re-organization Act in 1934 likely stimulating a 1936 filing.

A document dated 2/5/36 shows the State park and forest commission meeting. Known members of tribe, residents, and non-residents as of Dec. 1935. 3/11/36 section 1587I of general statutes (1935) state park and forest commission overseer of Schaghticoke and other tribes. Disbursement of tribal funds. The *Minutes* for the March 11, 1936 Meeting of the State Park and Forest Commission listed the indigenous “tribes of Indians” for whom Park and Forest was the institutional overseer. The list included the Schaghticoke, which clearly demonstrates that the state of Connecticut recognized the Schaghticoke as a discrete Indian community (A-36: State of Connecticut, Park and Forest Commission, *Meeting No. 282*, March 11, 1936).

Off-reservation tribal member Joseph Bradley died on April 24, 1936 and was buried in the Schaghticoke burying ground on the Reservation, demonstrating the Tribe's continuing tradition of its use as the final resting place for Schaghticoke and their spouses (A-37: “Inventory of Schaghticoke Burial Ground”, sent to Paula Rabkin by Ann McMullen, Collections Manager at the American Indian Archaeological Institute sometime in the 1980s).

Off-reservation tribal member Lois Harris Finkenauer died on October 5, 1936 and was buried in the Schaghticoke burying ground on the Reservation. The continual tradition of use of the burying ground for tribal members and their spouses shows the Schaghticoke to be a discrete Indian community (A-37: “Inventory of Schaghticoke Burial Ground”, sent to Paula Rabkin by Ann McMullen, Collections Manager at the American Indian Archaeological Institute sometime in the 1980s).

A 1937 document written by Kent resident Clifford Spooner (and published in 1989 by the Kent Historical Society) provides evidence that the Schaghticoke were identified as a discrete Indian community quite separate from local white communities by their contemporary Kent neighbors. Spooner acknowledged that the white townspeople recognized the aboriginal right of the Schaghticoke “Indians” to trees used in their traditional craft of woodsplint basketry. He recalled Schaghticoke cooperative work groups seeking out, preparing and carrying the wood back to their Reservation for basket manufacture: “It might be said here that the Indians had to travel long distances sometimes in search of the timber for their basketwork. Most of it was Black Ash, which is not a common tree in this part of the state, and whenever they found a tree they liked, they had a right to cut it and carry it away. The farmers all recognized this right and sometimes even took the logs home for them. But more time they had to carry them for miles on their shoulders and many times they were quite large and 12 to 15 feet long” (A-40: Clifford Spooner, “Who Knows” (1937) in *Kent Tales*, edited by the Kent Historical Society, Watershed Inland Press, New Milford, CT, 1989).

Connecticut General Assembly passed Special Act No. 610, providing \$1675 for the support of the “Schaghticoke Indians”, demonstrating that the state continued to identify the Schaghticoke as a discrete Indian community to whom they had a trust responsibility in January of 1937 (A-41: State of Connecticut, General Assembly, 1937, *Special Acts and Resolutions of the State of Connecticut with Appendices containing Appropriations and Grants from the Treasury and Executive Appointments*, Volume XXII, Part II, pg. 1025, Hartford).

Tribal member Ruth C. Kilson died on July 5, 1937 and was interred in the Schaghticoke burying ground on the Reservation (A-42: Anonymous, “List of Burials at Schaghticoke”, 1993).

News account that the State Legislature had approved the drilling of an 87-foot deep well and the repair of a house on the Schaghticoke Reservation, showing that Connecticut continued to identify the Schaghticoke as a discrete Indian

community to which it had a trust responsibility from November of 1937 (A-43: *New Milford Times*, "Kent", dated November 4, 1937).

Publication of a tourist *Guide* to Connecticut featured the Schaghticoke Reservation as a major destination spot. It shows that the authors of the *Guide* believed the Reservation community to be so distinct from their surrounding white neighbors that they were an interesting cultural attraction for tourists and travelers in 1938 (A-44: Workers of the Federal Writers, *American Guide Series - Connecticut, A Guide to its Roads, Lore, and People*, Houghton Mifflin Co., Boston, pp. 454-455, 1938

1938: release of a mortgage on property entered in 1867 held by the overseer of the tribe. March (B-56).

1939: An invitation from the Schaghticoke Tribe on behalf of the Indian Association of America.

In the State General Assembly, the House passed a bill providing a \$2,000 appropriation for the Schaghticoke Indian Reservation, demonstrating that Connecticut continued to identify the Schaghticoke as a discrete Indian community to which it had a trust responsibility in April of 1939. Not only had the bill passed without any opposition, but the Tribe's right to the appropriation was forcibly defended by legislators from nearby Kent and New Milford. When the bill was introduced in the House, Rep. Tonkonow of Meriden made "a number of facetious remarks" about Indians, at which point Representatives Peet of Kent and Marsh of New Milford championed the Schaghticoke, with Mr. Marsh directing Tonkonow to visit Litchfield County and its "glories and compare them with Meriden". This exchange demonstrated that the State Representatives from towns adjacent to the Reservation were familiar enough with the history of the Schaghticoke as an ancient Indian community to show them the respect they deserved (A-45: *Danbury News-Times*, "War Whoops Sound", dated April 13, 1939).

The State Senate also approved the above bill, and so on May 2, 1939 the General Assembly passed an Act to expend the balance of the 1937 appropriation (reported above) for "any lawful expenses of the Schaghticoke Indians" (A-46: State of Connecticut, General Assembly, *Special Acts and Resolutions of the State of Connecticut with Appendices containing Appropriations and Grants from the Treasury and Executive Appointment*, Volume XXIII, Part I, 1939, pg. 142, Hartford).

Swimming Eel Bearce's letter to the CT Board of Fisheries and Game on behalf of the Schaghticoke, Mohegan, and Pequot Tribes regarding tribal rights to hunt and fish without the need for licenses is an example of the Tribe's use of an experienced, non-Schaghticoke mediator in dealing with outsiders from May of 1939. In this case, Bearce as a pan-Indian leader was much more experienced in dealing with federal and state officials than Schaghticoke leadership. The triple tribal alliance showed that the Mohegans and Pequots identified the Schaghticoke as a bonafide Indian community (A-47: *Letter to R.P. Hunter* dated May 18, 1939, CT Board of Fisheries and Game, Hartford).

An August 1939 news announcement of the "Indian Day" celebration co-sponsored by the Schaghticoke tribe and the American Indian Association of America (AIAA), which was scheduled to be held October 1<sup>st</sup> on the Schaghticoke Reservation. The announcement portrayed Schaghticoke as a discrete Indian community, in that the AIAA, a pan-Indian association, chose them to co-sponsor the event and chose their reservation as the locality for that event. AIAA also allowed Schaghticoke leadership to lead some of the main proceedings of the event. The "address of welcome" was provided by "the Schaghticoke sachem" Frank Cogswell (not identified in this article but he is in other documents that described the event - see below). Earl Kilson, identified in a previous document as a Schaghticoke Sagamore, made bows and arrows at the event. "Gray Owl, Scattacook" raised the flag of the American Indian Association", and the Tribe's non-Schaghticoke intermediary, A-139: Franklin "Swimming Eel" Bearce, lit the Council Fire, lead the peace pipe ceremony, and danced the rattlesnake dance. None of this would have happened if the AIAA did not identify the Schaghticoke as an Indian community (A-51: *New Milford Times*, "Heap Big Powwow," dated August 24, 1939).

Written in conjunction with the Indian Day celebration announced above, this publication from September of 1939 recounted the history and traditional culture of the Schaghticoke community from the viewpoint of a local Kent resident, Marian Cornwell. It leaves the distinct impression that Kent folks liked and sympathized with their long-time neighbors, that everyone knew the Schaghticoke were real Indians, albeit friendly and peaceful, but that their community was still quite distinct from those of the local whites. Included was a discussion of Schaghticoke woodsplint basketry, local whites' recognition of the Schaghticoke's pre-emptive right to basket wood anywhere in Kent, and Schaghticoke rattlesnake expertise. Cornwell profiled several tribal leaders - both informal culture keepers and formally recognized leadership - and provided photos of them and the reservation community. They included the late James Harris as a tribal leader with special knowledge of the Reservation land and its rattlesnakes; James' mother Abigail Mauwee Harris, a well-known basket maker; and Frank Cogswell, whom the author identified as the "Schaghticoke Sachem", who would hold "a post of honor in the American Indian Day Celebration." (A-52: Marian E. Cornwell, *The Schaghticoke: Descendants from Our First Americans*, The In-Kent Vicinity Associates, Kent, published September 1939).

Sharon hospital bill for tonsillectomies performed on three Schaghticoke children - [REDACTED], Russell Kilson, and Earl Kilson that was stamped "paid" and "with my approval John W. Chase" written upon it in October of 1939.

Chase was the Schaghticoke overseer appointed by the state. A Connecticut state purchase order showed that the payment came out of the "Schaghticoke Indian Fund", all of which demonstrated that the state of Connecticut recognized the Schaghticoke as an Indian community with whom they had a trust responsibility. It clearly shows that Connecticut recognized its trust responsibility was to the Schaghticoke tribal members, not just to its Reservation land (Sharon Hospital Association, Inc. "Receipt for [REDACTED] et al." dated October 1, 1939).

News account of the Indian Day celebration held October 1<sup>st</sup> of 1939 on the Schaghticoke Reservation that was co-hosted by the Tribe and by a pan-Indian association, American Indian Association of America. Fifty representatives from other Indian tribes attended the event, including reps from the Mohicans, Narragansetts and Penobscots as well as the Schaghticoke. The Governor of CT gave a speech. (A-53: *New Milford Times*, "Indian Day is Celebrated in Spite of Rain/Governor Baldwin Guest at Kent School Lunch", dated October 5, 1939; see also the newspaper account below, dated June 1972, of the 1972 Schaghticoke pow-wow that mentioned Will Cogswell's role at this 1939 inter-tribal gathering). The co-hosting by AIAA and the attendance by leaders from 50 local and nonlocal tribes showed that other Indian leadership considered the Schaghticoke an Indian community. That the State of Connecticut did so as well was clearly shown by its Governor formally participating in the "Indian Day" activities. Another news account of the Indian Day celebration reported 600-700 people in attendance. Native American tribal participants mentioned included Schaghticoke, Blackfeet, Narragansett, Seminole, Pocasset, and Mohican. The reporter noted that "Frank Cogswell represented the local reservation in peace pipe ceremony" (A-148: *Newtown Bee*, "Kent: Indian Celebration held on Sunday, pg. 14, dated October 6, 1939). The presence and participation of the numerous tribal peoples showed that local and nonlocal Indian tribes acknowledged the Schaghticoke as an Indian community.

Schaghticoke tribal member Bertha Watson Kilson Riley died on October 7, 1939 and was buried on the Reservation, which demonstrated the Tribe's continuing use of its Burying Ground as its spiritual center (A-54: *New Milford Times*, "Obituaries", pg. 5).

One of several newspaper articles in the local paper on the Bicentennial celebration in the town of Kent, CT from October of 1939. This one focused completely on the Schaghticoke community and the large part the Tribe played in the history of the town right up to the present. "The Schaghticoke Indians and their Reservation certainly have a place in Kent's history, since they were the first settlers in our town."

The article discussed several Schaghticoke folk tales and traditions, especially basket making and tribal basket makers. The widespread extent of this activity within the Tribe indicated that the tradition had been passed down through generations, which indicated culture keeping and culture keepers. Several tribal leaders were mentioned and depicted in photographs, including the current Schaghticoke chief, Frank Cogswell (see documents above and below), and the Tribe's recent Indian Day celebration. The author wrote with pride about the past and present accomplishments of the Tribe. He obviously did not view them as a dying remnant, but as an active Indian community still contributing to the history of the region (A-55: *New Milford Times*, "Kent and its Historic Past: Schaghticoke Indians Ever Played their Part in Kent", dated October 26, 1939).

In 1939 there was a Schaghticoke powwow. Connecticut governor attends. (A-56: *Bridgeport Post*, Oct. 1, 1939; Cornwell, 1939: 1; Eugene Bull, 1994 interview).

A letter to anthropologist Dr. Frank G. Speck from Elewaththum Bearce, in response to a previous letter from Speck, who apparently enquired about Frank Cogswell. His deference to Frank, and Bearce's referral to Frank as "the Cocksure Sachem at Schaghticoke" (referring to the 18<sup>th</sup> century name for the Cogswell lineage) clearly demonstrated Frank's official role as the Chief of the Schaghticoke Tribe in August of 1940. Bearce informed Speck that Frank Cogswell had visited the Iroquois community at "Caugh na ma ga" in Quebec because "he-wants a war shirt and to see Indians there". It supports Frank's role as an intermediary between the Schaghticoke and outsiders. Bearce invited Speck to attend the "Corn Dance Ceremonies", a traditional harvest festival that would be held at the Schaghticoke Reservation on August 16-18 that year. The letterhead on which Bearce wrote was The Federated Eastern Indian League, and it included Schaghticoke as an affiliate of that multi-tribe organization, demonstrating that other Eastern tribal leaders viewed Schaghticoke as a discrete Indian community (A-58: Elewaththum Bearce, "Letter to Frank Speck" dated August 5, 1940).

News announcement of a three-day inter-tribal powwow scheduled to be held the Schaghticoke Reservation later that month. It would include traditional dancing, crafts, games and ceremonies. The powwow was sponsored by the American Indian Association and the Eastern Federated League of Indians, of which the Schaghticoke Tribe was an affiliate, as noted in the above document. The acceptance of the Schaghticoke by these two pan-Indian organizations shows that other Indian tribes identified Schaghticoke as a discrete Indian community (*Bridgeport Post*, "Tribes Plan Greatest pow-wow at Kent 'Corn Harvest Dance'", dated August 11, 1940).

Newspaper account of the Corn Dance powwow held on the Schaghticoke Reservation, in which over 250 tribal representatives from 14 states were participants in August of 1940. Representative tribes included Schaghticoke,

Narragansett, Mohegan, Pequot, Wampanoag, Shinnecock, and Iroquois. It included traditional dances, songs, crafts, and ceremonies "by real Indians". The author clearly believed that he was witnessing an event conducted by members of discrete Indian communities. The fact that so many tribes sent representatives to this event at Schaghticoke shows that other Indian tribes viewed the Schaghticoke as a discrete Indian community ("Kent Indians Hold Three-Day Dance", news clipping from an unidentified newspaper dated August 17, 1940).

11/8/1940: list of those living on the reservation.

### 1941-1950

Documents from 7/1/1944-6/30/1945 Schaghticoke Indian Reservation Fund report documented Reservation residents. 7/1/1946-6/30/1947: Schaghticoke Indian Reservation Fund report documenting Reservation residents. 1941: State transfers jurisdiction to Welfare Department (A-32: Manataka 2004)(A-32: Soulsby 1979)(CT General Statutes Section 692F (1941).

Annual Corn Harvesting Festival of the Federated Eastern Indian League takes place on the Schaghticoke reservation in 1941. (STN Petition Narrative p. 58 citing Bridgeport Post, August 7, 1941.)

7/1/1941-6/30/1944 Schaghticoke Fund. 7/1/1943-6/30/1945 Schaghticoke Fund. 1944-1946 State appropriations Schaghticoke Fund.

7/1/1946-6/30/1947 Schaghticoke Fund.

1946: State of area of Schaghticoke reservation. Kent land records col 30. P. 512 deed from 1/25/1925 showing line of title to 12/11/1868. This was a southerly portion of 600 acres deeded to Ebenezer Preston, Jr. 9/1/1801. The deeds and chains of title seem to show that the reservation as of 1946 was primarily privately owned by multiple parties. 1946-1948 state appropriations.

Tribe files unsuccessful land claim with Indian Claims Commission in 1947 (A-32: Manataka 2004)

7/1/47-6/30/48: Schaghticoke Indian Reservation Fund report documenting Reservation residents. 4/1/48-6/30/49 Schaghticoke Indian Reservation Fund report documenting Reservation residents. 6/8/49 map of reservation. 7/1/49-6/30/50 Schaghticoke Indian Reservation Fund report documenting Reservation residents.

*Minutes of the Legal Tribal Council*" meeting held at the Schaghticoke Reservation show that tribal members were concerned about the lack of housing on the reservation, especially the need for Reservation housing for tribal leadership, and it was resolved to notify the state official (Squires) who was in charge of reservation affairs in July of 1949. Significantly, 17 Schaghticoke members assembled at the meeting to vote "to accept and file" Revised Schaghticoke Indian Claims with the federal government. The word "Revised" is significant, as it indicates that the Schaghticoke Tribe had submitted a land claims prior to July 1949. The *Minutes* indicate tribal leadership with community concerns actively seeking solutions. The document was signed by Heneratta Peckham as tribal Secretary. There were also followers – Schaghticoke members attending the meeting to listen to leadership discussion. The *Minutes* demonstrate community and political authority (A-143: *Minutes of the Legal Tribal Council Meeting*, dated July 10, 1949 and inserted on page 11 of the Schaghticoke petition to the Indian Claims Commission – see below).

In an official Mohawk tribal booklet, The Schaghticoke of Kent are recognized by a major Northeastern tribal nation as an Indian tribe post 1947-1953. The Mohawk youth counselors brought Mohawk youth to the Schaghticoke Reservation in their continuing efforts to introduce their tribal youth to other Indian tribal peoples. Frank Cogswell was recognized as the Chief of the Schaghticoke Tribe by Mohawk tribal leadership. "Chief Frank A. Cogswell" is featured in a photograph with a group of Mohawk tribal members who visited the Schaghticoke Reservation. The booklet also mentioned some highpoints of Schaghticoke history. The booklet is undated, but the latest date in the text is 1947. Since Frank died in 1953, the visit likely occurred sometime in the late 1940s (A-63 *The Record, Laws and History of the Akwesasne Mohawk Counselor Organization*, St. Regis Mohawk Reservation, Hogansburg, NY, pp. 7, 45).

### 1950-1959

7/1/50-6/30/51 Schaghticoke Indian Reservation Fund report documenting Reservation residents. A-66: 7/1/1951-6/30/1952 Schaghticoke Indian Fund. A-68: 7/1/1952-6/30/1953 Schaghticoke Indian Reservation Fund report documenting Reservation residents. A-69: 7/1/1953-6/30/1954 Schaghticoke Indian Reservation Fund report documenting Reservation residents. A-70: 10/12/1952: newspaper photos "Holly Cosure and Warnette Cosure of Connecticut's Schaghticoke tribe look mighty fierce in their tribal regalia for Indian week."

1951 Indian Claims Commission Case Petition Docket No. 112, The "Order Dismissing Petition" by the Commissioners of the Indian Claims Commission on September 9, 1958, noted that the claim known as Docket No. 112

submitted by the "Legal and Enrolled Members of the Kent Tribe of Schaghticoke Indians" was filed with the Commission on May 16, 1951.

Article on Frank Cogswell, oldest member living on reservation from 1953. (Waterbury Republican, August 17, 1953.)

Letter to assistant attorney general in the United States Department of Justice for a request for information about the Schaghticoke Tribe. Letter explains a May 31, 1954 newspaper clipping showing that the Schaghticoke were suing the U.S. for \$20 mil and is dated June 1<sup>st</sup>, 1954.

The Schaghticoke Tribe complained that the CT Light and Power company in Kent had moved the tribal burial grounds in 1955. (A-32: Soulsby 1979) The department did not address the complaint and the Tribe appealed the decision in the federal courts. (A-32: Soulsby 1979). (Please see attachment under first posting: 1700.)

11/22/1955 death certificate for William Shelton Russell. Parents were Allen Russell and Valentine Harris. The street number for the deceased address is listed as "Schaghticoke". The cemetery where he was to be buried is listed as Schaghticoke. Birthplace is listed as Kent, CT.

1961 – Present: CT specifically lists Schaghticoke Tribe as a tribe in their current statutes. S-1: C.R.S. 47 Section 63 (2015).

A letter from Assistant A.G Perry Morton dated July 27<sup>th</sup>, 1954 requesting additional information about Schaghticoke. The letter references a claim before the Indian Claims Commission. (Docket No. 112). The claim is concerning tracts of land that were condemned.

The Schaghticoke land claims (Docket 112) was dismissed by the Commissioners of the Indian Claims Commission, apparently because the Tribe had not employed an attorney to represent them in their claim, The Commissioners noted that the Tribe's claim had been filed with the Commission on May 16, 1951. The document demonstrates community and political authority on the part of the "Local and Enrolled Members of the Kent Tribe of Schaghticoke Indians" (A-144: The Indian Land Claims Commission, "Order Dismissing Petition" dated September 9, 1958).

#### **1960-1969**

10/13/1957: Article discussing / acknowledging Schaghticoke Tribe and hunting fishing rights. (A-76: Baur, Robert C., The Last People of the Long River. Oct. 13, 1957.)

1960-61 Welfare Department refuses to provide fund to repair tribal members' homes, instead burns all but two residences on the Reservation. (A-32: Manataka 2004)

Response to New Milford times article dated 12/3/1964, The letter seems to show that there was a discrepancy in those who were listed as tribal members and the ones that are not tribal members. The letter seems to have been written in 1996 and was discussed at a STN meeting.

Article from January 28<sup>th</sup>, 1960 on Connecticut tribes and Schaghticoke noting they hold land and the State's annual appropriation to maintain its political relationship with the Tribe. ( A-79: Hartford AP Jan 28,1960).

Late 1960's: Schaghticoke spearheaded struggle against the Welfare Department. Other CT tribes joined, and it became a statewide movement for the tribes to have more autonomy. (A-32: Soulsby 1979). (Please see attachment under first posting: 1700.)

Unpublished manuscript written on present day Schaghticoke Tribe from 1966 (A-83: Wilbur, John F., "The Scaticook Indians of Kent, Connecticut," WCSU Archives – Student Exhibition Space – WestD, accessed April 14, 2016, <http://archives.library.wcsu.edu/studentOmeka/items/show/2238>.)

"Kent Tribe of Schaghticoke Indians" through its Tribal Committee present a "writ" regarding land claims to the United States District Court of Record and Common Pleas in New Haven, Connecticut on May 7, 1963. The writ lists the Schaghticoke tribal officers and the members of the Tribal committee on its page 4. Willam Cogswell's son Theodore Cogswell is listed as sachim. Herbert Johnson and Theodore's son Theodore Cogswell jr. are listed as sagamores. Heneratta Peckham is listed as "squaw sachem" and secretary. Beatrice Arlene Cogswell is listed as Treasurer. The Tribal Committee members are Theodore Cogswell, Julia Parmalee (nee Cogswell), Lenoria Thorpe, and Heneratta Peckham. The writ was originally signed on May 7<sup>th</sup> by Elewaththum Swimming Eel Bearce as chair of the Tribal Committee. Additional pages, including a "Revised Tribal enrollment List" were added and Bearce signed again on May 11<sup>th</sup>. The document demonstrates both community and political authority, in that it notes a body of tribal members with elected/appointed leaders (A-145: Elewaththum Swimming Eel Bearce to "United States District Court of Record and Common Pleas, New Haven, Connecticut "May 7 &11, 1963).

#### **1970-1979**

An article published on October 12<sup>th</sup>, 1970 discusses the Schaghticoke reservation. The chief at the time claimed that the reservation was managed and owned by the federal government until about 1810 when it was turned over to the state. The article shows that there is support from the leaders of other southern new England tribes to have the land surveyed and the actual borders of the reservation determined so that those who wish to move back are able to do so.

Records of the Moravian Mission Among the Indians of North America from 1770. Moravian Mission, Research Publications, Inc. New Haven (microfilm). (Bibliography attached under 1882 entry.)

6.6.1972: Report on creation of Indian Affairs Council acknowledging Tribe

11/30/72 Tribal membership list: defining itself as a discrete body – excluding others.

Description of the 1972 Schaghticoke powwow in Kent, which noted that this powwow was not the Tribe's first public powwow; others were held in 1939 and 1941. Reporter noted that so many outsiders wished to attend the 1939 event that a special "Indian Day" train ran from New York to Kent, and the William Cogswell, in the role of tribal intermediary, met the train at the Kent station and escorted them to a bus, which drove them to the Tribe's Reservation (A-146: "1939, 1941 Enclaves. Kent powwow won't be Town's First", unidentified newspaper clipping dated June 14, 1972).

In June 1973, Connecticut Governor Meskill signed an act establishing a Connecticut Indian Affairs Council (CIAC), whose members consisted of representatives from the state's five recognized tribes, which included the Schaghticoke tribe, and 3 gubernatorial appointees. Indian Affairs was placed under the authority of the Council in conjunction with the state Department of Environmental Protection, the tribes' new institutional overseer. The legislation demonstrated that Connecticut considered the Schaghticoke to be a bonafide Indian tribal community, with rights given solely to Indians, such as the right to hunt and fish in their reservations without a state license (A-147: *Bridgeport Telegram*, "Indian Council Measure is Set to be Approved, June 22, 1973; *Bridgeport Telegram*, "Governor Signs Bill on Indians", June 23, 1973).

1975 – Present Tribe specifically identified by Connecticut Indian Affairs Council. S-2: 47 C.R.S. 59b-10 & 29 (1976).

5/22/1974 letter from the Navajo Health Authority about ability to discuss information that they have concerning medical school and related activities for Indian peoples. They are asking for information to maintain a mailing list.

1974 article by William W. Bower (relevant sections added in other time periods) article shows that remnants of the Pequot settled near New London and arrived in Kent in 1637. It says that the name Schaghticoke comes from the sub-Pequot dialect for a word that means where the waters meet. Many were converted to Christianity in 1742. There are directions on how to reach the reservation. The reservation boundaries are outlined in the article. It is described as the largest reservation in the state at holding 400 acres. The article cites that there is a powwow held every year in Danbury (8/19/1974) and that Irving Harris was their current chief at that time.

1974 map of CT reservations.

1976 chapter in book A-92: "1776—Independence Lost" by Macy Whitehead. Details the 18<sup>th</sup> century Schaghticoke with a reference to a 1939 article about this history of Kent.

1973: Schaghticoke Indian Tribe forms corporation (A-32: Manataka 2004) C-81.

7/6/1977: Brenden S. Keleher, Indian Affairs Coordinator memo to the file about the state of Indian Affairs in CT. The memo states that responsibility toward the reservations, including Schaghticoke, had been shifted from the Department of Welfare to the Department of Environmental Protection and the newly created Indian Affairs Council. It states that the genealogies for the tribes were at that time in the custody of the Indian Affairs Council. The genealogical charts are described in detail. States that the genealogies were collected by the Park and Forest Commission, a genealogist was hired for the task. They seemed to have been compiled between 1936 and 1940.

The Schaghticoke filed suit against 10 landowners in Kent for the return of tribal lands that were sold to the state in violation of the non-Intercourse acts of 1790 in 1974. Primary defendants were the Kent School and the Preston Mountain Club. (A-32: Soulsby 1979). (Please see attachment under first posting: 1700.)

2/26/1974: letter from Truman Cogswell to Havasupai Tribal Council lending support from the Schaghticoke Tribal Council in the Havasupai Council's efforts to regain lost lands.

3/25/1974: letter to the US House about the Havasupai; letter demands that lands be returned to the tribe and states that lands were illegally taken by the US government.

1975: SIT files claim for Kent School lands in U.S. District Court.

A-93: Letter to Vine Deloria from September 11<sup>th</sup>, 1976. The letter informs Mr. Deloria of the suit against Kent school since he went there. IT states that they were being represented by Pine Tree Legal Assistance at the time who was being assisted by NARF. The Docket No. for the petitions was H75-125.

In 1978, CT Light and Power company returned 50 acres to the tribe. (A-32: Soulsby 1979)

5/24/1979: Letter Carmody to Mikki Agansata, the Indian affair coordinator about the settlement with the Schaghticoke to determine which parcels were to be conveyed to the Tribe as part of the settlement.

A report was made on the Schaghticoke Tribe and given to the Ct Indian Affairs Council identifying it as a distinct community in November of 1979. (A-32: Soulsby 1979). (Please see attachment under first posting: 1700.)

### 1980-1989

B-1: 12/2/1980 article in *The News Times* showing Chief Maurice "Butch" Lydem as a leader in the effort to develop land and become more self-sufficient.

Tribe / Tribal Council (including Gail & Alan Russell) hires a planner to draft a development plan for its Reservation in 1981. Gail and All(Schaghticoke Reservation Development Plan 1981)

In 1981 SIT files a *Letter of Intent for federal recognition* with BIA. (A-32: Manataka 2004)

1980: Trudie Ray Lamb note about her involvement as a Schaghticoke Indian in New England Indian affairs

9/15/1984 Connecticut Indian Affairs Commission decision as to the Schaghticoke representative to the CIAC.

The 1980 constitution was accepted as valid, the tribal council elected on B-5: 6/26/1983 was recognized as the tribal council by CIAC, and Alan Russell was recognized as the representative to CIAC with the alternate of Trudie Lamb

Drawing in Kent Center School newspaper? Of a hawk drawn by Ed Harrison and a note talking about him living on the reservation and the importance of the hawk to him.

11/9/1984: article about leadership dispute under a new constitution (B-6). Cites that nearly 200 people vote in Schaghticoke elections, and that there are about 400 Schaghticoke in the State. Also talks about logging industry on Schaghticoke land. Addresses claim that some of the lands were sold in violation of the non-Intercourse acts.

5/7/1981: Article in *Record Journal*, Meriden about use of natural harvests. STN member is cited as an expert on the issue. The note said that she supports the SIT efforts

8/13/81: Rainmaker report. Includes map of the reservation and notes about the efforts to dig for precious metals.

3/2/82: Letter to Schaghticoke Tribal Council about work with the Lumbees.

Proclamation signed by Governor William A. O'Neill proclaiming September 28, 1984 to be "Indian Day", and listing Schaghticoke as one of the indigenous tribes of Connecticut honored in the Proclamation: "the five officially recognized Connecticut tribes" – the Golden Hill Paugussett; the Mashantucket (Western) Pequot; the Schaghticoke; the Paucatuck (Eastern) Pequot; and the Mohegan. The heritage and ideals of these people laid the foundation for our progress and continue to advance the strength and prosperity of our state and nation" (B-4: State of Connecticut, "By His Excellency William A. O'Neill, Governor: A Proclamation" dated September 14, 1988).

A document from July 21<sup>st</sup>, 1985 showed that the Tribe is a distinct community by not attending meetings that were not held by the actual Tribe. Affidavit Russell, April 29, 2004.

In 1987, tribal elder and leader Trudie Richmond wrote a chapter in a book on New England Indians and their land, in which she referenced a Schaghticoke sacred story concerning the famous rattlesnake population on the Schaghticoke Reservation. In essence, the rattlesnakes were placed there by the Creator to protect the sacred medicinal plants that grow on the Reservation (A-128: Trudie Richmond, 1987, "Algonquian Women and the Land: A Legacy". In *Rooted like the Ash Trees: New England Indians and the Land*). Ed. Richard G. Carlson, pp. 6-8, Naugatuck, CT: Eagle Wing Press, pg. 6).

### 1990-1999

11/21/1997: Letter from Commissioner of CT Department of Environmental Protection stating that they do not have the authority to resolve intra-tribal matters (B-14).

7/13/1996: Letter to Trudy (Lamb?) about pictures that she had requested saying that they would be sent when copies were made.

1996 Tribal newsletter. Death of Tez Red Thunder Cloud.

OLR Research Report by CT State Associate Attorney refers throughout document to an Indian entity, Schaghticoke, as distinct group and community in 1989. It discusses various events throughout. Under State Recognition point 5, State legislature passed 1989 act recognizing five "indigenous tribes" which included the Schaghticoke. OLR Research Report, 2002-R-0517, p.8/State Recognition Pt. 5 (B-9: Christopher Reinhart May 23, 2002).

CT's Office of Legislative Research confirmed that Schaghticoke was one of five state-recognized, "self-governing" Indian tribes "possessing powers and duties over tribal members and reservations" as noted in Connecticut's General Statutes Sec. 47-59A on June 5<sup>th</sup>, 1993 (B-10: Lavin :359, citing senior attorney David Leff, Office of Legislative Research in a Memorandum dated June 25, 1993, pg. 5).

In 1996, Manitou American Indian Archaeological Institute Washington, CT legends of the Schaghticoke and information about their region and people (B-11).

Official Statement by Connecticut Governor John Rowland designating November Native American Month in Connecticut and naming Schaghticoke as one of the five state-recognized tribes, whom he identified as self-governing political entities from November of 1996 (referencing S-3: Connecticut Public Law 368, Sec. 16, passed in 1989):

"Whereas, Connecticut further recognizes that the indigenous tribes, the Schaghticoke, the Paucatuck Eastern Pequot, the Mashantucket Pequot, the Mohegan, and the Golden Hill Paugussett are self-governing entities possessing powers and duties over tribal members and reservations" (Connecticut, State of, "Official Statement" November 1996; also quoted in Lucianne Lavin, *Connecticut's Indigenous Peoples: What Archaeology, History and oral Traditions teach us about their Communities and Cultures*, New Haven: Yale University Press, 2013, pp. 359-360).

10/24/1997: "The Gathering of the Tribe" joint statement that STN is does is not the same as SIT and that STN has no authority over them (B-15).

1996: Manitou American Indian Archaeological Institute Washington, CT legends of the Schaghticoke and information about their region and people (B-11).

1997: photo of the reservation looking down to the tribal river

11/11/1997: letter about inquiry concerning the possible donation of land to SIT. Request was made by Alan Russell. She chose to keep the land in case she needed to sell for debts (B-16).

11/97: Newsletter to tribal members and families. Addresses the need to consult with Chairman before allowing anyone to dig on the reservation. They are trying to keep cultural artifacts from being taken (B-17).

3/1998 Newsletter. Article from Indian Country about Means arrest, photos, and a new fact about the CT Dept of Environmental Protection. Mentions general electric and their fishing waters (B-20).

1998 (August?) Tribal newsletter: notice about powwow in Uncasville, ct (B-21).

Letter/complaint from SIT tribal member to State and federal government on behalf of tribal and tribal affairs issues and distinguishing SIT from the other surrounding tribes and their issues from 1998. [REDACTED], December 27, 1998).

## 2000-2010

Tribe enters suit against State Environmental Protection for fallout of GE's contamination of river in 2000. S-4: Pleadings U.S. District Court Massachusetts Western Division June 20, 2000. Action Nos. 99-30225, 99-30226, 99-30227-MAP

On 5/7/00 the Tribe identifies self as an Indian community / tribe when Chairman clarifies those who are not members. Affidavit Russell, May 1, 2004. Chairman clarifies those who are not members showing the Tribe is a distinct group of people. Affidavit Russell, May 1, 2004.

Letter from the executor of the estate of Florence Baker Bonos authorizing Russell as the chairman of the tribe to be the agent of the estate from January 19<sup>th</sup>, 2001 (C-1).

A-32: Manataka American Indian Council description of Schaghticoke. Listed as descendants of Mahican (Mohican), Potatuck (Pootatuck), Weantock, Tunxis, Podunk, and other peoples indigenous to what is now CT, NY, and MA, who amalgamated after increasing European presence. Talks about creation of the reservation and reservation size. Lists colonial and modern Schaghticoke history in December of 2004.

Article from May 28<sup>th</sup>, 2004 about Alan Russell arrest in Kent Tribune. Charges were criminal mischief and reckless endangerment related to a pile of boulders places around a pavilion on the reservation (C-46).

Kilson Clan held a meeting on February 10<sup>th</sup>, 2005 to elect a new representative to the Tribal Council (C-47).

4/7/2001: Resolution by Tribal council to send a letter of intent to apply for recognition (C-2).

Newsletter from 2008 to all members letting them know of the fire at Alan Russell's house. Includes a photo of the house before it burnt and a photo of Gail by the outhouse. People from the community came to help (C-48).

2/15/2004: Article in New York Times discusses the conflict between STN and SIT, it also discusses some of the history of the tribe as well as conflict with the State.

2008: Newsletter including a March 11, 2008 article about the fire and Alan (C-48).

3/19/2004: Letter from Michael Burns to Nicholas Bellantoni, Office of State Archaeology, about excavation. Letter explains that SIT is in control of reservation and that the State does not have the jurisdiction to make decisions regarding the land.

5/29/2001: US support of SIT motion to intervene in US v. 43.74 acres of land (C-3).

Letter from Ed Sarabia of Ct Department of Environmental protection about newspaper articles mentioning a development plan from January 27<sup>th</sup>, 2006. Letter states " The State of Connecticut has a trust relationship to the reservation, and the Department of Environmental Protection (DEP) has certain responsibilities set forth in the General

Statutes over and above the DEP's responsibility for the environment in the state of Connecticut as a whole. . . The DEP is sensitive to the issue of tribal sovereignty and has attempted to discharge its responsibilities in a manner respectful of those areas where state law indicates that decision-making is vested in the tribe, its leadership and membership," (C-49).

*The following chronological documents demonstrate the Schaghticoke as a continuously recognized distinct American Indian community by the Connecticut government; professional anthropologists, ethnologists and historians; local and regional journalists; local historical societies; other Indian tribes and pan-Indian tribal organizations; and the townspeople who were their neighbors:*

A 4/22/2008: letter on behalf of the Schaghticoke tribal council to give permission to Lucky Cricket Productions, LLC to film on the reservation (C-50).

5/4/2001: SIT motion to intervene in STN v. Kent School Co. (C-51).

Article in Hartford Courant about fire to Russell house from July 11<sup>th</sup>, 2008. Article also discusses that STN is the faction and that SIT has remained separate the entire time. Additionally, Kent Selectwoman wanted to help keep Russell on the reservation (C-52).

A 6/14/2008: print out from A-32: Manataka American Indian Council about Schaghticoke Indian tribe, however there is a seal from the Schaghticoke tribal nation included.

A 9/23/2003: Motion to reappoint tribal enforcement officer for an additional 30 days (C-53).

7/1/2009: print out from Algonquian Confederacy of the Quinnipiac Tribal Council. Two articles listed that reference the Schaghticoke (C-29).

2004: tribal newsletter, includes photographs and a note from the head of land management (C-55).

4/4/2004: Tribe engaged in consulting agreement on behalf of members. Russell addressed as leader of Tribe. Letter from [REDACTED] to Russell signed by Tribal Council members (C-56).

4/15/2004: meeting minutes from the tribal council meeting Voted on proposal by CMB to assist in legal needs as well as security, tribal marshals, and acceptance of land donation (C-57).

5/28/2004 Newspaper recognizes Tribe and Russell as leader. Russell also builds a border to define the Reservation, asserting Tribe's political influence and making an important decision on behalf of all members and the Tribe. Local Schaghticoke Indian Chief Faces Continuing Court Appearances in Dispute over Control of Schaghticoke Reservation in Kent, Kent Trib., August 21, 2004 (C-59).

6/14/2004 Tribe recognized and acknowledged by newspaper. Rick Green, Tribes Await Federal Rulings, Hartford Courant/CTNOW.com, June 14, 2004 (C-14).

9/2004: Tribal newsletter, includes dates for a potluck, DOI/BIA news, Court case between SIT and STN update, a birth announcement, information about land maintenance, and a get well soon message (C-60).

11/2004: tribal newsletter. 86 people attended the powwow the previous October. Includes thank you notes for those who helped with the event. Additionally, it includes a birthday wish (C-62).

2/1/2005: letter to Michael Burns? Talks about council meeting on 11/21/2004 about issues that were voted on and passed. Mentions removal of council member who was not taken off rolls, adoption of a co-council, application for a national bank charter. Mentions future meeting with Kirk Good track, President of the Emerging Markets Division of Penn National. Additionally, mentions the adoption of the Oneida style judiciary system (C-64).

2/10/2005: Council meeting minutes. Vote to accept the Kilson clan representative to the tribal council, vote taken about need for planned trip to IBIA, not about those who missed the meeting and how they were reached to be told about the meeting (C-47).

11/11/2005 letter to state authorities about some of the voted-on issues at 11/10/05 special meeting (C-65).

3/5/2006: announcement of a telephone conference council meeting agenda on 3/19/2006. Agenda includes budget issues, council expansion, new member acceptance, trading post, grant opportunities, and youth program (C-66).

3/19/2006: Council meeting notes, trading post, expand council, new members (C-66).

6/6/2006: council meeting minutes. Received money for economic development (vote to move forward), vote to have salaries for chairman, vice chairman, secretary, and one other, vote to have new signatures for SIT checking account, vote to check on expired 99 year lease in SIT land vote to have in person council meeting, vote to meet with Algonquin Council in Bangor (C-67).

7/31/2006: Letter to Bradley-Fisher clan seeking new representatives from the clan to be part of the tribal council (C-68).

7/31/2006: Letter to members about possible representation of their clan on the tribal council (C-68).

11/12/2006: telephone conference tribal meeting discussing council expansion, removal of Gary Ritchie and Michael Eades from council, addition of new members mentioning need for certified genealogies, discussion of former STN members who wish to be SIT members, discussion of OFA TA letter, residence that is of interest to some members on the

reservation, temporary residence for a member at the pavilion, development opportunities, Trudie Lamb's house, SIT bank, pharmacy on reservation, confidentiality agreement (C-69).

6/6/2007: statement by the Council that they are the true tribe and that any representatives already claiming to be the 66chaghticoke representatives are not representatives of the tribe (C-17).

10/2007: tribal council teleconference meeting. Discussing removal of council member, additions of council member, getting money for computers, discussing letter for chairman's resignation (C-70).

11/15/2007: Council meeting via telephone, votes concerning removal of vice chairman and addition of Secretary and Treasurer (C-71).

April 2008: Council meeting minutes discussing Lucky Cricket productions wish to use the reservation, donation to rebuild Russell home, Birch housing on reservation request, talk about land claims and need of advice from an attorney (C-30).

6/2008: minutes from tribal council meeting. Note to resolve the conflict with Gail. Call in to state police to help exclude trespassers from reservation. Goal to contact department of environmental protection to help with fire clean up (C-73).

1/13/2009: letter sent by Alan Russell to Ed Gasser that Gasser does not represent SIT. Includes complaint as of 1/30/2009 to CT judicial branch about Gasser's claims of representation of the tribe (C-74).

1/28/2009: Suisman Shapiro retainer letter for the firm to represent the tribe on all SIT matters (C-75).

2/26/2009: Letter from Lee Fleming to Gail Harrison-Donovan about the need to respond to the 2006 TA letter and how to continue with the petition (C-27).

5/7/2009: council meeting minutes. Discussed cease and desist to protect land. Discuss need for a new computer. Discussion of land claims to Kent School land (C-28).

8/2009: Minutes from council meeting. Discussion about need for an attorney for the land claims. Discussion for fundraising. Reaffirmation of a need to affirm that they are the recognized tribal council. Discussion to clean up 66chaghticoke road (C-78).

8/6/2009: Letter concerning a proposed restraining order on land that Kent School claims it owns (C-32).

8/1/2009: complaint by SIT against [REDACTED] concerning land that was sold on behalf to the tribe after 1790 in violation of the non-Intercourse Acts (C-31).

## **2010 to Present**

*The following chronological documents demonstrate the Schaghticoke as a continuously recognized distinct American Indian community by the Connecticut government; professional anthropologists, ethnologists and historians; local and regional journalists; local historical societies; other Indian tribes and pan-Indian tribal organizations; and the townspeople who were their neighbors:*

3/10/2010: Invitation to Algonquian Confederacy of the Quinnipiac Tribal Council meeting (C-33).

3/30/2010: motion to dismiss Jennifer Calhoun v. Gail Donovan. Uses Schaghticoke as a sovereign tribe with a reservation (C-37).

8/27/2010: Letter from First Selectman-Town of Kent understanding that Alan Russell is Chief of SIT (C-79).

9/11/2010: Letter in response to report from Alan Russell about [REDACTED] activities on Appalachian trail National Park (C-35).

2/7/2013: Letter from CT Department of Energy and Environmental Protection about need to repair a structure, DEEP decided the structure needed to be removed. Response letter from SIT that STN does not have influence on the reservation and that they are a non-recognized faction.

9/24/10 State of Connecticut via its Superior Court recognizes Tribe's reservation held by the State of Connecticut's for the Schaghticoke Indians. Kent Inland Wetland Commission v. Rost, (S-5: Superior Court Litchfield Judicial District, 2010.)

9/24/10 Court case: "Connecticut law recognizes the Schaghticoke as an indigenous, self-governing tribe that possesses powers over its members and reservation." Kent Inland Wetland Commission v. Rost, (S-5: Superior Court Litchfield Judicial District, 2010)

9/24/10 Court case: "Connecticut law recognizes the Schaghticoke as an indigenous, self-governing tribe that possesses powers over its members and reservation." Kent Inland Wetland Commission v. Rost, (S-5: Superior Court Litchfield Judicial District, 2010.)

9/2010: Council meeting minutes. Discussion of an expansion of council, national park service call about Rost, intent to contract department of environmental protection, need to provide security on weekend, and need to fill in gaps in petition (C-80).

5/2011: Council meeting minutes. Discussed: SIT receiving nothing to be present at status conference before judge Dorsey, need to be represented by counsel, update on Rost case (C-81).

12/21/2012: article in Republican American about SIT wanting to gain federal recognition and that they are a separate group from STN (C-41).

Identification of SIT as a distinct Indian community throughout the book. (Lucianne Lavin, 2013, *Connecticut's Indigenous people: What Archaeology, History and Oral Traditions Teach Us about their Communities and Cultures*, New Haven and London: Yale University Press).

3/14/2013: Notice to quit sent to June Hatstat, showing exclusion (C-88).

7/21/2013: need to replace council member who passed away, voted in new member, sheriff had not yet served meeting with mayor of Danbury to discuss land claims (C-44).

9/5/2013: Council meeting minutes. Discussed new attorney, need to fill in time gaps in petition, and plans for a tribal meeting (to discuss petition status, need for fund, loan for computers, C-96).

10/1/2013: council resolution to have Arlinda Locklear represent tribe for petition. Resolution to have Toney Pignatiello represent the tribe on several matters. Resolution accepting the resignation of John Sarcone (all voted on by the council, C-97).

11/25/2013: Council meeting to vote in new members (C-98).

11/28/2013: Council resolution acknowledging acceptance of retaining Anderson Indian Law (C-99).

State of Connecticut General Statutes Section 47 – 59a: “(a) It is hereby declared the policy of the state of Connecticut to recognize that all resident Indians of qualified Connecticut tribes... It is further recognized that said Indians have certain special rights to tribal lands... (b) The state of Connecticut further recognizes that the indigenous tribes, the Schaghticoke, the Paucatuck Eastern Pequot, the Mashantucket Pequot, the Mohegan and the Golden Hill Paugussett are self-governing entities possessing powers and duties over tribal members and reservations. Such powers and duties include the power to: (1) Determine tribal membership and residency on reservation land; (2) determine the tribal form of government; (3) regulate trade and commerce on the reservation; (4) make contracts, and (5) determine tribal leadership in accordance with tribal practice and usage.” Enacted pre-1902

General Statutes Sections 47 – 63: “The following terms as used in this chapter, shall have the following meanings: ‘Indian’ means a person who is a member of any of the following tribes, Paucatuck Eastern Pequot, Mashantucket Pequot, Schaghticoke, Golden Hill Paugussett and Mohegan; ‘reservation’ means...” Schaghticoke reservation in the town of Kent, assigned to the Schaghticoke tribe...” Also cited in court case: Kent Inland Wetland Commission v. Rost, (Superior Court Litchfield Judicial District, 2010.)

### **3 Criterion § 83.11 I Political Influence or Authority**

The following documents demonstrate Schaghticoke political authority from 1900 to the present. The actions documented in this section show the Tribe acting as a unified body and having political authority and influence over its members. The autonomous entity acts through its Council, leaders, and internal processes on behalf of its members, representing the entity on matters of consequence that substantially affect its members.

The Tribe mobilizes its members and resources to act on behalf of the Tribe both in responding to court actions and bringing court actions, to recover its land, as in the Indian Claims Commission case, or to keep its water clean, all issues of importance to the members. SIT has included documentation of the extensive communication between the members on these and other issues, such as collectively holding a powwow or evicting non-members from the land, through regular newsletters, Tribal Council meetings, or otherwise. Many of the Tribes’ internal conflicts are also documented, such as exclusion of members, selection and rejection of legal representation, or removal of Council members.

There are plenty of documents showing the relationship, communication, and recognition of SIT by and between other federally recognized tribal governments. Documents show active use of the land set aside by the State of Connecticut for the Tribe on a continual basis, all showing political relationship with Schaghticoke.

The process of governmental organization through a tribal council and selection of leaders is also tracked in the following documented actions of the Tribe throughout time, most notably all of the Tribal Council meeting notes. Actions taken to allocate residency rights, allow or disallow residency on the Reservation, address house issues, and pursue land issues whether clean water or an increase in land base, has also been documented over time. The Petitioner has provided

documentation of disputes and mediation and resulting enforcement of sanctions when necessary, such as banning members from the Reservation or removing member status.

The evidence shows that Schaghticoke leadership took several forms. Informal leadership included Culture Keepers, teachers and protectors of tribal traditions, who passed those traditions down to younger generations, often through apprenticeships. These traditions included tribal crafts, but also tribal lore that involved special knowledge for a successful community. Those traditions included basketmaking, beadwork, bow making, herbal medicinal practices, snake lore, tribal history and folklore, and storytelling. Leaders were also persons who spoke for the Tribe; that is, an intermediary who represented the Tribe to government officials, journalists, and other outsiders – a person who functioned as the public face of the Tribe. Such leadership was sometimes formally acknowledged through tribal elections or appointments to political office (for example, chief, council members), and other times was more informally acknowledged through members' deference to certain elders and lineage heads. The documents cited below identify specific Schaghticoke members who filled these roles. Not infrequently, an individual provided leadership in more than one form.

SIT organizes shared, cooperative labor for the benefit of the Tribe and economic gain, from cleaning the cemetery to hunts. Submitted documentation begins in the 1900s and has been broken down by decade.

### 1900–1910

**1900–1926:** As noted in Illbi, For the first two decades of the 20<sup>th</sup> century, the Schaghticoke Rattlesnake Club was an active tribal institution that demonstrated that the Schaghticoke were a distinct tribal community whose members worked together to ensure its continuance within what remained of the traditional Schaghticoke homeland – the Reservation. Land losses leading to depopulation, poverty, and detribalization have been a serious problem for Connecticut tribal peoples since English settlement in the early 17<sup>th</sup> century (e.g., Lucianne Lavin, 2013, *Connecticut's Indigenous Peoples: What Archaeology, History and Oral Traditions Teach Us about their Communities and Cultures*, New Haven and London: Yale University Press, pp. 321-335). Since the mid-18<sup>th</sup> century, when whites began to settle in adjacent Kent, the Schaghticoke Tribe continually acted and reacted to English and American attempts to take tribal lands and destroy their tribal community through peaceful negotiation based on Anglo-American law and its court system, often with the help of non-Indian intermediaries – white men sympathetic to the Tribe's causes (A-2: Lavin, *op. cit.* 334-335; Paulette Crone-Morange and Lucianne Lavin, 2004, "The Schaghticoke Tribe and English Law: A Study of Community Survival", *Connecticut History*, 43(2):132-162). Citing various tribal documents, Schaghticoke historian Crone-Morange and anthropologist Lavin noted that:

The numerous tribal petitions, memorials, and letters to the Connecticut legislature and courts throughout the eighteenth, nineteenth, and twentieth centuries demonstrate that from earliest historic times the Schaghticoke Tribe established a survival strategy of negotiation and cooperation based on English law that has successfully conserved tribal resources and tribal communities while maintaining the Tribe's distinct identity as a separate entity from that of their non-Schaghticoke neighbors. They managed this through education, Anglo intermediaries, and direct tribal participation in the English Court system. The efficacy of this political strategy is demonstrated by the fact that the Tribe and part of its original Homelands at Schaghticoke Reservation have survived to this day in a world dominated by Anglo-American society, while neighboring tribal governments emigrated west or dissolved" (A-2: Crone-Morange and Lavin 2004:153).

One of those tribal survival strategies was the Schaghticoke Rattlesnake Club. The Rattlesnake Club was begun in the late 19<sup>th</sup> century as an important political and economic survival strategy (See section Iiciii above). This was a time of very anti-Indian fervor, exacerbated by the Indian wars in the West. In the early 20<sup>th</sup> century, the Connecticut government was hoping to detribalize the state's Indian reservations by turning them into state parks (B-10: Lavin :351, citing the Connecticut State Park and Forest Commission, 1926, Report of the State Park and Forest Commission, pg. 42). Fred Lane, the Schaghticoke's overseer from 1905 to 1914, wrote a poem about it called "The Schaghticoke Trail":

"They saw their weakness resigned to the fate  
Gave up their struggle and applied  
to the state....  
Thus, my friends they will leave their mark

the reservation will become a State Park"  
(Fred Lane, nd,  
unpublished manuscript cited in B-10: Lavin :351).

These events put the Schaghticoke at risk for not only losing the last remnant of their beloved Homeland, given to them by the Creator, where their ancestors lived, died, and were buried, and where mnemonic devices on the landscape mark events in the Tribe's history – but disrupting their tribal community, for whom the Reservation was a social and political center as well as an important residential center. As they had done in the past (A-2: Crone-Morange and Lavin, 2004: 148-150), tribal leadership focused on a way to cultivate friendships with prestigious white men who might be

called upon to act as tribal intermediaries with the Connecticut government if the threat of Reservation loss became a reality. Creation of the Schaghticoke Rattlesnake Club was their answer.

The Club functioned as a means of meeting and cultivating relationships/friendships with white authority figures who would – and did – publicly support the Tribe’s efforts to maintain their Reservation and community (e.g., see the Club news accounts below written by journalists who were also white Club members). It consisted of Schaghticoke members and influential men from the ruling white establishment. The latter included newspapermen, politicians, physicians, a police commissioner, even judges from Connecticut and New York (See *The New York Times*, “Rattlesnake Club Saved by a ‘Breed’”, June 16, 1913). They would come to Schaghticoke when the snakes were emerging from their den and collect as many as they could in one day to place on exhibit in a Bridgeport storefront or present to a zoo.

The Tribe led the event and the Club; Schaghticoke leaders George Cogswell and James Harris filled the positions of Club president and Scout, respectively. They gave news interviews to generate interest in the Reservation and its rattlesnake den, coordinated the preparations leading to the snake hunt and the hunt itself. The entire Schaghticoke community worked together to make the event a success: The men ensured there would be rattlesnakes by collecting them days before the event, led the way to the den and showed newcomers how to capture the snakes with forked sticks and pillowcases. The women picked up the members who arrived by train and transported them to the Reservation in horse-drawn buggies, prepared the Club meals, provided entertainment with Native dancing, and sold their traditional woodsplint baskets to the whites.

Anthropologist Dr. Lucianne Lavin summarized the activities and functions of the hunts in her award-winning, 2013 book *Connecticut’s Indigenous Peoples: What Archaeology, History and Oral Traditions Teach Us about their Communities and Cultures* (New Haven and London: Yale University Press):

Tribal members would catch rattlesnakes and store them in pillowcases during the week before the annual club meeting, when the white members would come to the reservation to catch the snakes. On the day of the meet, the handlers would let loose the snakes at the top of Schaghticoke Mountain ahead of the others, ensuring an easy hunt that would guarantee a return hunt each year.

A survival strategy dating to the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, Rattlesnake Club activities helped the local indigenous economy (Indian women kept what was left of the food the whites brought for them to cook, and the Indians sold the visitors ‘souvenir’ baskets) and enhanced political ties with important white men, especially newspapermen and politicians who made up most of the club’s membership” (B-10: Lavin :345).

The Club newsmen wrote many positive articles about the annual rattlesnake hunt, the Schaghticoke Tribe of Indians, and their Reservation, replete with photographs of the snakes and hunters. George Cogswell and other Schaghticoke leaders willingly and frequently provided interviews promoting the Schaghticoke community as sociable, good-humored Indians and its Reservation as an interesting destination for tourists. Using these interviews, reporters helped provide sympathetic portrayals of the Tribe, depicting them as “brave”, “peaceful” and “friendly Indians” (as opposed to the “bad” and hostile Indians who warred against whites in the West) and publicized their distinctive cultural traditions, such as woodsplint basket making and snake lore. (Examples of these articles are described below in the years they were published.)

The Club met regularly from at least 1889 to 1919, when Prohibition supposedly outlawed the Tribe’s alcoholic snakebite remedy, “sagwa”. More likely causes were the aging and deaths of the tribal leaders who spearheaded Club activities, James Harris (in 1909) and George Cogswell (in 1923), as well as America’s entrance into World War I and the subsequent involvement/enlistment of both tribal members and white Club members. The Schaghticoke attempted to revive the Schaghticoke Rattlesnake Club in 1926 under the leadership of Howard Harris, the youngest son of James Harris and a WWI veteran. Harris organized a Club reunion in 1926, where members revisited the snake den and paid homage at the graves of the deceased Schaghticoke Club leaders in the Tribe’s Burying Ground (A-95: Lindsey Dennison, 1926, “Snake Hunters Capture Memories but No Rattlers,” *Bridgeport-Waterbury Herald*, June 6, 1926, editorial section, pg. 1). Another reunion was held in 1939 (*Bridgeport Post*, “Indians Back in Rattlesnake Haunts”, dated October 1, 1939).

Cogswell and Harris’s formation and oversight of the Schaghticoke Rattlesnake Club as well as their vast knowledge of the Reservation lands and tribal traditions (i.e., their roles as tribal culture keepers) demonstrate political authority for this time period. The news articles listed below show them acting as culture keepers and tribal intermediaries. In articles, the journalists literally referred to them as “leader” or “chief”.

**April, 1902:** Local historian Edward Dyer’s guided tour of the Schaghticoke Reservation by tribal leader James Harris in April, 1902, and his interviews with some of its residents resulted in a full chapter in his 1903 book *Gnadensee: The Lake of Grace, A Moravian Picture in a Connecticut Frame* (A-4: Edward O. Dyer, 1903, pp. 213-221). James Harris’s role as guide and intermediary between Dyer and the Tribe illustrates political authority and tribal leadership.

**May 1902:** News article featuring Schaghticoke George Cogswell, President of the Tribe's Rattlesnake Club, and his prowess as a rattlesnake hunter. The article supports subsequent ones on George as a tribal leader and culture keeper who passed down his knowledge of rattlesnake lore to later generations of Schaghticoke members (*Danbury News*, "Hunting Rattlers", May 14, 1902).

**May 1903:** News article about George Cogswell and the Schaghticoke Rattlesnake Club in which the author interviewed George after one of the hunts. He referred to him as "the renowned rattlesnake hunter of the Indian settlement above Bull's Bridge, and the genial president of the famous Rattlesnake Club". The quote indicates that the journalist believed he was visiting an Indian community distinct from the townspeople of Kent, and one of its tribal leaders. The article showed that George was a Schaghticoke culture keeper, passing down rattlesnake lore and snake handling traditions to the younger generation of Schaghticoke. He was also portrayed as a tribal intermediary, representing the tribe to outsiders such as this journalist. Outsiders deferred to George for information on the tribe and its Reservation (as they also did to Schaghticoke James Harris – see April 1902 above). During the interview, Cogswell invited the author to join the Schaghticoke Rattlesnake Club – an attempt to increase the tribe's number of white political intermediaries and potential source of tribal income (see other articles below) (A-100: *New Milford Gazette*, "A Renowned Snake Hunter", May 1, 1903).

**May 1903:** A news item in the same paper as above, announcing that Robert Kilson had killed a rattlesnake. It is evidence that some of the older generation of Schaghticoke members (George Cogswell, James Harris, and possibly Robert's father Charles Kilson, also a rattlesnake handler) were passing down the Tribe's snake lore to the younger generation, indicating the presence of Schaghticoke culture keepers = informal leaders (A-101: *New Milford Gazette*, "Bull's Bridge News", May 1, 1903).

**May 1903:** News article on Schaghticoke members of the Schaghticoke Rattlesnake Club. Club president George Cogswell is described as "the most renowned rattlesnake hunter in Connecticut". His eldest son Will Cogswell (1867-1942) was also described as a rattlesnake hunter. George's younger son Frank was also a member of the Rattlesnake Club (A-150: Nancy MacLennan, 1939, "Indians Back in Rattlesnake Haunt", *Bridgeport Post*, October 1, 1939). The articles indicate that George Cogswell was a Schaghticoke culture keeper who passed down the tribe's snake lore (snake behavior, methods of capture, preparation of tribal snakebite medication, etc.) to the younger generation of Schaghticoke.

**July 1903:** An article in the local newspaper focused on the Schaghticoke Reservation community and its leadership, particularly James Harris. Other leading residents included in the article were Value Kilson, George Cogswell (whom the author described as a "great rattlesnake hunter"), basket maker and herbalist Rachel Mauwee, and basket maker and tinsmith Henry Harris. Rachel and Henry were both deceased, yet their reputations as culture keepers and tribal elders were such that the Schaghticoke members pointedly referred to them in their interview with the journalist. Harris, Kilson and Cogswell were also lineage heads. (A-103: "Preacher Jim Harris", *New Milford Gazette*, July 17, 1903).

**November 1903:** This article was based on anthropologist Frank G. Speck's August visit to the Schaghticoke Reservation to study its residents. Prince and Speck introduced the reader to culture keeper and tribal intermediary, James Harris. Harris provided Speck with an introduction to the Reservation community and its culture ((Frank G. Speck, "Notes on Scatacook Indians", dated August 15, 1903 in his unpublished field notebook, in *Speck's Papers*, Box 14, call no. 572.97, American Philosophical Society, Philadelphia), but this paper focused on his knowledge of the Schaghticoke language. (A-104: J. Dyneley Prince and Frank G. Speck, "Dying American Speech-Echoes from Connecticut", *Proceedings of the American Philosophical Society* 42(171): 346-352).

**Month unidentified, 1904:** Schaghticoke Tribal Overseer and Agent, Martin B. Lane's report conveying the Tribe's lands to New Milford Power Company shows the State of CT dealing with the Tribe as a political entity.

**June 1904:** Newspaper article about the annual Schaghticoke Rattlesnake Club hunt. It described the intermediary role of Schaghticoke tribal leader, George Cogswell, as the president and leader of the Club, who showed new white members how to capture the snakes (A-105: *Sunday Herald*, "Hunting the Schaghticoke Rattler", June 3, 1904).

**July 1904:** Local historian Conway Curtis's article shows that the Schaghticoke Tribe's tradition of woodsplint basketry was distinct from that of other surrounding tribes. He also confirmed that tribal elder and basket maker Rachel Mauwee was a Schaghticoke culture keeper: "There is but one pure-blooded Scatacook living (ca. 1902). Rachael, aged ninety-three and still sound and active. It is said that her mind is a storehouse of Indian tradition." (A-7: Conway W. Curtis 1904, "The Basketry of the Pautatucks and Scatacook", *The Southern Workman* 33(7): 385-390).

**May 1905:** News article describing the annual 1905 Schaghticoke Rattlesnake Club snake hunt on the Tribe's Reservation, and how it was led by Club president George Cogswell. Newspaper readers were solicited to join the Club through an instruction to write either Cogswell or Club member Dr. John Monroe. James Harris's eldest son, Edson

Harris, also participated in the hunt. This and other articles listed below show that as the hunters marched to the snake den, they encountered Edson carrying a live rattlesnake. James Harris was a traditional leader and culture keeper who passed the tribe's rattlesnake lore on to the next tribal generation (A-106: *New Milford Gazette*, "Rattlesnake Den Attacked", May 12, 1905).

**May 1906:** News article describing the annual 1906 Schaghticoke Rattlesnake Club hunt on the Reservation. Club president George Cogswell is also referred to as the "chief" of the Schaghticoke Reservation. George oversaw the hunt, gave orders to the hunters, and hosted the post-hunt festivities at his home. As the Club Scout, James Harris led the way to the snake den and provided guidance to the inexperienced white hunters.

Outsiders deferred to George and James Harris as Schaghticoke leaders – intermediaries for the Tribe (A-8: *The New York Times*, "The Rattlesnake Club Makes a Good Haul", May 21, 1906).

**May, 1906:** Another news article on the annual 1906 Schaghticoke Rattlesnake Club hunt cited Schaghticoke George Cogswell and James Harris as the Club's president and guide, respectively, and described them as leading the white hunters to the snake den and teaching them how to capture a snake; i.e., they were the Tribe's intermediaries with outsiders (A-108: *The New York Times*, "Some Joys of a Rattlesnake Hunt", Sunday Edition, May 27, 1906).

**June 1906:** News article on the annual 1906 Schaghticoke Rattlesnake Club hunt described the event's activities, which included Schaghticoke George Cogswell and James Harris as Club President and Scout leading and overseeing the hunt (A-109: *Sunday Herald*, "Exciting Day's Sport of the Schaghticoke Rattlesnake Club", June 5, 1906).

Additionally, the author noted that George Cogswell "knew every ledge in the wild mountains". This and other articles listed below show that Cogswell and Harris were approached by journalists and other white outsiders not only because they were considered tribal leaders, but also as culture keepers because of their special knowledge of the Reservation's physical environment and wildlife.

**Pre-May 20, 1907:** Copy of the invitation to participate in the Schaghticoke Rattlesnake Club Hunt on the Tribe's Reservation that year on Club letterhead, which depicted a rattlesnake, snake tongs, sagwa (the tribe's medicinal antidote for snakebite), and the names of the Club's officers. They included George Cogswell and James Harris. The invitation noted that hunters would be picked up at the railroad station and brought to "the wigwam of President George Cogswell". The invitation indicates that Cogswell and Harris were intermediaries for the Tribe (A-113 Dick Howell, 1907, "Open Invitation to Schaghticoke Rattlesnake Club Hunt", undated but obviously sent prior to the actual hunt on May 20, 1907 – see below).

**May 1907:** News announcement about President George Cogswell being "in town" and having captured 4 rattlesnakes on the Reservation a week before. Tribal leadership was obviously attempting to stimulate participation in the upcoming Schaghticoke Rattlesnake Club annual hunt for the political and economic good of the Tribe. Later documents show that this becomes a common Tribal strategy: Tribal leaders (normally Cogswell or James Harris) relating Schaghticoke rattlesnake stories to journalists who enthusiastically published them to tantalize their readers; Cogswell often visited the *New Milford Gazette* office to promote positive news coverage of the Reservation and its residents, both tribal and reptilian. Leadership is demonstrated by the intermediary performance of Cogswell on behalf of the Tribe (A-114: *New Milford Gazette*, "Odd Fellows grand Lodge and Town News", dated May 17, 1907).

**May 1907:** A lengthy news account with several photographs described in some detail the annual 1907 Schaghticoke Rattlesnake Club hunt on the Tribe's Reservation. The article reported President George Cogswell and Scout James Harris leading activities and guiding the white outsiders in hunt procedures. The reporter's description of Jim's 16-year-old son Edson as "thoroughly trained in rattlesnake handling" – so much so that the boy led the 4<sup>th</sup> group of hunters – supports other documents that James Harris was a culture keeper who passed his knowledge of rattlesnake lore to the younger generation of Schaghticoke (A-9: *Bridgeport Sunday Herald*, "Schaghticoke Rattlesnake Hunt brings out Multitude of Intrepid Hunters and Ten Venomous Reptiles are Captured Alive", May 26, 1907).

**April 1909:** This article demonstrates Schaghticoke leadership in the form of tribal intermediary and culture keeper. George Cogswell's behavior as tribal intermediary – showing the reporter around the Reservation and introducing him to tribal members, as well as promoting the economy of the community by introducing the reporter to one of its basket makers and inducing him to purchase a basket – demonstrates leadership. Additionally, both George and James Harris are portrayed as culture keepers (informal leadership), preserving and handing down tribal knowledge of rattlesnake lore to the next generation of Schaghticoke. (A-117: *New Milford Gazette*, "At the Rattlesnake Den, April 23, 1909).

**May 1909:** Article announcing the annual Schaghticoke Rattlesnake Club hunt was scheduled for May 30<sup>th</sup> "on the Schaghticoke Indian Reservation". James Harris was interviewed by the reporter, who described Jim as a full-blooded Schaghticoke Indian.

"Jim Pan, the only full blood Schaghticoke Indian living, reports that the rattlers wintered well, and are out in numbers exercising themselves into venomous activity..."

Harris's report on the conditions at the Tribe's rattlesnake den demonstrated political authority, in his roles as intermediary for the Tribe with the white outsiders and as culture keeper of their rattlesnake lore and den (A-118: *New Milford Gazette*, "Rattlesnake Hunt. Annual Trip to South Kent will take place Next Sunday", May 28, 1909).

**May 1909:** Another article announcing the beginning of the Schaghticoke Rattlesnake Club Hunt. The article illustrates Schaghticoke political authority in that it described James Harris acting as tribal intermediary between the Tribe and the press in regard to an important economic and socio-political event for the Schaghticoke. Again, Harris is described as a "full blood Schaghticoke Indian" and expert in rattlesnake activities on the Reservation (A-119: *Bridgeport Sunday Herald*, "They're Off! They're Off! Snake Hunters Depart on Sixth Annual Expedition. Snakes are Lively", May 30, 1909, pg. 10).

**May 1909:** News article describes the 1909 Schaghticoke Rattlesnake Hunt on the Tribe's Reservation. Schaghticoke George Cogswell and James Harris are formally described as tribal leaders. George was referred to as a "leader" and as "president" of the Tribe's Schaghticoke Rattlesnake Club. James was described as "chief" of the Tribe. The reporter also described them performing leadership activities as well. Both men acted as tribal intermediaries, e.g., leading the white hunters to the snake den, and overseeing snake capture and other events of the day. Both were also described as having special knowledge about the Reservation environment, especially rattlesnake lore. They were culture keepers (as demonstrated in earlier documents): "[George] knows where the rattlesnakes ought to be.....if he could not point the way to them nobody could." "The [Schaghticoke] village folk knew that if no one else captured a snake, Indian Jim would be sure to get some. Catching snakes is the easiest thing Jim Pan does."

Upon the whites' arrival for the event, James Harris's daughter announced that he was already at the snake den "making a start in corralling the snakes". This supports earlier evidence that younger tribal members "salted" the snake den with rattlesnakes on the day of the hunt to ensure that the white authority figures who were club members had a successful hunt and would continue to return to the Reservation and write favorable stories about the Tribe. This article indicated that Harris supervised that activity (A-120: *New York Times*, "Snake Hunters Bag 24 Rattlers", May 31, 1909).

**July 1909:** News article about the author's visit to "Scatacook village", where he interviewed several Reservation residents. George Cogswell discussed rattlesnake lore; The reporter calls James Harris's son Ed Harris "custodian of the Rattlesnake Den", which supports other documents indicating that his father James was a tribal culture keeper of rattlesnake lore and handling who passed down his special knowledge to the next tribal generation. George Cogswell was interviewed; he demonstrated a special knowledge of rattlesnake lore, supporting other documents that he too was a tribal culture keeper (A-121: *New Milford Gazette*, "A Drive and its Scene", page 1, July 23, 1909).

**August 1909:** News item announcing that "George Cogswell, John Monroe, Merrit Page, and Mr. and Mrs. James Harris of Kent, were here Circus Day." It shows Cogswell and Harris performing leadership roles of tribal intermediaries with influential white outsiders Dr. Monroe and Page, (A-122: *New Milford Gazette*, "Village and Vicinity. Notes and Gleanings, August 13, 1909).

**August 1909:** News article that reported on the skills of Schaghticoke snake handler Edson Charles Harris and a recent show he put on with a large rattlesnake for Newtown folks. This is one of several articles demonstrating the passing down of rattlesnake lore from the older generation of snake handlers (culture keepers in tribal snake lore), which included Edson's father James, to the younger generation of Schaghticoke men (A-11: *Newtown Bee*, "Snake Stories", pg. 6, August 6, 1909).

**September 1909:** News account of George Cogswell offering to allow the Eel Weir Association to hold their next meeting on the Schaghticoke Reservation. It shows that George is a tribal leader, acting as intermediary for the Tribe in their communication with the Eel Weir Association (A-122: *New Milford Gazette*, "Village and Vicinity, September 17, 1909).

**October 1909:** News account of how George Cogswell visited a reporter in New Milford at the *Gazette's* office to recount a rattlesnake story about the Schaghticoke Reservation (i.e., he captured the largest rattlesnake he ever saw there). Again, George is acting as a tribal intermediary by promoting a positive image of the Reservation residents as brave, friendly Indians while at the same time providing advertising for the Schaghticoke's Rattlesnake Club - which, as noted above, had significant political and economic functions for tribal survival (A-122: *New Milford Gazette*, "Village and Vicinity. Notes & Gleanings", October 1, 1909.)

**November 1909:** News article that mentioned Schaghticoke and how Reservation resident George Cogswell, the president of the Schaghticoke Rattlesnake Club, captured a huge rattlesnake that he was holding captive in his cellar. Again, the article is indicative of George's role as a tribal intermediary with the press to drum up positive articles about the Tribe and its Rattlesnake Club (B-39: *New Milford Gazette*, "Trip to North Purchase," November 12, 1909).

**December 1909:** Obituary for James Harris, published in a regional paper that served the towns of Shelton, Derby, Ansonia, Seymour, and Stratford in the lower Housatonic Valley. It noted James' leadership as "guide" in the

Schaghticoke rattlesnake hunts (A-124: *The Evening Sentinel*, "Victim of Diphtheria: Full-blooded Indian, Well-known to Snake Hunters is Dead: pg. 1, December 3, 1909).

**December 1909:** News article on the death of James Harris, eulogizing James for his special knowledge of the Tribe's homelands and his prowess in rattlesnake lore:  
"He was the chief scout and guide. He knew where the rattlers lived, and never piloted a band of hunters to the snake den on a fruitless search...He loved those Schaghticoke hills and the winding Housatonic that flowed close by the door of his cabin home."

The quote implied Jim's role as culture keeper and supports other documents that also characterize that leadership role (A-126: *Bridgeport Herald*, "Last of the Schaghticoke", December 5, 1909).

**December 1909:** News announcement of the death of James Harris that supported his position as a tribal leader in his role as tribal intermediary and as a culture keeper with special knowledge of use to the Tribe. The report mentioned Jim's participation in the Colonial Division of the New Milford Bicentennial parade in 1907. White authorities could have invited any of a number of Schaghticoke to march in the parade; there was a Schaghticoke community on Second Hill Extension in New Milford as well as the Kent Reservation residents. But they gave the honor to James Harris, indicating that they saw him as a Schaghticoke leader who represented his Tribe. The report also mentioned his position as Scout in the Schaghticoke Rattlesnake Club from its very beginning to James' death, showing that James had special knowledge of the Schaghticoke homeland (its physical environment, snake lore) not shared with outsiders (*New Milford Gazette*, "Bull's Bridge", December 17, 1909).

**January 1910:** Another news article created by one of George Cogswell's visits to the *New Milford Gazette's* newsroom. In this case, George informed the reporter that he had captured a five-foot rattlesnake on the Schaghticoke Reservation and placed it in his root cellar to deter rodents from stealing his root vegetables. George's conversation with the newsman included amusing suggestions for the use of rattlesnakes that helped him create an interesting story for his readership. Additionally, photographs taken of the snake were used to create postcards for the public. This is another example of George performing as a tribal intermediary with the press and -ultimately- with the public, helping to instill within them a positive image of the Schaghticoke Tribe and its Reservation, and promote the Schaghticoke Rattlesnake hunts, for the political and economic benefit of the tribe, as noted previously (B-40: *New Milford Gazette*, "Rattlesnake in Captivity", January 14, 1910).

**March 1910:** A news article that was a follow-up to the previous, January article about the huge rattlesnake captured by George Cogswell and kept in his cellar to protect his root vegetables from vermin. In this interview with the reporter, George continued to interest the press and the public with the prowess of the Schaghticoke as fearless snake handlers even in winter, when snakes normally hibernate in their dens. He announced that the snake had died, but not until he/she had generated "several hundred inquiries to Cogswell.....through mail and in person....." by non-tribal outsiders to the Schaghticoke Reservation: "Auto parties from Bridgeport, New Haven, New York, and Hartford ran up to Scatacook to view his coils." Some photographed the snake. This article is one of several cited in this document that demonstrate George Cogswell's leadership role within the Schaghticoke Tribe as intermediary between the Tribe and outsiders such as the press and the public. The fact that he was knowledgeable enough about rattlesnake behavior that he was able to capture and keep a rattlesnake in his root cellar from November 1909 to March 1910 supports his role as a culture keeper of tribal rattlesnake lore, demonstrated in previous and subsequent news articles (B-41: *New Milford Gazette* "King Snake is Dead," dated March 25, 1910).

**April 1910:** Short news report that Schaghticoke Ed Harris "began the snake season early" by capturing snakes in April. Edson Harris was the eldest son of the late tribal leader James Harris, who was frequently mentioned in previously discussed news articles with George Cogswell as leaders in the Schaghticoke Rattlesnake Club. Previous news reports noted the prowess of Edson Harris in snake handling and in dealing with the press on the subject. This article suggests that Edson, once the rattlesnake apprentice to his father, was taking over his father's role as culture keeper in rattlesnake lore and as a tribal intermediary in dealing with the press (A-122: *New Milford Gazette*, "Village and Vicinity", dated April 1, 1910).

**May 1910:** News announcement that Edson Harris had captured a rattlesnake at the Schaghticoke Reservation den and displayed it in a storefront in downtown Kent. This article supports our supposition above that Edson had stepped into his father's role as culture keeper and tribal intermediary with the press and general public. The announcement was obviously intended to drum up new membership and participation in the Schaghticoke Rattlesnake Club's snake hunt,

which was just three weeks away (A-122: *New Milford Gazette*, "Village and Vicinity, Notes and Gleanings, dated May 6, 1910).

**May 1910:** News article demonstrating that George Cogswell was a Schaghticoke leader who functioned as an intermediary between white outsiders and the Tribe. In this news account, George leads a tour of the Reservation lands to various points of interest that included the tree-blazed western boundary line between the Reservation and New York State, old wood roads connecting Schaghticoke charcoal-making areas, and former homesteads of tribal members on Schaghticoke Mountain—all of which showed his intense knowledge of Schaghticoke history and of the Reservation landscape. During the walk he discussed tribal history. He mentioned that tribal member Value Kilson had researched the early land deeds and noted that the deeds for the homestead known as the "Rogers' Place" made no mention of an occupant by that name. George also discussed other Schaghticoke homesteads along the tour and the tribal members who formerly occupied them. George's keen knowledge of tribal history and Reservation lands and acting as tribal guide for the white outsiders revealed his role as a Schaghticoke leader (A-12: *New Milford Gazette*, "Encircling Tribal Lands", dated May 6, 1910).

**May 1910:** Announcement that George Cogswell was elected "Scout" of the Schaghticoke Rattlesnake Club, to fill the empty position once held by the recently deceased Schaghticoke leader James Harris. As noted in other documents cited, the role of Scout was to lead Club members to the Schaghticoke rattlesnake den during the annual hunt, and to ensure that they found and safely captured snakes on the Tribe's Reservation. The fact that only Schaghticoke tribal members ever held this position shows that they had special, traditional knowledge of Reservation lands and rattlesnake lore that was not shared with outsiders. George's special knowledge indicates his role as tribal culture keeper; his position as Scout indicates his role as tribal intermediary with white outsiders. Both roles show George was a Schaghticoke leader (A-122: *New Milford Gazette*, "Village and Vicinity", dated May 27, 1910).

**June 1910:** News account of the events at the annual Schaghticoke Rattlesnake Club hunt that include the capture of 20 rattlesnakes, a sheep roast, and the honoring of the late James Harris by Club members, who visited his grave in the Schaghticoke burying ground and placed a wreath upon it. Respect was shown James for the many years he served as the Club's Scout and as his role as an intermediary between the white outsiders and the Tribe, as shown in previously cited documents (A-122: *New Milford Gazette*, "Village and Vicinity", dated June 3, 1910).

### 1911-1920

**May 1911:** News article reporting that Schaghticoke Ed Harris, who was living in New Milford, "went to Scatacook the day before and brought home a live rattlesnake for a pet". The article is one of several documents that noted Edson Harris' prowess in snake handling, which supported his father James Harris' role as a tribal culture keeper in rattlesnake lore, who passed down the information to the next generation of tribal members. It also indicated that Edson had taken on his father's role of tribal intermediary with the press, drumming up interest in the Schaghticoke Rattlesnake Club hunt, which would take place the following month, and keeping the Tribe in the public eye (B-42: *New Milford Gazette*, "From Point of the Mountain to Aspetuck", dated May 19, 1911).

**June 1911:** News announcement of the upcoming Schaghticoke Rattlesnake Club hunt on the Schaghticoke Reservation. It noted that clam chowder would be served at George Cogswell's house, a sheep dinner would be served after the hunt, and James Harris' grave in the Tribe's burying ground would be decorated. The news item demonstrates the leadership roles of both Cogswell and Harris as tribal intermediaries with the white outsiders (A-129: *Sunday Herald*, "Hunters of the Rattlers Ready for Annual Drive", dated June 4, 1911).

**July 1911:** This is one of several news articles entitled "Scatacook", which described its residents and their daily lives, providing the public with a view of an American Indian community near Kent. The reporter focused on George Cogswell, "Scout of the Rattlesnake Club", whom he interviewed. George displayed his comprehensive knowledge of animal life on the Reservation, including the habits of rattlesnakes and white-tailed deer, which had made him such an excellent choice as "Scout". The article highlighted George's role as both a tribal culture keeper and tribal intermediary with the press (A-131: *New Milford Gazette*, "Scatacook", dated July 28, 1911).

**February 1912:** Another news report based on an interview with George Cogswell, "President of the Schaghticoke rattlesnake Club [who] rode in from Kent today". As noted in previous documents, George visited the press room to engage the newspaper's readership in stories of the rattlesnakes and other game on the Schaghticoke Reservation. The interviews continued to inform the public on the community's Indian identity and provide positive images of the Tribe

and its members, including George. This and other visits to the newsroom portray George's role as a tribal intermediary between Schaghticoke and outsiders such as the newsmen and the public in general (A-122: *New Milford Gazette*, "Village and Vicinity, Notes and Gleanings" dated February 19, 1912).

**May 1912:** Still another news article of George Cogswell, "who was down from Scatacook", visiting the *New Milford Gazette* office, and who "brought the information" that the annual Schaghticoke Rattlesnake Club hunt would not be held this year. He did note, however, that he and a small party had visited the rattlesnake den on the Reservation and captured six snakes, indicating that the cancellation was not due to a dearth of rattlesnakes on the Rez. The comment was also a means of keeping the public interested in the Schaghticoke Tribe and its Reservation. The event showed George functioning as an intermediary between the Tribe and outsiders, staying connected with the newsmen and their readership (B-43: *New Milford Gazette*, untitled news article dated May 31, 1912).

**May 1913:** News article of another interview with George Cogswell, "Scout" of the Schaghticoke Rattlesnake Club. As in previous articles, George discussed the Schaghticoke rattlesnake den on the Tribe's Reservation, showing his expertise in rattlesnake behavior. (B-44: *New Milford Gazette*, "Will Hunt for Snakes: Schaghticoke Rattlesnake Club Plan Meet about June 1", dated May 9, 1913).

These rattlesnake-dominated interviews normally occurred within a month of the Club's annual snake hunt. Their functions were to cement friendly relations with the newsmen, promote continued interest in the Schaghticoke Tribe among the readership, and draw in more white outsiders as Club members and tourists to the Reservation. These outsiders were potential political allies, who might also contribute to the Tribe's economy through the purchase of baskets, etc., as noted in previous articles. George's leadership within the Tribe is demonstrated as he pursued those goals via his role as tribal intermediary with these white outsiders. His success in engaging politically powerful white men to this end is demonstrated in the June 20, 1913 news article summarized below.

**June 1913:** News announcement of the annual Schaghticoke Rattlesnake Club hunt. The reporter highlighted George Cogswell's tribal leadership by noting that the hunters would assemble at George's house, that he was the "Scout" of the Club who would organize and lead the hunt, and that George would later tell rattlesnake stories of past hunts on the Reservation (*Sunday Herald*, "Schaghticoke Rattlesnake Club goes after Rattlers Today", dated June 15, 1913).

**June 1913:** News report of the annual Schaghticoke Rattlesnake Club hunt held on the Schaghticoke Reservation, describing the usual events of that day, which included drinking of the Schaghticoke anti-venom (sagwa), the hunt, and the sheep roast. Of note is the reporter's list of some of the white authority figures who attended, demonstrating the efficacy of Tribal leadership's frequent interviews and visits to the newsroom, cultivating relationships with newsmen: "Mayor Clifford B. Wilson of Bridgeport, George S. Hill, Police Commissioner, Dick Howell, newspaper proprietor and editor, Dad Barber, artist, City Clerk Boucher of Bridgeport, and other great men of Connecticut were on hand" (A-133: *New Milford Gazette*, "Snake Hunt at Scatacook, New York Sun Writer tells about Sunday's Gathering", dated June 20, 1913).

**June 1913:** Boston Globe article recognizing Tribe and customary traditions. References annual traditions of rattlesnake hunt and Great White Way. A-134: *The Boston Globe*, "Hunting Rattlers on Schaghticoke", dated June 22, 1913.

**July 1913:** Another news article entitled "Scatacook", demonstrating that the local white communities recognized that the Tribe was a distinct socio-political entity centered in a specific geographic region – their Reservation lands near the town of Kent. A quote in the article is economically and politically significant: "The shortage in the crop of rattlesnakes this year is looked on in the light of a calamity by our residents, as we have been disposed to regard the Den and its inhabitants as a good feature and an attraction" (*New Milford Gazette*, "Scatacook", dated July 18, 1913).

The quote confirms that tribal leadership used the Schaghticoke Rattlesnake Club and the Reservation's rattlesnakes to interest and entice white outsiders to the Reservation community. The many tourists from all over the state as well as adjacent New York who visited the Rez (see the article dated March 25, 1910 above), as well as the white snake hunters, helped the Schaghticoke economy by paying for the privilege to join the rattlesnake hunt (see below) and by purchasing souvenir baskets. News reports of the snake hunts drew many outside participants, especially powerful white men in the form of newspaper owners and editors, city and state politicians, government workers, and men in law enforcement (see above articles).

**June 1914:** Another news interview with George Cogswell, the Schaghticoke Rattlesnake Club "Scout", about the rattlesnake den on the Tribe's Reservation. The journalist reported that George was keeping two rattlesnakes in a "woven-wire cage at his home at Scatacook village". As numerous times previously, George was keeping the Schaghticoke Tribe and Reservation in the public eye with one of his interesting stories on its rattlesnake population and their relationships to tribal members; in this article, the member in question was George. This news article is one of several listed above and below that confirm George as a tribal leader through his roles as intermediary between the tribe and the press, and as a culture keeper of tribal rattlesnake lore (A-122: *New Milford Gazette*, "Village and Vicinity", dated June 5, 1914).

**July, 1914:** Another news interview with "chief scout" George Cogswell, who visited the local news office in New Milford to inform the paper's readership that the Schaghticoke Rattlesnake Club's annual hunt was a successful one, having captured four rattlesnakes – another example of George functioning as the tribe's intermediary with white outsiders, spreading supportive stories about brave, friendly tribal members and their tribal traditions (A-122: *New Milford Gazette*, "Village and Vicinity", dated July 10, 1914).

**August 1914:** Another news interview with George Cogswell, "scout of the Schaghticoke Rattlesnake Club", again acting as intermediary between the Tribe and the press. He reported that he had been bitten by a rattlesnake captured during the annual Club hunt held the previous month. The bite was not lethal, and George professed that it was due to his keeping the snake in a box without water for six weeks, as the venom of rattlesnakes caged in that manner was less likely to cause serious consequences. George's health status appeared to confirm his statement and supported previous documents above of his extensive knowledge of rattlesnake lore and the Reservation environment not shared by outsiders (that is, that George was a tribal culture keeper). George also mentioned that the events of the rattlesnake hunt had been filmed by a motion picture photographer. The tribe allowed the photographer to film the hunt because it planned to use the movie to advertise itself throughout the United States as a brave, friendly Indian community: "If the moving pictures of the hunt turn out well, they will be shown in the theaters of the country and thus the fame of Scatacook and its people will be widely increased" (A-122: *New Milford Gazette*, "Village and Vicinity", dated August 14, 1914).

**December 1914:** Another news report entitled "Scatacook", reporting on happenings at "Scatacook village". The game warden requested that George Cogswell join him in investigating the report of a dead deer across the Housatonic "from Scatacook" (a very unusual occurrence, since deer were virtually extinct in southern New England since the early 1800s). It demonstrates that, like the reporters, white outsiders considered George to be a Schaghticoke tribal leader (*New Milford Gazette*, "Scatacook", dated December 11, 1914, Reel C-06:1).

**February 1915:** Another one of the numerous news articles that interviewed George Cogswell about "Scatacook", with George playing his customary role as the Tribe's intermediary with white outsiders. Additionally, the reporter noted George's reputation as a guide and scout on and adjacent to the Reservation. It showed that the Schaghticoke had special knowledge of those lands that was unknown to outsiders: "George Cogswell, who is so familiar with the mountain fastnesses of the Dent lands west of the river that he is widely known as guide and scout" (A-122: *New Milford Gazette*, "Village and Vicinity", dated February 12, 1915).

**November 1915:** News account of the funeral of Schaghticoke Mary (Kilson) Jessen. Traditional ceremonies such as lining the grave with evergreen boughs (signifying everlasting life; the rite is still performed during Schaghticoke burial rites) and interment in the Schaghticoke Burying Ground on the Reservation were overseen by George Cogswell. This role is a traditional leadership role in traditional Native American society and supports George's leadership position in the Schaghticoke Tribe (A-110: *New Milford Gazette*, "A Schaghticoke Funeral", dated November 5, 1915).

**Month unknown, 1917 or 1918:** In a 1982 interview, New Milford Town Historian Howard Peck reminisced on Schaghticoke rattlesnake handlers. He recalled when Earl Kilson caught the largest known rattlesnake – eight to 10 feet long. Peck remembered seeing a news photo of tribal member William Russell (1899-1955) holding the live snake. He believed that Russell had been 18 or 19 years old at the time, which would place the year of the event as 1917 or 1918 (A-135: *Community Study Oral History Interview*, conducted by Paula Rabkin, April 5, 1982). Howard's interview showed the passing down of a Schaghticoke tradition – rattlesnake lore – to younger generations of tribal members through apprenticeship to a tribal culture keeper of that lore. Earl Kilson was the son of Bertha Kilson and the grand nephew of snake handler Charles Kilson. Bill Russell was a grandson of tribal leader and Schaghticoke Rattlesnake Club Scout James Harris; Bill was also the father of the present SIT chief, Alan Russell.

**December 1919:** An extensive news article on the Schaghticoques that showed them to be an Indian community separate from the general Kent population in several ways. The author's use of such terms as "squaw", Indian princess",

and "Indian" clearly showed he believed that the Schaghticoke were an Indian community. He mentioned a recent tribal census that showed about 100 members living on and off the Reservation in tribal relations. Off-Reservation members, such as Robert Kilson who lived in New Haven, did so to obtain work, but continued to keep in contact with Reservation members and return to the Rez when they were able. The journalist discussed a number of these members by name, their offspring and their ancestors, and included photographs of a number of them. One was Eunice Mauwee, who died in 1860 at the age of 104 years. The respect given her by tribal members as well as local whites, even though she had been dead for almost 60 years, supported her status as a tribal culture keeper (as did earlier documents from the 19<sup>th</sup> century). Both George Cogswell and the author referred to her as an "Indian princess," indicating the Tribe's recognition of her as an informal Schaghticoke leader.

According to the article, the last year of the Schaghticoke Rattlesnake Club hunt was 1918; it had not been held this year due to the onset of Prohibition and the fact that sagwa, the traditional Schaghticoke antivenom for snakebite consumed by the hunters, contained alcohol. Sagwa was part of the Tribe's rattlesnake lore – special information on the Reservation snake den, snake behavior, snake stories, etc. passed down to tribal members by their culture keepers – a characteristic identifying a discrete Indian community: "At the last gathering, much ceremony was made of destroying the recipe of the snake bite cure. This recipe was handed down by the Indians from generation to generation."

The traditional events of the Club hunts were enumerated, including snake capture, the celebratory sheep roast and green corn dinner, and Schaghticoke women sometimes provided entertainment with dancing: "In the early history of the club, some of the squaws on the reservation furnished some kind of entertainment in the way of dancing" (A-18: *Hartford Courant*, "Where the Last of Our Red Men Linger", dated December 21, 1919).

**December 1919:** Another news account entitled "Schaghticoke" (spelled "Scatacook" in previous news articles), about the Schaghticoke community on their Reservation, based in part on the December 21<sup>st</sup> article that was published by the *Hartford Courant* (see above). The officers of *The New Milford Times* thought the *Courant's* portrayal of their local Indian tribe – the Schaghticoke – "so good that we take the liberty of republishing some of the more important parts of it". The quote and subsequent article demonstrate that local newspaper men as well as those in Hartford, believed the Schaghticoke were a discrete Indian community. Like the *Courant*, *The Times* article also noted that the last hunt of the Schaghticoke Rattlesnake Club was in 1918 due to its snake bite remedy, sagwa, having been banned by Prohibition (A-19: *The New Milford Times*, "Schaghticoke", dated December 25, 1919).

**June 1920:** Another news interview with George Cogswell, who revealed that he continued to coordinate and lead rattlesnake hunts on the Tribe's Reservation even though the official Schaghticoke Rattlesnake Club was defunct. Staff from the Bronx Zoo in New York City requested his services as guide to the Reservation den. These events all demonstrate George's continuing role as a Schaghticoke leader: "Cogswell's favorite sport is climbing the rocky ledge 900 feet above and almost directly overhanging his cabin to catch rattlesnakes. Nothing delights him more than when his friends from the reptile house at the Bronx Park Zoo come rattler hunting and ask his company on the climb and the bagging."

The reporter's racist attitude, revealed in his use of pidgin English, shows that he believed the Reservation residents were part of a discrete Indian community: "Man bitten, rattlesnake, he dies. No cure now. Prohibition. Big sport now, hunt rattlesnake. No cure" (A-20: "Only Three of Ancient Tribe Left, Trio of Indians Occupy 1,000 Acre Reservation in Connecticut Hills", news clipping from an unidentified newspaper dated June 1, 1920).

## 1921-1930

**1921:** Overseer, Jabez Swift, wrote to the Governor of the State regarding the Tribe in *Collections of the CT Historical Society*, recording recognition of the Tribe as an Indian Entity and a distinct community, and the political relationship of that Entity with the State. A-22: *Collections of the CT Historical Society Volume XIX* (11, 3 pgs.). A-11

**March 1923:** News report on the death of George Cogswell that noted he led the Schaghticoke rattlesnake hunts, and that he (like James Harris – see documents above) had a special knowledge of the Reservation lands not shared with outsiders. Both accomplishments confirm his role as a Schaghticoke leader.

"Cogswell was the leader of the famous Schaghticoke rattlesnake hunts of other years....those who used to participate in the hunts had thrilling sport under the leadership of Cogswell. He knew the places where the biggest rattler was to be found" ("Indian Descendants are Disappearing", unidentified news clipping dated March 15, 1923).

**June, 1926:** News article on the reunion of the Schaghticoke Rattlesnake Club in June 1926 on the Tribe's Reservation, which provides early evidence of the leadership roles of Howard Harris (who was elected chief in 1954 and

held the position into the 1960s; see below) and Frank Cogswell (who became chief in the 1930s and held the position until his death in 1953; see below). The reunion was coordinated by Howard, the youngest son of James Harris, deceased Scout of the Club until his death in 1909 (see above news articles). Frank Cogswell, second son of the Club's deceased President George Cogswell, kept a "register" of the reunion attendees. Club members visited the Schaghticoke Burying Ground to place flowers on James' grave, and Howard attempted to get them to join him in climbing Schaghticoke Mountain to visit the snake den. (A-137: Lindsey Denison, "Snake Hunters Capture Memories but No Rattlers", *Bridgeport-Waterbury Herald*, editorial section, pg. 1, dated June 6, 1926).

Howard was unsuccessful in reconvening the original Schaghticoke Rattlesnake Club. He and other tribal members did, however, continue the annual snake hunts informally for many years, according to his daughter Adele (Harris) Garby (1926-1992): "Garby noted every May her father returned to the rattlesnake hunts which 'were a social affair – like going out to play golf'" (B-45: Jill Peacock, "Milford Woman Attends Canonization of First American Indian Saint", undated news clipping from the *Milford Citizen*). Other evidence that the Schaghticoke continued the annual rattlesnake hunts for many years after 1918 was provided by Howard Harris's grand-niece, Mary Fradette (AKA Dolly Kodamac, b. 1918), the eldest daughter of Ella (AKA Alice) Harris Storm Kodamac Van Valkenburgh, Howard's niece and the daughter of Howard's older sister, Grace Harris Storm) in an interview. She recalled that her mother would attend hunts and capture snakes. The motive was economic as well as social: "I remember my mother going but me you couldn't get me to go. I said you go I'm not going. And when they did, I didn't care. I mean selling skins, they want to sell the skins and the meat for oil. I said you go I'm not going. As for me I want no part of the snakes" (A-138: pg. 6, *Interview of Mary Fradette and Flora Story* by Angelito Palma, February 28, 2003).

1924-1926: Connecticut Park and Forest Department assumes responsibility over Reservation from individual overseers.

1925: Legislative Committee on Parks and Reservations repealing some existing statutes and placing Indians under care of Commission. Appointed the State and Park commission overseer of Indians in Litchfield County. Overseer Chase of Kent, arrangement to continue with Superintendent. Investigations of conditions required and referred to Field Secretary and Superintendent.

Jan. 29, 1925: Letter from Schaghticoke tribal member George Cogswell to federal commissioner of Indian affairs regarding the Tribe's reservation. (B-46: National Archives, Indian Affairs, 1925.)

March 10, 1925: Chief Clerk C. F. Hauke letter to Schaghticoke tribal member regarding the Tribe's reservation. (S-8: National Archives, Indian Affairs, Assistant Commissioner E.B.) (Please see attachment under first posting: 1925.)

February 28, 1926: Letter from Schaghticoke tribal member George Cogswell to federal commissioner of Indian affairs regarding the Tribe's reservation. (B-46, S-8: National Archives, Indian Affairs, Assistant Commissioner E.B.)

March 19, 1926: Letter from DOI Indian Affairs clarifying that Schaghticoke Indians reservation is administered by the State and not the federal government to inquiring tribal member, George Cogswell. (A-136: Letter E.B. Meritt, Assistant Commissioner, Indian Affairs to Schaghticoke Tribal Member, Frank Cogswell (B-46, S-8: National Archives, Indian Affairs, Assistant Commissioner E.B.) (Please see attachment under first posting: 1925.)

1926: letter from Commissioner Wheeler of Fish and Game State Board relating to member of the Tribe.

1928: \$500 added to the board of Fish &c to appropriation. Repairs needed on Kilson house (shows Kilson family as tribal family A-78).

### 1931-1940

Month unknown, 1933: The Schaghticoke Tribe began preparing their federal land suit known as Docket 112 as early as 1933 and submitted it in 1936, according to Franklin "Swimming Eel" Bearce (1878-1965) in his letter to on and off-Reservation members ("All Reservation and Isolated Kent Schaghticoke Indians") dated May 16, 1955. Bearce focused on the revised lawsuit, but he also noted that at some time before the Tribe initially filed their suit, they reorganized their political structure: "The Tribe reorganized. William Cogswell senior was elected Sachem, [Earl] Kilson and Howard Pan Harris Sagamores and the Eel Medicin [sic] man. When Claims were filed the Eel was elected Tribal Chairman [of the Schaghticoke Claims Committee] and has functioned in such capacities to date" (A-139: Franklin "Swimming Eel" Bearce, *Letter to All Reservation and Isolated Kent Schaghticoke Indians* dated May 16, 1955).

That William Cogswell was the Sachem of the Schaghticoke Tribe at this time, later followed by his younger brother Frank, who became the sachem/chief of the Tribe after William became ill with diabetes (he died in 1942), was confirmed by William's grandsons Truman and Theodore Cogswell in a 2001 interview. Both men were active in Schaghticoke politics, having been appointed sagamores when they were 28 years old (B-50: Theodore and Truman Cogswell, interview with Attorney Jeffrey Sienkiewicz at the Law Firm of Sienkiewicz and McKenna, P.C. in New Milford, CT on November 15, 2001, pp. 93-96).

Tribal leaders were elected to formal offices and a "Claims Committee" was formed. Although a non-Schaghticoke, Bearce was appointed chairman of that committee by the Tribe for several reasons. Bearce appeared to have the economic resources to spend the time and money to pursue the lawsuit on the Tribe's behalf. His most important asset, however, was his active membership in several politically savvy pan-Indian organizations. These organizations began to appear in the 1920s, and by the 1930s they were flourishing (A-140: Hazel W. Hertzberg, *Search for an American Indian Identity*, Library of Congress 77-140889, 1971, pp. 218-236).

"The most explicit statements made by the leaders of the society [of American Indians] concerned self-determination" (Hertzberg, *op. cit.* pg. 180).

"Thus, by the early thirties, fraternal Pan-Indianism could be clearly identified and had emerged as a continuing force in American Indian life. Like reform Pan-Indianism, it used the idea of 'the Indian race' as the Indian common ground and emphasized past Indian virtues assumed to have been held in common by all Indians...The activities of the various clubs tended to be quite similar, being fraternal, social, and educational. Often dances and powwows were featured. The celebration of American Indian Day continued as a favorite activity of many clubs, and better education was a perennial theme" (Hertzberg, *op. cit.* pp. 234-235).

Their members were very cognizant of the legal procedures tribes must follow to file claims against the federal government for recovery of their lost homelands under the Indian Reorganization Act of 1934. Bearce's use of the term "reorganized" in the quote above obviously referred to this Act.

Prior to the 1930s, Schaghticoke leadership appeared to be more informal with (1) culture keepers preserving and passing down tribal history and traditions, and (2) lineage heads coordinating and leading tribal economic and socio-political activities. The ca. 1933 Schaghticoke election created formal leadership positions more suitable for negotiating with federal officials (as shown in documents above).

1934: CT received an application or inquiry from a New York resident of 1/4 Schaghticoke blood who wished to be recognized as a member of the tribe. There is no information on the outcome of the decision. The Commission was authorized to pass questions of eligibility for residents on the reservation. Doubtful cases would be referred to the U.S. District Attorney (B-51).

7/1/30-6/30/31 Schaghticoke Indian Reservation Fund. 7/1/31-6/30/32 Schaghticoke Indian Reservation Fund. 7/1/30-6/30/32 Schaghticoke Trust Fund. 7/1/32-6/30/33, 7/1/33-6/30/34: Schaghticoke Indian Reservation Fund. 7/1/32-6/30-34 Schaghticoke Trust Fund. 7/1/35-6/30/36, 7/1/36-6/30/37 Schaghticoke Indian Reservation Fund. 7/1/35-6/30/37 Schaghticoke Trust Fund. 7/1/37-6/30/38, 7/1/38-6/30/39 Schaghticoke Indian Reservation Fund. 7/1/38-6/30-40 Schaghticoke Trust Fund (B-52).

1925: State Park and Forest Department was given jurisdiction over the tribe (A-32: Soulsby 1979).

**November 1934:** News article that provided a tribal perspective of Schaghticoke history and the 1934 Schaghticoke community on the Reservation also demonstrated tribal leadership. Reporter interviewed tribal elder Bertha Kilson Riley (1879-1939), who showed him photos of tribal members and provided detailed descriptions of them and of past tribal events. Bertha provided the reporter with a tour of the Reservation households and introduced him to the residents.

Bertha's information on the Tribe was extensive and holistic in the sense that she knew well the life histories and stories about members from all Schaghticoke lineages, not just her own. For example, she discussed the Civil War exploits of Nathan Cogswell and the craftsmanship of Henry Harris as a tinsmith and blanket maker, as well as the Christian work ethic of Value Kilson and Parmelia Mauwee Kilson's English-type plank house – the first one on the Reservation ca. 1803. She told the reporter stories about the Schaghticoke rattlesnake hunts, the Tribe's traditional summer migrations to Long Island Sound to collect and dry shellfish, and the Tribe's ordeal of having to remove and rebury their ancestors from the tribal burying ground 30 years previous when the cemetery was flooded during creation of the Bull's Bridge Dam. (The Peabody Museum of Natural History at Yale University has several photographs of the event, including Value Kilson removing his father's remains for reburial in the Tribe's third known burying ground on the Reservation. One of the photos included Bertha Kilson – See Lucianne Lavin *op. cit.* 2013:356.) Significantly, the ancestral remains were reburied in the traditional Schaghticoke manner, showing the community continued to follow certain Schaghticoke cultural traditions: "At one of the small houses, back of the others, on the hillside, lives the granddaughter of Value Kilson, the most kindly and learned Indian of the Schaghticoke Tribe. She is very hospitable as were her Christian forefathers, and by pictures and personally will introduce a visitor to the other nine members of the settlement who are all related. They do not dress as their ancestors nor do they have those old blankets or the feathers of the braves for the Indian is buried with all his possessions. A few years ago, when a hundred Indians had to be removed from an old burial ground to the one on the Reservation the remains were again wrapped in blankets, in tribute to the Indian rites." ("Last of Shaghticokes [sic] Lead Quiet Lives among Ancestral Relics at Kent", news clipping from unidentified newspaper dated November 1934).

Bertha's interfacing with the reporter, leading him through the reservation and introducing him to each of the household members demonstrates her role as tribal intermediary. Her extensive knowledge of tribal history and tribal members past and present show her to be a tribal culture keeper

**Month unknown, 1935:** This document about the Schaghticoke Reservation residents by folklorist A-33: Francis R. Cole supports both tribal community and tribal leadership. Cole interviewed Bertha Kilson Riley and Frank Cogswell at the Kilson house, where she and Frank were about to write an article on the Schaghticoke community, which had been solicited of them by an unnamed newspaper. With Cole, the two discussed Schaghticoke cultural traditions, especially the importance of the Schaghticoke rattlesnakes to the Tribe, and their tribal Burying Ground, as documents above show had been used continuously for tribal funerals and burials since its inception ca. 1904, when the earlier tribal cemetery had been flooded during construction of Bull's Bride Dam – see above articles: "They take excellent care of the ancient Indian cemetery which was moved a few years ago from its original spot, because it was too near the river, to another location" (A-33: Francis R. Cole, "The Last of the Schaghticoques", in *Folklore and Folkways Survey*, Box S5210-211, RG33, *Records of the Works Projects Administration, CT 1935-1944*).

Both Bertha and Frank performed the role of tribal intermediary during their meeting with white outsider Francis Cole, and also with the unidentified newsman referred to in the article. Additionally, the fact that the newsmen had singled out Bertha and Frank to help them publish an article on the Schaghticoke community indicates that the press viewed them as tribal culture keepers of tribal history and traditions, as well as tribal intermediaries. Previous and subsequent documents cited here also portray Bertha and Frank as tribal intermediaries and culture keepers (e.g., November 1934).

1936: There was a need for the Kilson house to be repaired, the decision was made to move the house rather than repair it. There were no more funds for repairs (B-54). 2/5/36 State park and forest commission meeting. Known members if tribe, residents, and non-residents as of Dec. 1935. 3/11/36 section 1587I of general statutes (1935) state park and forest commission overseer of Schaghticoke and other tribes. Disbursement of tribal funds (B-55).

**March 1936:** The *Minutes* for the March 11, 1936 Meeting of the State Park and Forest Commission listed the indigenous "tribes of Indians" for whom Park and Forest was the institutional overseer. The list included the Schaghticoke, which clearly demonstrates that the state of Connecticut recognized the Schaghticoke as a discrete Indian community (A-36: State of Connecticut, Park and Forest Commission, *Meeting No. 282*, March 11, 1936). The *Minutes* claimed (inaccurately) that the Tribe contained only 12 members, 10 of whom lived on the Rez while 2 lived in adjacent New York. It provided no accounting of the many tribal members living off-Rez in Connecticut (mentioned in documents above), likely because those families were economically self-sufficient and did not require moneys from the Tribal Fund overseen by Park and Forest. The Commission's ignorance of the off-Reservation Schaghticoke members led to another inaccurate statement – that the Tribe had no formal leader. As noted previously (Month Unknown, 1933), Will Cogswell had been elected Chief in 1933, and Will and his family lived off-Reservation in New Milford. Earl Kilson and Howard Harris had been elected Sagamores at that time (A-38).

3/11/36 400-acre reservation, membership requirements seem to be at tribal discretion but are included in the state document (A-38).

1938: release of a mortgage on property entered in 1867 held by the overseer of the tribe. March (B-56).

**August 1939:** News announcement of the "Indian Day" celebration co-sponsored by the Schaghticoke tribe and the American Indian Association of America, which was scheduled to be held October 1<sup>st</sup> on the Schaghticoke Reservation. The announcement provided significant information on Schaghticoke leadership, who permitted the use of their Reservation land for the event and were principal players in its proceedings. The "address of welcome" was provided by "the Schaghticoke sachem" Frank Cogswell (not identified in this article but he is in other documents that described the event – e.g. see September 1939 document below). Earl Kilson, identified in a previous document as a Schaghticoke Sagamore, made bows and arrows at the event. "Gray Owl, Scattacook" raised the flag of the American Indian Association", and the Tribe's non-Schaghticoke intermediary, Franklin "Swimming Eel" Bearce, lit the Council Fire, lead the peace pipe ceremony, and danced the rattlesnake dance (A-51: *New Milford Times*, "Heap Big Powwow," dated August 24, 1939).

**August 1939:** Swimming Eel Bearce responded to a letter from Dr. Frank Speck inquiring about the Schaghticoke community. In the letter the Eel mentioned that "our Sachem the Cocksure" was attending a Narragansett powwow with him. Cocksure was the original name for Cogswell, and indicates Swimming Eel was referring to one of the Cogswell brothers, likely Frank, who is named as the Schaghticoke Chief in articles on the Tribe's October powwow (A-50: *Elewathum Bearce*, letter to Dr. Frank G. Speck, August 13, 1939)

**September 1939:** Written in conjunction with the Indian Day celebration announced above, this publication recounted the history and traditional culture of the Schaghticoke community from the viewpoint of a local Kent resident, Marian Cornwell. It leaves the distinct impression that Kent folks liked and sympathized with their long-time neighbors,

that everyone knew the Schaghticoke were real Indians, albeit friendly and peaceful, but that their community was still quite distinct from those of the local whites.

Included was a discussion of Schaghticoke woodsplint basketry, local whites' recognition of the Schaghticoke's pre-emptive right to basket wood anywhere in Kent, and Schaghticoke rattlesnake expertise. Cornwell profiled several tribal leaders – both informal culture keepers and formally recognized leadership – and provided photos of them and the reservation community. They included the late James Harris as a tribal leader with special knowledge of the Reservation land and its rattlesnakes; James' mother Abigail Mauwee Harris, a well-known basket maker; and Frank Cogswell, whom the author identified as the "Schaghticoke Sachem", who would hold "a post of honor in the American Indian Day Celebration."

The author noted Frank's frequent participation in inter-tribal events, and specifically mentioned his most recent trips to Narragansett, Penobscot, Onondaga, and an Indian community in Montreal. The article included a photo of Frank with an Onondaga tribal leader. The caption read: "Frank A. Cogswell, Schaghticoke Sachem (right) who gives Address of Welcome to visiting Indians. Pat Johnson (left), Onondaga Indian Chief."

Cornwell's description of Frank Cogswell characterized his role as tribal intermediary between the Tribe and outsiders, which included both the residents of Kent as well as other Indian communities. It also showed that Frank was recognized as a Schaghticoke leader by both the Kent community and by other tribes and a pan-Indian association (A-52: Marian E. Cornwell, *The Schaghticoke: Descendants from Our First Americans*, The In-Kent Vicinity Associates, Kent, published September 1939).

**October 1939:** News report on upcoming Indian Day celebration focused on past and present Schaghticoke leaders. It discussed the late James Harris, his special knowledge of Schaghticoke and its rattlesnakes, and his leadership in the Schaghticoke Rattlesnake Club.

"The Schaghticoke Rattlesnake Club – those local proteges of the late Jim Pan....[who] taught snake men and newspapermen to mix a brew of sagwa, to scale the ledges of a snake mountain, to detect a snakeskin camouflaged in leaves and hollow, and how to understand the rattle-language of the deadly 'Timber'."

The author mentioned William and Frank Cogswell, sons of Schaghticoke Rattlesnake Club President George Cogswell, as tribal rattlesnake hunters who participated in Club hunts and who would attend another reunion of the Club members at the Indian Day celebration. He also noted that after Harris' death [in 1909], on Decoration Day James was honored by the Cogswells, newspaper officials George Waldo and Dick Howell, and CT State Representative Shag Wheeler – all members of the Tribe's Rattlesnake Club – placing a wreath on his grave in the Tribe's Burying Ground on the Reservation. The above information supports many other documents above that record James Harris and George Cogswell's roles as culture keepers (esp. of tribal snake lore) and intermediaries with outsiders such as the white newspapermen the reporter mentioned above (*Bridgeport Post*, "Indians Back in Rattlesnake Haunts", dated October 1, 1939).

**October 1939:** News account of the Indian Day celebration held October 1<sup>st</sup> on the Schaghticoke Reservation. Fifty representatives from other Indian tribes attended the event, including reps from the Mohicans, Narragansetts and Penobscots as well as the Schaghticoke. The Governor of CT gave a speech. Will and Frank Cogswell are mentioned, as is Swimming Eel Bearce. Although Frank was the formal Chief of the Tribe (see documents above), William Cogswell, the previous chief (see document above), still exhibited an intermediary leadership role in his meeting the special train that brought outsiders attending Indian Day at Kent depot and escorting them to a bus that carried them to the Schaghticoke Reservation (A-53: *New Milford Times*, "Indian Day is Celebrated in Spite of Rain/Governor Baldwin Guest at Kent School Lunch", dated October 5, 1939; see also the newspaper account below, dated June 1972, of the 1972 Schaghticoke pow-wow that mentioned Will Cogswell's role at this 1939 inter-tribal gathering).

**October 1939:** News account of the Indian Day celebration, which reported 600-700 people in attendance. Native American tribal participants mentioned included Schaghticoke, Blackfeet, Narragansett, Seminole, Pocasset, and Mohican. The reporter noted that "Frank Cogswell represented the local reservation in peace pipe ceremony" (A-148: *Newtown Bee*, "Kent: Indian Celebration held on Sunday, pg. 14, dated October 6, 1939).

Cogswell's role as a representative of the Tribe at the event, and an intermediary between the Schaghticoke and the Indian and non-Indian outsiders in attendance clearly showed leadership.

**October 1939:** News report of the "American Indian Day" celebration on the "Scatacook Reservation" estimated a crowd of 1,000 persons and 50 Native American representatives from a diversity of U.S. and Canadian tribes. The reporter recounted that the "Chief of the Scatacooks" presented Connecticut's Governor Baldwin with a pair of moccasins (B-57: *Newtown Bee*, "Bethel: Governor Baldwin Speaks at American Indian Day in Kent", pg. 14, dated October 6, 1939).

**October 1939:** One of several newspaper articles in the local paper on the Bicentennial celebration in the town of Kent, CT. This one focused completely on the Schaghticoke community and the large part the Tribe played in the history

of the town right up to the present: "The Schaghticoke Indians and their Reservation certainly have a place in Kent's history, since they were the first settlers in our town."

The article discussed several Schaghticoke folk tales and traditions, especially basket making and tribal basket makers. The widespread extent of this activity within the Tribe indicated that the tradition had been passed down through generations, which indicated culture keeping and culture keepers. Several tribal leaders were mentioned and depicted in photographs, including the current Schaghticoke chief, Frank Cogswell (see documents above and below), and the Tribe's recent Indian Day celebration. The author wrote with pride about the past and present accomplishments of the Tribe. He obviously did not view them as a dying remnant, but as an active Indian community still contributing to the history of the region (A-55: *New Milford Times*, "Kent and its Historic Past: Schaghticoke Indians Ever Played their Part in Kent", dated October 26, 1939).

**November 1939:** In an interview, Theodore and Truman Cogswell reported that in 1939 their great-aunt Julia Cogswell Batie had been honored by the Tribe with a silver "crown" (i.e., headband) and given the title of Indian princess. She wore the headband at social gatherings until her death (B-50: Theodore and Truman Cogswell, interview with Attorney Jeffrey Sienkiewicz at the Law Firm of Sienkiewicz and McKenna, P.C. in New Milford, CT on November 15, 2001, page 118). A photograph in the possession of her niece Trudie Richmond shows Julia at a powwow wearing regalia and the headband. A copy of this photo was included in Truman and Theodore's interview. This tribal tradition was mentioned by Frank Speck, who noted that tribal members related that more than 50 years ago they had elected a "queen" who was crowned with a silver headband. The respect shown Julia Batie by Schaghticoke tribal members indicates she was a tribal leader.

1939: Amendment to 1935 Act, section 1587c, authorizing overseer of tribes.

1939: An invitation from the Schaghticoke Tribe on behalf of the Indian Association of America (A-49).

1939: Schaghticoke powwow. Connecticut governor attends. (A-56: *Bridgeport Post*, Oct. 1, 1939; Cornwell, 1939: 1; Eugene Bull, 1994 interview). STN Petition Narrative p. 57. A-57.

**August 1940:** Letter to anthropologist Dr. Frank G. Speck from Elewaththum Bearce, in response to a previous letter from Speck, which demonstrated Schaghticoke political authority in several ways. Speck apparently enquired about Frank Cogswell. His deference to Frank, and Bearce's referral to Frank as "the Cocksure Sachem at Schaghticoke" (referring to the 18<sup>th</sup> century name for the Cogswell lineage) clearly demonstrated Frank's official role as the Chief of the Schaghticoke Tribe. Bearce informed Speck that Frank Cogswell had visited the Iroquois community at "Caugh na ma ga" in Quebec because "he wants a war shirt and to see Indians there". It supports Frank's role as an intermediary between the Schaghticoke and outsiders. Bearce invited Speck to attend the "Corn Dance Ceremonies" that would be held at the Schaghticoke Reservation on August 16-18 that year. That traditional harvest ceremony also indicated political authority, since supervision and management would be necessary for the success of such a large public event. The letterhead on which Bearce wrote was The Federated Eastern Indian League, and it included Schaghticoke as an affiliate of that multi-tribe organization, demonstrating that other Eastern tribal leaders viewed Schaghticoke as a discrete Indian community (A-58: Elewaththum Bearce, "Letter to Frank Speck" dated August 5, 1940).

**August 1940:** Newspaper account of the Corn Dance powwow held on the Schaghticoke Reservation, in which over 250 tribal representatives from 14 states were participants. Representative tribes included Schaghticoke, Narragansett, Mohegan, Pequot, Wampanoag, Shinnecock, and Iroquois. It included traditional dances, songs, crafts, and ceremonies "by real Indians." The fact that it was held on the Schaghticoke Reservation implies Schaghticoke political authority, as Schaghticoke leadership would have needed to give permission to the pan-Indian organizations that sponsored the event to do so. Also, the title of this news report suggests that the reporter witnessed active Schaghticoke participation in the management of the event ("Kent Indians Hold Three-Day Dance", news clipping from an unidentified newspaper dated August 17, 1940).

## 1941-1950

1941: State transfers jurisdiction to Welfare Department (A-32: Manataka 2004)(A-32: Soulsby 1979)(CT General Statutes Section 692F (1941).

1941: Annual Corn Harvesting Festival of the Federated Eastern Indian League takes place on the Schaghticoke reservation. (STN Petition Narrative p. 58 citing *Bridgeport Post*, August 7, 1941.)

7/1/1941-6/30/1944 Schaghticoke Fund. 7/1/1943-6/30/1945 Schaghticoke Fund. 1944-1946 State appropriations Schaghticoke Fund. 7/1/1946-6/30/1947 Schaghticoke Fund (A-61).

1946: State of area of Schaghticoke reservation. Kent land records col 30. P. 512 deed from 1/25/1925 showing line of title to 12/11/1868. This was a southerly portion of 600 acres deeded to Ebenezer Preston, Jr. 9/1/1801. The deeds

and chains of title seem to show that the reservation as of 1946 was primarily privately owned by multiple parties. 1946-1948 state appropriations (A-60).

1947: Tribe files unsuccessful land claim with Indian Claims Commission (A-32: Manataka 2004).

**July, 1949:** *Minutes of the Legal Tribal Council* meeting held at the Schaghticoke Reservation show that tribal members were concerned about the lack of housing on the reservation, especially the need for Reservation housing for tribal leadership, and it was resolved to notify the state official (Squires) who was in charge of reservation affairs. Significantly, 17 Schaghticoke members assembled at the meeting to vote "to accept and file" Revised Schaghticoke Indian Claims with the federal government. The Minutes indicate tribal leadership with community concerns actively seeking solutions. The document was signed by Heneratta Peckham as tribal Secretary. There were also followers – Schaghticoke members attending the meeting to listen to leadership discussion. The Minutes demonstrate community and political authority (A-143: *Minutes of the Legal Tribal Council Meeting*, dated July 10, 1949 and inserted on page 11 of the Schaghticoke petition to the Indian Claims Commission – see below).

**July, 1949:** "The Kent Tribe of Schaghticoke Indians" presented a lengthy petition to the Indian Claims Commission (24 pages and a 5-page "Supplementary Appendix"), requesting "the right to file Revised Schaghticoke Indian Claims under public law 726, and plead that the Commission entertain a motion on behalf of the Kent Schaghticoke Tribe for a docket placement number, for a fair and just hearing and award by the Commission..." The tribe was seeking monetary damages in regard to unlawful loss of tribal lands. The word "Revised" is significant, as it indicates that the Schaghticoke Tribe had submitted a land claims prior to July 1949. The petition was signed on July 10, 1949 at a Schaghticoke tribal Council meeting by the five members of the Schaghticoke Indian Legal and Claims Committee "for the tribe". Swimming Eel Bearce notarized the petition and the July 10<sup>th</sup> tribal Council Meeting Minutes on July 18<sup>th</sup> and sent them to the Indian Claims Commission. It demonstrates political authority (Schaghticoke Petition dated July 10, 1949).

6/8/49 map of reservation. 7/1/49-6/30/50 Schaghticoke Indian Reservation Fund report documenting Reservation residents (A-61).

#### 1950-1974

7/1/50-6/30/51 Schaghticoke Indian Reservation Fund report documenting Reservation residents. A-66:

7/1/1951-6/30/1952 Schaghticoke Indian Fund. A-68: 7/1/1952-6/30/1953 Schaghticoke Indian Reservation Fund report documenting Reservation residents. A-69: 7/1/1953-6/30/1954 Schaghticoke Indian Reservation Fund report documenting Reservation residents.

5/1951: According to the federal document "Order Dismissing Petition", the land claims known as Docket 112 was filed by Schaghticoke leadership with the Indian Claims Commission on May 16, 1951. It was dismissed by the Commissioners of the Commission in 1958, apparently because the Tribe had not employed an attorney to represent them in their claim. The document demonstrates community and political authority on the part of the "Local and Enrolled Members of the Kent Tribe of Schaghticoke Indians" (A-144: The Indian Land Claims Commission, "Order Dismissing Petition" dated September 9, 1958).

1952 Indian Claims Commission Case Petition Docket No. 112 shows that the Tribe had political recognition to be heard in the Commission and political authority was exercised by suing the United States government (B-58).

1953: Article on Frank Cogswell, oldest member living on reservation. (Waterbury Republican, August 17, 1953.) A-71

**October 1954:** A "Council Meeting" was held on the Schaghticoke Reservation, where the status of the Tribe's land claims was discussed, and elections were held. Tribal leaders Julia Parmalee, Lenare Thorpe, and Howard Harris were voted onto the "Schaghticoke Legal and Claims Committee", bringing it up to seven members. Originally there had been five members, who were listed: Earl Kilson Sr, a tribal Sagamore (who resigned from the committee at the meeting), William Russell Tin Pan, Theodore Cocksure Cogswell Pahie, Henaretta Peckham Wild Rose, and Bearce as chairman of the committee.

Howard was elected Chief of the Tribe. Theodore Cogswell was voted Rear Sagamore, Jean Renault was elected Treasurer. Some 22 tribal members plus Swimming Eel Bearce attended the meeting and signed the Minutes (B-59: Henaretta Peckham, Schaghticoke Secretary, "Official Minutes" dated October 24, 1954).

Acting on behalf of the Tribe, Bearce notarized the *Minutes* and sent to the Indian Claims Commission in Washington, D.C, along with a "Petition of the Kent Tribe of Indians Connecticut for a review hearing by the Congress of the Tribes public legal and status relations with the Federal and State Sovereign Powers".

In a 2001 interview with the Town of Kent's attorney, Theodore and Truman Cogswell acknowledged that Howard Harris was elected Chief of the Tribe after Frank Cogswell's death in 1953 (B-60: Interview with Attorney

Jeffrey Sienkiewicz at the Law Firm of Sienkiewicz and McKenna, P.C. in New Milford, CT on November 15, 2001, page 113).

1955: The Schaghticoke Tribe complained that the CT Light and Power company in Kent had moved the tribal burial grounds. (A-32: Soulsby 1979) The department did not address the complaint and the Tribe appealed the decision in the federal courts. (A-32: Soulsby 1979).

1961 – Present: CT specifically lists Schaghticoke Tribe as a tribe in their current statutes. C.R.S. 47 Section 63 (B-61, 2015).

A-72: June 1, 1954: Letter to assistant attorney general in the United States Department of Justice for a request for information about the Schaghticoke Tribe. Letter explains a May 31, 1954 newspaper clipping showing that the Schaghticoke were using suing the U.S. for \$20 mil.

7/27/1954: letter from Assistant A.G Perry Morton requesting additional information about Schaghticoke. The letter references a claim before the Indian Claims Commission. (Docket No. 112). The claim is concerning tracts of land that were condemned. A-73

8/6/1954: letter from deputy commissioner to the attorney general in the doj. Letter states that there is no information concerning properties that were subject to inquiry. There had been a request for information about an "Elevathum Swimming Eel Bearce" also known as Franklin E Bearce, the Schaghticoke Tribe indicated that the Tribe did not recognize him as a member (B-62).

October 1954: A "Council Meeting" was held on the Schaghticoke Reservation, where the status of the Tribe's land claims was discussed, and elections were held. Tribal leaders Julia Parmalee, Lenare Thorpe, and Howard Harris were voted onto the "Schaghticoke Legal and Claims Committee", bringing it up to seven members. Originally there had been five members, who were listed: Earl Kilson Sr, a tribal Sagamore (who resigned from the committee at the meeting), William Russell Tin Pan, Theodore Cocksure Cogswell Pahie, Henaretta Peckham Wild Rose, and Bearce as chairman of the committee.

Howard was elected Chief of the Tribe. Theodore Cogswell was voted Rear Sagamore, Jean Renault was elected Treasurer. Some 22 tribal members plus Swimming Eel Bearce attended the meeting and signed the Minutes (B-59: Henaretta Peckham, Schaghticoke Secretary, "Official Minutes" dated October 24, 1954).

Acting on behalf of the Tribe, Bearce notarized the *Minutes* and sent to the Indian Claims Commission in Washington, D.C, along with a "Petition of the Kent Tribe of Indians Connecticut for a review hearing by the Congress of the Tribes public legal and status relations with the Federal and State Sovereign Powers".

In a 2001 interview with the Town of Kent's attorney, Theodore and Truman Cogswell acknowledged that Howard Harris was elected Chief of the Tribe after Frank Cogswell's death in 1953 (B-60: Interview with Attorney Jeffrey Sienkiewicz at the Law Firm of Sienkiewicz and McKenna, P.C. in New Milford, CT on November 15, 2001, page 113).

9/1958: The Schaghticoke land claims (Docket 112) was dismissed by the Commissioners of the Indian Claims Commission, apparently because the Tribe had not employed an attorney to represent them in their claim, The Commissioners noted that the Tribe's claim had been filed with the Commission on May 16, 1951. The document demonstrates community and political authority on the part of the "Local and Enrolled Members of the Kent Tribe of Schaghticoke Indians" (A-144: The Indian Land Claims Commission, "Order Dismissing Petition" dated September 9, 1958).

January Session 1959: Update to section 1587c of the 1935 supplement to the general statute – An Act Authorizing the Commissioner of Welfare to Act as Overseer of Indians Residing in the State (B-66).

7/1/1956-3/36/1961 resources and reimbursements of the Schaghticoke Indian Fund (A-78).

7/1/1956-6/30/1960 Schaghticoke Indian Fund record (A-78).

10/13/1957: Article discussing / acknowledging Schaghticoke Tribe and associated rights of independent political entities including legal land claim suits and fighting to maintain hunting and fishing rights. (A-76: Baur, Robert C., The Last People of the Long River. Oct. 13, 1957.)

1/28/1960 Article on Connecticut tribes and Schaghticoke noting they hold land and the State's annual appropriation to maintain its political relationship with the Tribe. (A-79: Hartford AP Jan 28, 1960).

2/28/1960: New Haven Register Article on Gail & Allen Russell noting them as members of the Schaghticoke Tribe that had been there for two centuries. Also explains Tribe as politically independent entity with no access to schools or tax funds ("tax free"), receiving healthcare, etc.

Late 1960's: Schaghticokes spearheaded struggle against the Welfare Department. Other CT tribes joined, and it became a statewide movement for the tribes to have more autonomy. (A-32: Soulsby 1979) Late 1960's: Schaghticokes spearheaded struggle against the Welfare Department. Other CT tribes joined, and it became a statewide movement for the tribes to have more autonomy. (A-32: Soulsby 1979). (Please see attachment under first posting: 1700.)

7/1/1960-6/30/1961 total Indian appropriations (A-78).

1/16/60 Schaghticoke reservation bill for repairs done to the Kilson residence. 7/19/61 documentation of the bills submitted to repair the Kilson house (A-78).

5/15/61 Bill to welfare department for the Schaghticoke reservation for repairs to the Kilson house (A-78).

1966: Book written on present day Schaghticoke Tribe references political authority. (A-83: Wilbur, John F., "The Scaticook Indians of Kent, Connecticut," WCSU Archives -- Student Exhibition Space -- WestD, accessed April 14, 2016, <http://archives.library.wcsu.edu/studentOmeka/items/show/2238>.)

11/2/1960: letter from CT Asst. AG about transfer of lease of reservation land from one non-Indian to another. The decision was made that this type of transfer of the lease is not possible (A-81).

1/28/1960 Article on Connecticut tribes and Schaghticoke noting they hold land and the State's annual appropriation to maintain its political relationship with the Tribe. (A-79: Hartford AP Jan 28, 1960).

2/28/1960: New Haven Register Article on Gail & Allen Russell noting them as members of the Schaghticoke Tribe that had been there for two centuries. Also explains Tribe as politically independent entity with no access to schools or tax funds ("tax free"), receiving healthcare, etc. (B-67).

7/1/1961-6/30/1962 No Fund for Schaghticoke. 400 acres of land with and houses. Schaghticoke Indian Reservation Fund report documenting Reservation residents (B-68).

5/7&11/1963: "Kent Tribe of Schaghticoke Indians" through its Tribal Committee present a "writ" regarding land claims to the United States District Court of Record and Common Pleas in New Haven, Connecticut on May 7, 1963. The writ lists the Schaghticoke tribal officers and the members of the Tribal committee on its page 4. William Cogswell's son Theodore Cogswell is listed as sachim. Herbert Johnson and Theodore's son Theodore Cogswell jr. are listed as sagamores. Heneratta Peckham is listed as "squaw sachem" and secretary. Beatrice Arlene Cogswell is listed as Treasurer. The Tribal Committee members are Theordore Cogswell, Julia Parmalee (nee Cogswell), Lenoria Thorpe, and Heneratta Peckham. The writ was originally signed on May 7<sup>th</sup> by Elewaththum Swimming Eel Bearce as chair of the Tribal Committee. Additional pages, including a "Revised Tribal enrollment List" were added and Bearce signed again on May 11<sup>th</sup>. The document demonstrates both community and political authority, in that it notes a body of tribal members with elected/appointed leaders (A-145: Elewaththum Swimming Eel Bearce to "United States District Court of Record and Common Pleas, New Haven, Connecticut" May 7 & 11, 1963).

1970: Records of the Moravian Mission Among the Indians of North America. Moravian Mission, Research Publications, Inc. New Haven (microfilm A-86).

1972: 6.6.1972: Report on creation of Indian Affairs Council acknowledging Tribe (B-70).

June 1972: Description of the 1972 Schaghticoke powwow in Kent, which noted that this powwow was not the Tribe's first public powwow; others were held in 1939 and 1941. Reporter noted that so many outsiders wished to attend the 1939 event that a special "Indian Day" train ran from New York to Kent, and the William Cogswell, in the role of tribal intermediary, met the train at the Kent station and escorted them to a bus, which drove them to the Tribe's Reservation (A-146: "1939, 1941 Enclaves. Kent powwow won't be Town's First", unidentified newspaper clipping dated June 14, 1972). 11/30/72 Tribal membership list: defining its membership and excluding membership (A-87).

3/22/1973 Letter from then chief of the Schaghticoke to his Uncle Charlie who had recently come back to Connecticut. He is trying to gain support of elders to lead the younger members of the Tribe. He is trying to show legitimization of the tribal rolls and that there is a strong political body on which on the tribe can stand (B-71).

1973: Schaghticoke Indian Tribe forms corporation (A-32: Manataka 2004).

1973: Late 1960's tribal movement led to the creation of the CT Indian Affairs Council in 1973. (A-32: Soulsby 1979). (Please see attachment under first posting: 1700.)

1974 map of CT reservations (A-89).

5/22/1974 letter from the Navajo Health Authority about ability to discuss information that they have concerning medical school and related activities for Indian peoples. They are asking for information to maintain a mailing list (A-88).

1974: Chief Irving Harris (Mikigu) is chairman of the Connecticut Indian Affairs Council. (See Connecticut Indian Affairs Council records.)

1974: The Schaghticoke filed suit against 10 landowners in Kent for the return of tribal lands that were sold to the state in violation of the non-Intercourse acts of 1790. Primary defendants were the Kent School and the Preston Mountain Club. (A-32: Soulsby 1979).

2/26/1974: letter from Truman Cogswell to Havasupai Tribal Council lending support from the Schaghticoke Tribal Council in the Havasupai Council's efforts to regain lost lands A-90.

3/25/1974: Tribe sends official demand letter to the US House on behalf of another tribe, Havasupai (B-72).

1975-1999

1975: SIT files claim for Kent School lands in U.S. District Court (A-91).

1975 – Present: Tribe specifically identified by Connecticut Indian Affairs Council. 47 C.R.S. 59b-10 & 29 (B-61, 1976).

A-93: 9/11/1976: Letter to Vine Deloria. The letter informs Mr. Deloria of the suit against Kent school since he went there. IT states that they were being represented by Pine Tree Legal Assistance at the time who was being assisted by NARF. The Docket No. for the petitions was H75-125

7/6/1977: Brenden S. Keleher, Indian Affairs Coordinator memo to the file about the state of Indian Affairs in CT. The memo states that responsibility toward the reservations, including Schaghticoke, had been shifted from the Department of Welfare to the Department of Environmental Protection and the newly created Indian Affairs Council. It states that the genealogies for the tribes were at that time in the custody of the Indian Affairs Council. The genealogical charts are described in detail. States that the genealogies were collected by the Park and Forest Commission, a genealogist was hired for the task. They seemed to have been compiled between 1936 and 1940 A-94.

1978: CT Light and Power company returned 50 acres to the tribe. (A-32: Soulsby 1979).

5/24/1979: Letter Carmody to Mikki Agansata, the Indian affair coordinator about the settlement with the Schaghticoke to determine which parcels were to be conveyed to the Tribe as part of the settlement (A-149).

11/1979: A report was made on the Schaghticoke Tribe and given to the Ct Indian Affairs Council acknowledging its political independence. (A-32: Soulsby 1979).

B-1: 12/2/1980 article in The News Times showing Chief Maurice "Butch" Lydem as a leader in the effort to develop land and become more self-sufficient.

1980: Trudie Ray Lamb note about her involvement as a Schaghticoke Indian in New England Indian affairs (B-73).

1981: SIT files Letter of Intent for federal recognition with BIA. (A-32: Manataka 2004).

8/13/81: Rainmaker report. Includes map of the reservation and notes about the efforts to dig for precious metals. Authority demonstrated by right to dig for ore, oil, gas, metals (B-3).

11/9/1984: article about leadership dispute under a new constitution (B-6). Cites that nearly 200 people vote in Schaghticoke elections, and that there are about 400 Schaghticoke in the State. Also talks about logging industry on Schaghticoke land. Addresses claim that some of the lands were sold in violation of the non-Intercourse acts.

7/21/85 Asserting political influence by swearing he was not at non-tribal meeting. Affidavit Russell, April 29, 2004 (B-28).

1989: OLR Research Report by CT State Associate Attorney refers throughout document to an Indian entity, Schaghticoke, as distinct group and community. It discusses various events throughout. Under State Recognition point 5, State legislature passed 1989 Act recognizing five "indigenous tribes" which included the Schaghticoke. OLR Research Report, 2002-R-0517, p.8/State Recognition Pt. 5 (B-9: Christopher Reinhart May 23, 2002).

1996 Tribal newsletter. Death of Tez Red Thunder Cloud (B-30).

1997: 10/24/1997: "The Gathering of the Tribe" joint statement that STN is not the same as SIT and that STN has no authority over them (B-15).

11/11/1997: letter about inquiry concerning the possible donation of land to SIT. Request was made by Alan Russell. She chose to keep the land in case she needed to sell for debts (B-16).

1997: Letter to the editor of the Waterbury Republican. Letter references an article where Schaghticoke want to stop the sale of older baskets. Letter shows anti-Indian sentiment (B-13).

12/11/1997: Letter from Jason Lamb to Tribal Council stating that Alan Russell and his family are Schaghticoke and that the letter that was being attributed to him stating the contrary was not signed by him (B-31).

11/97: Newsletter to tribal members and families. Addresses the need to consult with Chairman before allowing anyone to dig on the reservation. They are trying to keep cultural artifacts from being taken (B-17).

1997 newsletter: goal to have a cultural school similar to the Kahnawake (Mohawk) school. Includes photographs, quote from "Indian Grandfather", quote from Ben Black Elk (Sioux), copy of a page from a book about New England Indian traditions, children's activities, quote by Joseph (Nez Perce), flyer about powwow in NC, handout from powwows.com about what a powwow is (B-18).

3/22/1998 Tribal meeting notice. Discussion of Richard Velky, the constitution, and other matters concerning the membership rolls (B-19).

3/1998 Newsletter. Article from Indian Country about Meanis arrest, photos, and a new fact about the CT Dept of Environmental Protection. Mentions general electric and their fishing waters (B-20).

1998 Tribal newsletter: notice about powwow in Uncasville, CT. (B-21).

1999 Letter from Alan Russell to Richard Blumenthal about the removal and placement of sludge at the Kent sewer treatment plant. Claim that sludge is being dumped on historically Schaghticoke lands that are subject to litigation (B-23).

12/21/1999: Letter by Alan Russell to H. John G Rowland regarding the submission of a constitution by Richard Velky to state of CT. Letter says that Velky has no authority (B-24).

## 2000-2010

6/20/2000: Motion to amend motion to intervene in US, State of CT, Mass, Housatonic Environmental Action League v. General Electric. Acting on behalf of Tribe, Tribal Chairman enters suit against State Environmental Protection for fallout of GE's contamination of river (B-32).

6/4/2000 article in Sunday Republican about the conflict between Golden Hill and STN as well as STN and SIT (B-34).

5/7/00 Tribe identifies self as an Indian community / tribe when Chairman clarifies those who are not members. Affidavit Russell, May 1, 2004 (B-35).

5/7/00 Chairman acts politically naming non-members at tribal meeting. Affidavit Russell, May 1, 2004 (B-36).

12/19/01 Genealogist Choquet identifies Gail Russell Harrison as a Blue Heron Clan member of the Schaghticoke Indian Tribe acknowledging tribe as an Indian community. Letter from Schaghticoke Indian Tribe Genealogist to Member Harrison 12/19/2001 (B-37).

10/25/2002: Letter to Alan Russell from Lee Fleming concerning petition at the time for federal recognition. It was going to be considered simultaneously with STN's petition (B-38).

1/19/2001: Letter from the executor of the estate of Florence Baker Bonos authorizing Russell as the chairman of the tribe to be the agent of the estate (C-1).

5/28/2004: article about Alan Russell arrest in Kent Tribune. Charges were criminal mischief and reckless endangerment related to a pile of boulders placed around a pavilion on the reservation (C-13).

4/7/2001: Resolution by Tribal Council to send a letter of intent to apply for recognition (C-2).

8/17/2001: creation of an Executive Committee as part of the tribal council, comprised of council members to expedite any litigation concerns (C-4).

5/29/2001: US support of SIT motion to intervene in US v. 43.74 acres of land (C-3).

3/19/2004: Letter from Michael Burns to Nicholas Bellantoni, Office of State Archaeology, about excavation. Letter explains that SIT is in control of reservation and that the state does not have the jurisdiction to make decisions regarding the land (C-103).

2004: An article by Paulette Crone-Morane and Lucianne Lavin published in the journal *Connecticut History* that discussed the many 18<sup>th</sup>, 19<sup>th</sup> and 20<sup>th</sup> century Schaghticoke petitions and other documents addressed to the Connecticut legislature and courts demonstrates tribal political authority for those periods. The authors concluded that: "The numerous tribal petitions, memorials, and letters to the Connecticut legislature and courts throughout the eighteenth, nineteenth, and twentieth centuries demonstrate that from earliest historic times the Schaghticoke Tribe established a survival strategy of negotiation and cooperation based on English law that has successfully conserved tribal resources and tribal communities while maintaining the Tribe's distinct identity as a separate entity from that of their non-Schaghticoke neighbors. They managed this through education, Anglo intermediaries, and direct tribal participation in the English Court system. The efficacy of this political strategy is demonstrated by the fact that the Tribe and part of its original Homelands at Schaghticoke Reservation have survived to this day in a world dominated by Anglo-American society, while neighboring tribal governments emigrated west or dissolved" (A-2: Paulette Crone-Morange and Lucianne Lavin, 2004, "The Schaghticoke Tribe and English Law: A Study of Community Survival", *Connecticut History*, 43(2):132-162), page 153).

2008: newsletter to all members letting them know of the fire at Alan Russell's house. Includes a photo of the house before it burnt and a photo of Gail by the outhouse. People from the community came to help (C-48).

5/4/2001: SIT motion to intervene, declaratory relief, injunctive relief, and damages in STN v. US & CT light and power (C-104).

1/27/2006: Letter from Ed Sarabia of Ct Department of Environmental Protection about newspaper articles mentioning a development plan. Letter states "The State of Connecticut has a trust relationship to the reservation, and the Department of Environmental Protection (DEP) has certain responsibilities set forth in the General Statutes over and above the DEP's responsibility for the environment in the state of Connecticut as a whole. . . The DEP is sensitive to the issue of tribal sovereignty and has attempted to discharge its responsibilities in a manner respectful of those areas where state law indicates that decision-making is vested in the tribe, its leadership and membership," (C-105).

5/4/2001: SIT motion to intervene in STN v. Kent School Co. (C-106).

4/22/2008: letter on behalf of the Schaghticoke tribal council to give permission to Lucky Cricket Productions, LLC to file on the reservation (C-50).

7/17/2003: tribal council resolution regarding residency on the reservation. Only members of SIT may gain legal interest in any building or residence on the reservation.

6/14/2008: print out from A-32: Manataka American Indian Council about Schaghticoke Indian tribe, however there is a seal from the Schaghticoke tribal nation included.

9/23/2003: motion to reappoint tribal enforcement officer for an additional 30 days (C-107).

2004: tribal newsletter, includes photographs and a note from the head of land management (C-60).

4/15/2004: meeting minutes from the tribal council meeting Voted on proposal by CMB to assist in legal needs as well as security, tribal marshals, and acceptance of land donation (C-57).

4/28/2004: Notice about the presence of a tribal marshal and protection from intrusion by local government (C-108).

5/2004: Council resolution showing exclusion from tribal lands of any unauthorized persons or groups (C-58).

5/28/2004 Newspaper recognizes Tribe and Russell as leader. Russell also builds a border to define the Reservation, asserting Tribe's political influence and making an important decision on behalf of all members of the Tribe. State Police Arrest Alan Russell, Chief of the Local Schaghticoke Indian Tribe, Kent Trib., May 28, 2004 (C-12).

8/21/2004 Local Schaghticoke Indian Chief Faces Continuing Court Appearances in Dispute over Control of Schaghticoke Reservation in Kent, Kent Trib., August 21, 2004 (C-59).

6/14/2004 Attorney General recognizes Schaghticoke as Tribe. Tribe exercises political influence by planning for a casino with the State and on behalf of its members. Rick Green, Tribes Await Federal Rulings, Hartford Courant/CTNOW.com, June 14, 2004 (C-14).

8/4/2004: Letter to attorney Michael Burns seeking updates on the recognition process (C-109).

9/2004: Tribal newsletter, includes dates for a potluck, DOI/BIA news, Court case between SIT and STN update, a birth announcement, information about land maintenance, and a get well soon message (C-55).

11/21/2004: Tribal council meeting minutes. Adoption of a judiciary system similar to Oneida was adopted. Decision to apply for a national bank charter. A vote was taken to remove a council member but keep him on tribal rolls. A vote was taken to elect attorney Kevin Quill as co-counsel (C-110).

11/2004: tribal newsletter. 86 people attended the powwow the previous October. Includes thank you notes for those who helped with the event. Additionally, it includes a birthday wish (C-60).

5/25/2004: Exclusion letter sent to Richard Velky about his wish to use a pavilion on the reservation (C-111).

8/30/2004: Letter to Nancy Johnson to discuss the issues with SIT and STN (C-112).

11/21/2004 about issues that were voted on and passed. Mentions removal of council member who was not taken off rolls, adoption of a co-council, application for a national bank charter. Mentions future meeting with Kirk Goodtrack, President of the Emerging Markets Division of Penn National. Additionally, mentions the adoption of the Oneida style judiciary system (C-110).

2/1/2005: Letter to Michael Burns regarding Council meeting (C-113).

2/1/2005: SIT acceptance of resignation of Michael Burns, asking for transfer of documents to new attorney Kevin Quill (C-114).

5/4/2004: special meeting agenda. Vote to have Kevin Quill assist Michael Burns with federal petition, notify those who have been appointed as marshals, plan to set a date for a summer powwow (C-115).

9/2005: Tribal Newsletter. Mention of annual gathering of the tribe, SIT being commemorated during ceremony at World Peace Sanctuary in Amenia, NY, notified community of council meeting, update on SIT v. STN, note about caring for forest (C-116).

2/10/2005: Council meeting minutes. Vote to accept the Kilson clan representative to the tribal council, vote taken about need for planned trip to IBLA, not about those who missed the meeting and how they were reached to be told about the meeting (C-47).

11/11/2005 letter to state authorities about some of the voted-on issues at 11/10/05 special meeting (C-65).

12/10/2005: Special council meeting where vote was taken to accept pre-development contract, vote taken to pay salaries and have 24 hr. security at pavilion, discussion about affiliates of Silo Ridge, vote taken to open bank account for tribe, all showing the Tribe acting as a distinct community and exerting its political influence over its members (C-117).

3/5/2006: Announcement of a telephone conference council meeting agenda on 3/19/2006. Agenda includes budget issues, council expansion, new member acceptance, trading post, grant opportunities, and youth program (C-119).

3/19/2006: Council meeting notes, trading post, expand council, new members (C-119).

11/1/2006: Agenda for telephone conference tribal council meeting (C-120).

11/12/2006: Telephone conference tribal meeting discussing council expansion, removal of Gary Ritchie and Michael Eades from Council, addition of new members mentioning need for certified genealogies, discussion of former STN members who wish to be SIT members, discussion of OFA TA letter, residence that is of interest to some members on the reservation, temporary residence for a member at the pavilion, development opportunities, Trudie Lamb's house, SIT bank, pharmacy on reservation, confidentiality agreement (C-121).

1/17/2007: Resolution of tribal council concerning economic development

10/2007: Tribal Council teleconference meeting. Discussing removal of council member, additions of council member, getting money for computers, discussing letter for chairman's resignation (C-70).

10/25/2007: Letter from Alan Russell to Gail Harrison about request for resignation addressing the issues raised and concerns from the Council (C-123).

11/15/2007: Council Meeting via telephone, votes concerning removal of vice chairman and addition of Secretary and Treasurer (C-124).

April 2008: Council meeting minutes discussing Lucky Cricket productions wish to use the Reservation, donation to rebuild Russell home, Birch housing on reservation request, talk about land claims and need of advice from an attorney (C-30).

6/2008: Minutes from Tribal Council meeting. Note to resolve the conflict with Gail. Call in to state police to help exclude trespassers from Reservation. Goal to contact Department of Environmental Protection to help with fire clean up (C-22).

9/2008: Minutes from Council meeting. Set date for a gathering. Planning for powwow for 2009. Plan for a community garden. Note about burial ground needing new fencing (C-125).

10/2008: Notice of tribal meeting and potluck. Includes agenda for the tribal meeting (C-126).

2/26/2009: Letter from Lee Fleming to Gail Harrison-Donovan about the need to respond to the 2006 TA letter and how to continue with the petition (C-27).

5/7/2009: Council meeting minutes. Discussed cease and desist to protect land. Discuss need for a new computer. Discussion of land claims to Kent School land (C-28).

8/2009: Minutes from Council meeting. Discussion about need for an attorney for the land claims. Discussion for fundraising. Reaffirmation of a need to affirm that they are the recognized Tribal Council. Discussion to clean up Schaghticoke road (C-128).

8/6/2009: Letter concerning a proposed restraining order on land that Kent School claims it owns (C-32).

8/1/2009: Complaint by SIT against ██████████ concerning land that was sold on behalf to the tribe after 1790 in violation of the non-Intercourse Acts (C-31).

8/27/2010: Letter from First Selectman-Town of Kent understanding that Alan Russell is Chief of SIT (C-79).

9/11/2010: Letter in response to report from Alan Russell about ██████████ activities on Appalachian Trail National Park (C-35).

7/20/2010: Letter regarding a structure on the reservation and the cost that it would take to repair that structure.

8/9/2010: Council meeting minutes. Discuss case against ██████████. Discussion of a person who would like to move onto the reservation. Discussion about Donna who would like to be present at "Status Conference," (C-129).

2/7/2013: Letter from CT Department of Energy and Environmental Protection about need to repair a structure, DEEP decided the structure needed to be removed. Response letter from SIT that STN does not have influence on the Reservation and that they are a non-recognized faction (C-130).

8/2/2010: Letter about the summons and complaint in the case against ██████████ (C-131).

9/24/10 State of Connecticut via its Superior Court recognizes Tribe's reservation held by the State of Connecticut's for the Schaghticoke Indians. Kent Inland Wetland Commission v. Rost, (S-5: Superior Court Litchfield Judicial District, 2010.)

9/24/10 Tribal member acts without regard to non-tribal statutes as they would not apply on reservation. Kent Inland Wetland Commission v. Rost, (S-5: Superior Court Litchfield Judicial District, 2010).

9/24/10 Court case: "Connecticut law recognizes the Schaghticoke as an indigenous, self-governing tribe that possesses powers over its members and reservation." Kent Inland Wetland Commission v. Rost, (S-5: Superior Court Litchfield Judicial District, 2010.)

9/2010: Council meeting minutes. Discussion of an expansion of council, national park service call about Rost, intent to contract department of environmental protection, need to provide security on weekend, and need to fill in gaps in petition (C-80).

**2010-Present**

The following are referenced as C-82:

- 9/7/2011: Council meeting minutes. Gail reinstated as vice chairman.
- 10/1/2011: Council meeting minutes. Discussed: Trudy lamb wanting to lease her property, sending letter to council member to be more involved, road cleanup.
- 11/1/2011: Retainer letter to SIT and Alan by Michael Blanchard.
- 6/2012: Council meeting minutes. Discussed: meeting with attorneys to get documents, meeting with other attorneys to get documents and other materials, land claims, funding, and need for a computer.
- 7/2012: Council meeting minutes. Discussed: need to send letter to Janette Stoerzinger who had been calling herself chairman, land claims need to be addressed by ATT, possible grants.
- 7/31/2012: Notice of cease and desist to Michael Carlson who was interfering with tribal politics and posing as council representative. Notice of cease and desist to Jannette stoerzinger to stop representing herself as chairman and notice that family is not on tribal rolls, so she is not a tribal member.
- 8/14/2012: cease and desist to Jannette stoerzinger to stop representing herself as a tribal council member.
- 9/1/2012: Resolution by tribal council to conduct a cleanup of the area occupied by Michael Rost.
- 10/5/2012: Council meeting minutes. Discussed: next move after land claims denial, possible Rost appeal, need for a newsletter, help with contracts, plan to remove waste from pavilion.
- 12/21/2012: Article in Republican American about SIT wanting to gain federal recognition and that they are a separate group from STN.
- 2013: Documenting and citing SIT's actions and exchanges of political authority throughout book. Lucianne Lavin, Connecticut's Indigenous Peoples p. (Yale University 2013).
- 1/8/2014: Council meeting minutes. Discussed need to retain financial advisory services.
- 3/14/2013: Notice to quit sent to June Hatstat, showing exclusion.
- 4/16/2013: Summons and complaint concerning June Hatstat eviction.
- 4/29/2013: Cease and desist letter to [REDACTED] to stop posing as a tribal member.
- 4/30/2013: Letter to [REDACTED] to remove the house trailer that she left on the reservation.
- 5/3/2013: Council meeting minutes. Vote member onto rolls, remove buildings built by Rost, have DEEP assist in removal. Discussion about what to do with tribal house after June Hatstat is evicted.
- 2013 letter: Letter from Sue Birch Corbitt about the need to remove [REDACTED] from the reservation as well as the fact that [REDACTED] was using her grandmother's name without permission.
- 5/6/2013: letter about [REDACTED] answer to complaint for her eviction to Alan Russell.
- 5/18/2013: Tribal member email showing support of council decision to evict [REDACTED].
- 5/29/2013: cease and desist to [REDACTED] to cease and desist representing himself as tribal member.
- 6/10/2013: Tribal council meeting minutes. Discussed: keeping a council member on the council, funding for cleanup, all in favor of evicting June Hatstat.
- 7/9/2013: Council resolution that Michael Alvarez (Morningstar) is a trespasser if seen on the reservation.
- 7/21/2013: Need to replace council member who passed away, voted in new member, sheriff had not yet served [REDACTED] meeting with mayor of Danbury to discuss land claims (C-44).
- 9/5/2013: Council meeting minutes. Discussed new attorney, need to fill in time gaps in petition, and plans for a tribal meeting (to discuss petition status, need for fund, loan for computers, C-96).
- 10/1/2013: Council resolution to have Arlinda Locklear represent Tribe for petition. Resolution to have Toney Pignatiello represent the Tribe on several matters. Resolution accepting the resignation of John Sarcone (all voted on by the council, C-141).
- 11/25/2013: Council meeting to vote in new members (C-98).
- 11/28/2013: Council resolution acknowledging acceptance of retaining Anderson Indian Law (C-99).
- 2013: Tribal Resolution, 11/28/2013 (135, 2 pgs., C-142).
- 2014: 10/03/14: Email from [REDACTED] to multiple recipients re cleanup of the illegal dumping that took place on Schaghticoke reservation (203, 1 pg., C-143).
- 2014 Tribal Council Meeting Minutes (all Cited as C-144):
- 2014: SIT council meeting, April 2014 (612, 1 pg.);
  - 2014: SIT council meeting, Feb 16, 2014 (611, 1 pg.);
  - 2014: SIT council meeting, Jan 26, 2014 (615, 1 pg.);
  - 2014: SIT Council meeting, Jan 8, 2014 (144, 1pg);

2014: SIT council meeting, July 27, 2014 (608, 1 pg.);  
2014: SIT council meeting, March 2014 (613, 1 pg.);  
2014: SIT council meeting, May 24, 2014 (609, 1 pg.);  
2014: SIT council meeting, Oct 18, 2014 (610, 1 pg.);  
2014: SIT council meeting, Sept 28, 2014 (614, 1 pg.).

*The following are cited as C-145:*

2015: 09/08/15: Letter to DEEP from attorneys Suisman Shapiro enclosing 1984 CIAC determination re tribal representative (198, 5 pgs.);

2015: Kent, Litchfield Film Festival (146, 1 pg.).

State of Connecticut General Statutes Section 47 – 59a: “(a) It is hereby declared the policy of the state of Connecticut to recognize that all resident Indians of qualified Connecticut tribes... It is further recognized that said Indians have certain special rights to tribal lands... (b) The state of Connecticut further recognizes that the indigenous tribes, the Schaghticoke, the Paucatuck Eastern Pequot, the Mashantucket Pequot, the Mohegan and the Golden Hill Paugussett are self-governing entities possessing powers and duties over tribal members and reservations. Such powers and duties include the power to: (1) Determine tribal membership and residency on reservation land; (2) determine the tribal form of government; (3) regulate trade and commerce on the reservation; (4) make contracts, and (5) determine tribal leadership in accordance with tribal practice and usage.” Enacted pre-1902

General Statutes Sections 47 – 60 (b): “A tribe shall exercise on reservation land all rights incident to ownership except the power of alienation.”

General Statutes Sections 47 – 63: “The following terms as used in this chapter, shall have the following meanings: ‘Indian’ means a person who is a member of any of the following tribes, Paucatuck Eastern Pequot, Mashantucket Pequot, Schaghticoke, Golden Hill Paugussett and Mohegan; ‘reservation’ means...” Schaghticoke reservation in the town of Kent, assigned to the Schaghticoke tribe....” Also cited in court case: Kent Inland Wetland Commission v. Rost, (Superior Court Litchfield Judicial District, 2010.)

2015: Schaghticoke Tribal Rolls from Alan Russell; includes a list of approximately 120-130 members showing the political authority of the Tribe to exclude or include. (204, 6 pgs.).

The following meeting notes document the Tribe functioning as a political entity, using its Council and internal processes to make decisions and take actions on behalf of the entity:

2015: SIT Council meeting, April 15, 2015 (617, 1 pg.);

2015: SIT Council meeting, Feb 24, 2015 (619, 1 pg.);

2015: SIT council meeting, March, 2015 (616, 1 pg.);

2015: SIT Council meeting, Nov 29, 2015 (618, 1 pg.);

2015: SIT Council meeting, Oct 3, 2015 (620, 1 pg.).

*The following are cited as C-149:*

2016: Letter from Litchfield Hills Film Festival to Chief Russell thanking him for assistance in making documentary film (179, 1 pg.);

2016: Notes by Alan Russell, (148, 7 pgs.);

2016: SIT Council meeting, April 18, 2016 (623, 1 pg.);

2016: SIT Council meeting, Aug 20, 2016 (622, 1 pg.);

2016: SIT Council meeting, Feb 7, 2016 (621, 1 pg.);

2016: SIT Council meeting, Nov 2016 (625, 1 pg.);

2016: SIT Council meeting, Sept 4, 2016 (624, 1 pg.).

*The following are cited as C-150:*

2017: 07/25/17: Email from Steve Birch to CT gov. official re Velky breaking ground at site of old pavilion building (202, 1 pg.);

2017: Picture of Alan Russell and sons (201, 1 pg.);

2017: SIT Council meeting, Jan 22, 2017 (626, 1 pg.);

2017: SIT Council meeting, March 20, 2017 (628, 1 pg.);

09/28/17: Council meeting (196, 1 pg.);

09/28/17: Council meeting via email (199, 2 pgs.);

09/28/17: Council meeting via email (200, 8 pgs.).

The following meeting notes document the Tribe functioning as a political entity, using its Council and internal processes to make decisions and take actions on behalf of the entity:

- 2015: SIT Council meeting, April 15, 2015 (617, 1 pg.);
- 2015: SIT Council meeting, Feb 24, 2015 (619, 1 pg.);
- 2015: SIT council meeting, March, 2015 (616, 1 pg.);
- 2015: SIT Council meeting, Nov 29, 2015 (618, 1 pg.);
- 2015: SIT Council meeting, Oct 3, 2015 (620, 1 pg.).

*The following are cited as C-149:*

- 2016: Letter from Litchfield Hills Film Festival to Chief Russell thanking him for assistance in making documentary film (179, 1 pg.);
- 2016: Notes by Alan Russell, (148, 7 pgs.);
- 2016: SIT Council meeting, April 18, 2016 (623, 1 pg.);
- 2016: SIT Council meeting, Aug 20, 2016 (622, 1 pg.);
- 2016: SIT Council meeting, Feb 7, 2016 (621, 1 pg.);
- 2016: SIT Council meeting, Nov 2016 (625, 1 pg.);
- 2016: SIT Council meeting, Sept 4, 2016 (624, 1 pg.).

*The following are cited as C-150:*

- 2017: 07/25/17: Email from Steve Birch to CT gov. official re Velky breaking ground at site of old pavilion building (202, 1 pg.);
- 2017: Picture of Alan Russell and sons (201, 1 pg.);
- 2017: SIT Council meeting, Jan 22, 2017 (626, 1 pg.);
- 2017: SIT Council meeting, March 20, 2017 (628, 1 pg.);
- 09/28/17: Council meeting (196, 1 pg.);
- 09/28/17: Council meeting via email (199, 2 pgs.);
- 09/28/17: Council meeting via email (200, 8 pgs.).

#### **4 Criterion 25 C.F.R. § 83.11(d) Governing Documents**

A copy of the Tribe's Constitution has been provided and evidence of the criteria and the development of the criteria over the past two years has also been included. (See two documents D-1 and D-1 (a)).

#### **5 Criterion 25 C.F.R. § 83.11 (e) Descent from Historical Indian Tribe/Current Membership List**

The narrative cover pages and narrative report of Dr. Lucianne Lavin contains the full history of Schaghticoke. As a representative sample of this history attached is D-1 (b).

#### **6 Criterion 25 C.F.R. § 25 C.F.R. § 83.11(f) Principally Composed of Persons Not Members of a Federally Recognized Indian Tribe**

The members of the petitioning group, the Schaghticoke Indian Tribe of Connecticut are principally made up of persons who are not members of any Acknowledged North American

Indian Tribe. The Schaghticoke Indian Tribe is separate and distinct from other nearby surrounding tribes as repeatedly evidenced in the State of Connecticut's references, in its records, and current law, where it lists and names all the tribes in Connecticut separately listing Schaghticoke as one of them. Schaghticoke Indians do not have an option to become a member of any other tribe that is derived from being a Schaghticoke Indian. As an independent group of people, the Schaghticoke offers membership to all of its people that descend from that distinct group of people. (See Constitution, D-1 and D-1 (a). There are no known tribal members who maintain membership with another tribe.

Because the Schaghticoke Indian Tribe is principally composed of members who are not members of any other federally recognized Indian tribe, the Schaghticoke Indian Tribe meets criterion 25 C.F.R. § 83.11(f).

**7 Criterion 25 C.F.R. § 83.11(g) No Congressional Legislation that Prohibits or Terminates the Federal Relationship**

The Schaghticoke have not been the subject of federal termination legislation.

**Part V**  
**BIBLIOGRAPHY**

## V. BIBLIOGRAPHY

1. A-1 Martin B. Lane, 1900, "Court of Common Pleas, Litchfield County", Volume 3, pg. 85, dated September 1<sup>st</sup> but listed in the October term, 1900
2. A-2 Crone-Morange and Lavin, 2004:161, note 103
3. A-3 State of Connecticut, Court of Common Pleas, 1900, Martin B. Lane Overseer vs. Charles E. Conkrite, *Motion for Disclosure and for Judgment*, filed October 4, 1900.
4. A-4 Edward O. Dyer, 1903, pp. 213-221
5. A-5 Connecticut, State of, Litchfield County Supreme Court, 1903, "The New Milford Power Co. vs. Martin B. Lane et al., Stipulation as to Amendment, September 1, 1903, pg. 1
6. A-6 Theodore S. Gold, March 15, 1904, "Fostering the Habit of Industry", *Connecticut Magazine*, VIII (3):452-454).
7. A-7 Conway W. Curtis 1904, "The Basketry of the Pautatucks and Scatacook", *The Southern Workman* 33(7): 385-390.
8. A-8 *The New York Times*, "The Rattlesnake Club Makes a Good Haul", May 21, 1906
9. A-9 *Bridgeport Sunday Herald*, "Schaghticoke Rattlesnake Hunt brings out Multitude of Intrepid Hunters and Ten Venomous Reptiles are Captured Alive", May 26, 1907
10. A-10 *New York Herald*, "Kent has Naturalist who is after Mr. Roosevelt's Own Heart", April 26, 1908
11. A-11 *Newtown Bee*, "Snake Stories", pg. 6, August 6, 1909
12. A-12 *New Milford Gazette*, "Encircling Tribal Lands", dated May 6, 1910
13. A-13 State of Connecticut, *Journal of the State of Connecticut, January Session*, 1915, published by the State, Hartford, dated 1915
14. A-14 State of Connecticut, General Assembly, *Special Acts Passed by the General Assembly*, Hartford, 1915
15. A-15 Judge John T. Hubbard, "Appeal for the Scatacook Tribe", reprinted in the *New Milford Gazette* on May 14, 1915
16. A-16 Frank G. Speck, Department of Mines, Memoir 75, No. 10 Anthropological Series, Ottawa, 1915, pp. 1,5-7,33,35,37,39,41,62,63
17. A-17 State of Connecticut, *Journal of the Senate of the State of Connecticut, Special Session, 1918*, pages 258 & 824, published by the State, Hartford
18. A-18 *Hartford Courant*, "Where the Last of Our Red Men Linger", dated December 21, 1919
19. A-19 *The New Milford Times*, "Schaghticoke", dated December 25, 1919
20. A-20 "Only Three of Ancient Tribe Left, Trio of Indians Occupy 1,000 Acre Reservation in Connecticut Hills", news clipping from an unidentified newspaper dated June 1, 1920
21. A-21 George G. Heye, "A Mahican Wooden Cup", *Indian Notes and Monographs*, 5(2): 16-18) at the end of the article, the author noted that Scaticooks are still in the area and are the Scaticook tribe
22. A-22 Collections of the CT Historical Society Volume XIX (11, 3 pgs.).
23. A-23 Rawson Haddon, *A Tourist's Guide to Connecticut, containing lists of old and historical houses, historical sites, and other things of interest in the State*, The Mattatuck Historical Society, Waterbury, pp. 38-39
24. A-24 State of Connecticut, Park and Forest Commission. *Report of the State Park and Forest Commission to the Governor*, Hartford, December 1, 1924, pg. 139
25. A-25 State of Connecticut, Park and Forest Commission, *Ninth Biennial Report of the State Park and Forest Commission to the Governor*, Hartford, June 1926.
26. A-26 Frederick Webb Hodge, *Handbook of American Indians North of Mexico, Part 2*, Smithsonian Institution Bureau of American Ethnology, Bulletin 30, pp. 485-486.
27. A-27 Fred Lane, unpublished manuscript dated May 20, 1927, on file with the Connecticut Park and Forest Commission, Hartford.
28. A-28 *Danbury Evening News*, "Indians Still State Wards: Nine Members of Schaghticoke Tribe present Problem to Connecticut", pg. 9, dated February 1, 1929.
29. A-29 Lewis Sprague Mills, *The Story of Connecticut*, 1<sup>st</sup> edition, Charles Scribners Sons, New York, 1932
30. A-30 Connecticut State Library, *Mills Collection - Photographs 1933-1935*, Hartford.
31. A-31 A.H. Langley, Letter to the CT State Park and Forest Commission, Hartford, dated March 27, 1933
32. A-32 Soulsby 1979 and A-32: Manataka.

33. A-33 Francis R. Cole, "The Last of the Schaghticokes", in *Folklore and Folkways Survey*, Box S5210-211, RG33, *Records of the Works Projects Administration, CT 1935-1944*.
34. A-34 Jerome S. Hoxie, 1935, *Map of Litchfield County*, The Connecticut League of Women Voters, no city provided.
35. A-35 State of Connecticut, General Assembly, 1935, *Special Acts and Resolutions of the State of Connecticut with Appendices containing Appropriations and Grants from the treasury and Executive Appointments*, Volume XXII, Part 1, pg. 394, Hartford.
36. A-36 State of Connecticut, Park and Forest Commission, *Meeting No. 282*, March 11, 1936.
37. A-37 "Inventory of Schaghticoke Burial Ground", sent to Paula Rabkin by Ann McMullen, Collections Manager at the American Indian Archaeological Institute sometime in the 1980s
38. A-38 State Park and Forest Commission overseer of Schaghticoke and other tribes. Disbursement of tribal funds.
39. A-39 Reservation Fund Report 03/11/1936
40. A-40 Clifford Spooner, "Who Knows" (1937) in *Kent Tales*, edited by the Kent Historical Society, Watershed Inland Press, New Milford, CT, 1989.
41. A-41 State of Connecticut, General Assembly, 1937, *Special Acts and Resolutions of the State of Connecticut with Appendices containing Appropriations and Grants from the Treasury and Executive Appointments*, Volume XXII, Part II, pg. 1025, Hartford.
42. A-42 Anonymous, "List of Burials at Schaghticoke", 1993.
43. A-43 *New Milford Times*, "Kent", dated November 4, 1937.
44. A-44 Workers of the Federal Writers, *American Guide Series - Connecticut, A Guide to its Roads, Lore, and People*, Houghton Mifflin Co., Boston, pp. 454-455, 1938.
45. A-45 *Danbury News-Times*, "War Whoops Sound", dated April 13, 1939.
46. A-46 State of Connecticut, General Assembly, *Special Acts and Resolutions of the State of Connecticut with Appendices containing Appropriations and Grants from the Treasury and Executive Appointment*, Volume XXIII, Part I, 1939, pg. 142, Hartford.
47. A-47 *Letter to R.P. Hunter* dated May 18, 1939, CT Board of Fisheries and Game, Hartford.
48. A-48 In showing a distinct community, the artifact of Schaghticoke residents of reservation 10/1939 (after this date): list of residents and ages, 400 acres of land, and houses is useful.
49. A-49 Further, an invitation from the Schaghticoke Tribe on behalf of the Indian Association of America demonstrated that other American Indian tribal entities recognized Schaghticoke as a bonafide Indian tribe.
50. A-50 Elewathum Bearce, letter to Dr. Frank G. Speck, August 13, 1939.
51. A-51 *New Milford Times*, "Heap Big Powwow," dated August 24, 1939
52. A-52 Marian E. Cornwell, *The Schaghticokes: Descendants from Our First Americans, The In-Kent Vicinity Associates, Kent*, published September 1939.
53. A-53 *New Milford Times*, "Indian Day is Celebrated in Spite of Rain/Governor Baldwin Guest at Kent School Lunch", dated October 5, 1939
54. A-54 *New Milford Times*, "Obituaries", pg. 5). October 7<sup>th</sup>, 1939.
55. A-55 *New Milford Times*, "Kent and its Historic Past: Schaghticoke Indians Ever Played their Part in Kent", dated October 26, 1939.
56. A-56 Bridgeport Post, Oct. 1, 1939; Cornwell, 1939: 1; Eugene Bull, 1994 interview). STN Petition Narrative p. 57.
57. A-57 "Indian Day" photo.
58. A-58 Elewathum Bearce, "Letter to Frank Speck" dated August 5, 1940.
59. A-59 A document from November 8<sup>th</sup>, 1940 details a list of those living on the reservation. 7/1/1944-6/30/1945 Schaghticoke Indian Reservation Fund report documenting Reservation residents. 7/1/1946-6/30/1947: State report on reservation data.
60. A-60 In 1946, documentation supports the State of Schaghticoke reservation. Kent land records col 30. P. 512 deed from 1/25/1925 showing line of title to 12/11/1868. This was a southerly portion of 600 acres deeded to Ebenezer Preston, Jr. 9/1/1801. The deeds and chains of title seem to show that the original 1736 reservation land as of 1946 was primarily privately owned by multiple parties.
61. A-61 From the period of 7/1/47-6/30/48: Schaghticoke Indian Reservation Fund report documenting Reservation residents.
62. A-62 The following period, from 4/1/48-6/30/49, details Schaghticoke Indian Reservation Fund report documenting Reservation residents.

63. A-63 *The Record, Laws and History of the Akwesasne Mohawk Counselor Organization*, St. Regis Mohawk Reservation, Hogansburg, NY, pp. 7, 45.
64. A-64 A 6/8/49 map of the reservation.
65. A-65 1949-1955: Bank account ledger of State aid and collections of the Schaghticoke Indian Fund.
66. A-66 7/1/1951-6/30/1952 Schaghticoke Indian Reservation Fund report documenting Reservation residents.
67. A-67 1952 Indian Claims Commission Case Docket No. 112
68. A-68 7/1/1952-6/30/1953 Schaghticoke Indian Reservation Fund report documenting Reservation residents.
69. A-69 7/1/1953-6/60/1954 Schaghticoke Indian Reservation Fund report documenting Reservation residents.
70. A-70 10/12/1952: newspaper photos "Holly Cosure and Warnette Cosure of Connecticut's Schaghticoke tribe look mighty fierce in their tribal regalia for Indian week."
71. A-71 1953: Article on Frank Cogswell, oldest member living on reservation, acknowledges the Tribe as a distinct entity. (*Waterbury Republican*, August 17, 1953.)
72. A-72 June 1, 1954: Letter to assistant attorney general in the United States Department of Justice for a request for information about the Schaghticoke Tribe. Letter explains a May 31, 1954 newspaper clipping showing that the Schaghticoke were suing the U.S. for \$20 mil. The federal government's reference to them is as a collective entity and the filing shows the Tribe acting on their shared cultural identity.
73. A-73 7/27/1954: letter from Assistant A.G Perry Morton requesting additional information about Schaghticoke. The letter references a claim before the Indian Claims Commission. (Docket No. 112). The claim is concerning tracts of land that were condemned.
74. A-74 7/1/1954-6/30/1955 Schaghticoke Indian Reservation Fund report documenting Reservation residents.
75. A-75 11/22/1955 death certificate for William Shelton Russell. Parents were Allen Russell and Valentine Harris. The street number for the deceased address is listed as "Schadticoke". The cemetery where he was to be buried is listed as Schaghticoke. Birthplace is listed as Kent, CT.
76. A-76 Baur, Robert C., "The Last People of the Long River", Oct. 13, 1957.
77. A-77 11/1958: Letter from Elewaththum Bearce, tribal chairman, to Pahei Theodore Cogswell, High Sachem Kent Schaghticoke Tribe of Indians about exhibits seemingly to the attorney general's office. Apparently, Theodore had taken over the office of Chief of the Schaghticoke from Howard Harris.
78. A-78 A document from 1/16/60 shows the Schaghticoke reservation bill for repairs done to the Kilson residence. 7/19/61 documentation of the bills submitted to repair the Kilson house.
79. A-79 Hartford AP Jan 28, 1960.
80. A-80 A *New Haven Register* article on Gail & Allan Russell was published on February 28<sup>th</sup>, 1960, noting them as members of the Schaghticoke Tribe that had been there for two centuries. Also explains Tribe as politically independent entity with no access to schools or tax funds ("tax free"), receiving healthcare, etc.
81. A-81 Dated 11/2/1960, a letter from CT Asst. AG about transfer of lease of reservation land from one non-Indian to another. The decision was made that this type of transfer of the lease is not possible.
82. A-82 7/1/1961-6/30/1962, there was no Fund for Schaghticoke. 400 acres of land with Schaghticoke Indian Reservation Fund report documenting Reservation residents.
83. A-83 Wilbur, John F., "The Scaticook Indians of Kent, Connecticut," WCSU Archives – Student Exhibition Space – WestD, accessed April 14, 2016, <http://archives.library.wcsu.edu/studentOmeka/items/show/2238>.)
84. A-84 12/31/1969: Article about marriage and Kent reservation.
85. A-85 October 10<sup>th</sup>, 1970 discusses the Schaghticoke reservation. The article shows that there is support from the leaders of other southern new England tribes to have the land surveyed and the actual borders of the reservation determined so that those who wish to move back are able to do so.
86. A-86 Bibliography attached under 1882 entry.)
87. A-87 11/30/72 Tribal membership list: identified itself as a discreet Indian entity.
88. A-88 5/22/1974 letter from the Navajo Health Authority about ability to discuss information that they have concerning medical school and related activities for Indian peoples. They are asking for information to maintain a mailing list.
89. A-89 1974 Map of CT reservations.
90. A-90 2/26/1974 from Truman Cogswell to Havasupai Tribal Council lending support from the Schaghticoke Tribal Council in the Havasupai Council's efforts to regain lost lands.
91. A-91 SIT files claim for Kent School lands in U.S. District Court.
92. A-92 "1776—Independence Lost" by Macy Whitehead details the 18<sup>th</sup> century Schaghticoke with a reference to a 1939 article about this history of Kent.

93. A-93 Letter to Vine Deloria. The letter informs Mr. Deloria of the suit against Kent school since he went there. IT states that they were being represented by Pine Tree Legal Assistance at the time who was being assisted by NARF. The Docket No. for the petitions was H75-125
94. A-95 Lindsey Dennison, 1926, "Snake Hunters Capture Memories but No Rattlers," *Bridgeport-Waterbury Herald*, June 6, 1926, editorial section, pg. 1).
95. A-96 Anonymous, 1901, "Bulls Bridge", *New Milford Times*, pg. 2, February 1, 1901
96. A-97 Ann McMullen 1992:20; see June 1906 below for a fuller discussion of the definition of "Indian work" and other examples).
97. A-98 *Danbury News*, "Hunting Rattlers", May 14, 1902).
98. A-99 *New Milford Gazette*, "Trip to Amenia", October 13, 1902).
99. A-100 *New Milford Gazette*, "A Renowned Snake Hunter", May 1, 1903).
100. A-101 *New Milford Gazette*, "Bull's Bridge News", May 1, 1903).
101. A-102 *New Milford Gazette*, "In the Rattler's Den", May 6, 1903
102. A-103 "Preacher Jim Harris", *New Milford Gazette*, July 17, 1903.
103. A-104 J. Dyneley Prince and Frank G. Speck, "Dying American Speech-Echoes from Connecticut", *Proceedings of the American Philosophical Society* 42(171): 346-352, read November 6, 1903).
104. A-105 *Sunday Herald*, "Hunting the Schaghticoke Rattler", June 3, 1904.
105. A-106 *New Milford Gazette*, "Rattlesnake Den Attacked", May 12, 1905).
106. A-107 Linda Rose, "Red Feather - Chief of a Dying Race", *Connecticut Sunday Herald*, November 19, 1972, pg. 20a.
107. A-108 *The New York Times*, "Some Joys of a Rattlesnake Hunt", Sunday Edition, May 27, 1906.
108. A-109 *Sunday Herald*, "Exciting Day's Sport of the Schaghticoke Rattlesnake Club", June 5, 1906.
109. A-110 *New Milford Gazette*, "A Schaghticoke Funeral", dated November 5, 1915.
110. A-111 Tom McFeat "Space and Work in Maliseet Basket-Making", pp. 72-73 in *A Key into the Language of Woodsplint Baskets*, 60-73, ed. By Ann McMullen and Russell G. Handsman, American Indian Archaeological Institute, Washington CT, 1987.
111. A-112 Town of Kent Sexton's Report, Kent, CT, 1969.
112. A-113 Dick Howell, 1907, "Open Invitation to Schaghticoke Rattlesnake Club Hunt", undated but obviously sent prior to the actual hunt on May 20, 1907 - see below.
113. A-114 *New Milford Gazette*, "Odd Fellows Grand Lodge and Town News", dated May 17, 1907.
114. A-115 *New Milford Gazette*, "A Day in Kent", July 5, 1907.
115. A-116 Anonymous 1934, "Last of the Shaghticoke Lead quiet Lives among ancestral Relics at Kent", news clipping from an unidentified newspaper dated November 1934.
116. A-117 *New Milford Gazette*, "At the Rattlesnake Den, April 23, 1909.
117. A-118 *New Milford Gazette*, "Rattlesnake Hunt. Annual Trip to South Kent will take place Next Sunday, May 28, 1909.
118. A-119 *Bridgeport Sunday Herald*, "They're Off! They're Off! Snake Hunters Depart on Sixth Annual Expedition. Snakes are Lively", May 30, 1909, pg. 10.
119. A-120 *New York Times*, "Snake Hunters Bag 24 Rattlers", May 31, 1909.
120. A-121 *New Milford Gazette*, "A Drive and its Scene", page 1, July 23, 1909.
121. A-122 *New Milford Gazette*, "Village and Vicinity. Notes and Gleanings, July 30, 1909.
122. A-124 *The Evening Sentinel*, "Victim of Diphtheria: Full-blooded Indian, Well-known to Snake Hunters is Dead: pg. 1, December 3, 1909.
123. A-125 *New Milford Gazette*, "Bull's Bridge", Reel C-06:1, December 17, 1909.
124. A-126 *Bridgeport Herald*, "Last of the Schaghticoke", December 5, 1909.
125. A-127 *New York Times*, "A Connecticut Indian Legend", dated March 10, 1910.
126. A-128 Trudie Richmond, 1987, "Algonquian Women and the Land: A Legacy". In *Rooted like the Ash Trees: New England Indians and the Land*. Ed. Richard G. Carlson, pp. 6-8, Naugatuck, CT: Eagle Wing Press, pg. 6.
127. A-129 *Sunday Herald*, "Hunters of the Rattlers Ready for Annual Drive", dated June 4, 1911.
128. A-130 *New Milford Gazette*, "Kent", dated June 16, 1911.
129. A-131 *New Milford Gazette*, "Scatacook", dated July 28, 1911.
130. A-132 *New Milford Gazette*, "George Cogswell's Hunting Trip", dated November 12, 1912.
131. A-133 *New Milford Gazette*, "Snake Hunt at Scatacook, New York Sun Writer tells about Sunday's Gathering", dated June 20, 1913, Reel C-05:8.
132. A-134 *The Boston Globe*, "Hunting Rattlers on Schaghticoke", dated June 22, 1913.

133. A-135 *Community Study Oral History Interview*, conducted by Paula Rabkin, April 5, 1982.
134. A-136, S-8 Letter E.B. Meritt, Assistant Commissioner, Indian Affairs to Schaghticoke Tribal Member, Frank Coggswell, National Archives, Indian Affairs, Assistant Commissioner E.B. (Please see attachment under first posting: 1925.)
135. A-137 Lindsey Denison, "Snake Hunters Capture Memories but No Rattlers", *Bridgeport-Waterbury Herald*, editorial section, pg. 1, dated June 6, 1926.
136. A-138 pg. 6, *Interview of Mary Fradette and Flora Story* by Angelito Palma, February 28, 2003).
137. A-139 Franklin "Swimming Eel" Bearce, *Letter to All Reservation and Isolated Kent Schaghticoke Indians* dated May 16, 1955.
138. A-140 Hazel W. Hertzberg, *Search for an American Indian Identity*, Library of Congress 77-140889, 1971, pp. 218-236
139. A-141 Howard Harris, "Community Study and Oral interview conducted by Lucianne Lavin, Ph.D. on November 19 & 20, 1997, pg. 12.
140. A-142 Elewaththum Bearce, letter to Willard L. Hart, Clerk, dated February 8, 1951.
141. A-143 "Minutes of the Legal Tribal Council Meeting," dated July 10, 1949 and inserted on page 11 of the Schaghticoke petition to the Indian Claims Commission – see below.
142. A-144 The Indian Land Claims Commission, "Order Dismissing Petition" dated September 9, 1958.
143. A-145 Elewaththum Swimming Eel Bearce to "United States District Court of Record and Common Pleas, New Haven, Connecticut" May 7 & 11, 1963.
144. A-146 1939, 1941 Enclaves. "Kent powwow won't be Town's First", unidentified newspaper clipping dated June 14, 1972.
145. A-147 *Bridgeport Telegram*, "Indian Council Measure is Set to be Approved, June 22, 1973; *Bridgeport Telegram*, "Governor Signs Bill on Indians", June 23, 1973.
146. A-148 *Newtown Bee*, "Kent: Indian Celebration held on Sunday, pg. 14, dated October 6, 1939.
147. A-149 May 24, 1979 Letter Carmody to Mikki Agansata, the Indian Affair coordinator about the settlement with the Schaghticoke to determine which parcels were to be conveyed to the Tribe as part of the settlement.
148. A-150 Nancy MacLennan, 1939, "Indians Back in Rattlesnake Haunt", *Bridgeport Post*, October 1, 1939
149. B-1 *The News Times* showing Chief Maurice "Butch" Lydem as a leader in the effort to develop land and become more self-sufficient.
150. B-2 1981, HUD grants Tribe funds to development a plan for their Reservation. (Schaghticoke Reservation Development Plan 1981)
151. B-3 8/13/81: Rainmaker report. Includes map of the reservation and notes about the efforts to dig for precious metals.
152. B-4 State of Connecticut, "By His Excellency William A. O'Neill, Governor: A Proclamation" dated September 14, 1984
153. B-5 6/26/1983 was recognized as the tribal council by CIAC, and Alan Russell was recognized as the representative to CIAC with the alternate of Trudie Lamb
154. B-6 November 9<sup>th</sup>, 1984 about leadership dispute under a new constitution. Cites that nearly 200 people vote in Schaghticoke elections, and that there are about 400 Schaghticoke in the State. Also talks about logging industry on Schaghticoke land. Addresses claim that some of the lands were sold in violation of the non-Intercourse acts.
155. B-7 7/21/85, the Tribe identifies itself by Chairman asserting he did not attend a meeting that was not held by the actual Tribe. Affidavit Russell, April 29, 2004.
156. B-8 SEE B-4. State of Connecticut, "By His Excellency William A. O'Neill, Governor: A Proclamation" dated September 1988
157. B-9 Christopher Reinhart May 23, 2002
158. B-10 Lavin 2013:359, citing senior attorney David Leff, Office of Legislative Research in a Memorandum dated June 25, 1993, pg. 5.
159. B-11 1996: Manitou American Indian Archaeological Institute Washington, CT legends of the Schaghticoke and information about their region and people.
160. B-12 Connecticut, State of, "Official Statement", November 1996; also quoted in Lucianne Lavin, *Connecticut's Indigenous Peoples: What Archaeology, History and oral Traditions teach us about their Communities and Cultures*, New Haven: Yale University Press, 2013, pp. 359-360
161. B-13 1997, a letter to the editor of the *Waterbury Republican*. Letter references an article where Schaghticoke want to stop the sale of older baskets. Letter shows anti-Indian sentiment.

162. B-14 11/21/1997: Letter from Commissioner of CT Department of Environmental Protection stating that they do not have the authority to resolve intra-tribal matters.
163. B-15 10/24/1997: "The Gathering of the Tribe" joint statement that STN is not the same as SIT and that STN has no authority over them.
164. B-16 11/11/1997: letter about inquiry concerning the possible donation of land to SIT. Request was made by Alan Russell. She chose to keep the land in case she needed to sell for debts.
165. B-17 11/97: Newsletter to tribal members and families. Addresses the need to consult with Chairman before allowing anyone to dig on the reservation. They are trying to keep cultural artifacts from being taken.
166. B-18 1997 newsletter demonstrates the goal to have a cultural school similar to the Kahnawake (Mohawk) school. Includes photographs, quote from "Indian Grandfather", quote from Ben Black Elk (Sioux), copy of a page from a book about New England Indian traditions, children's activities, quote by Joseph (Nez Perce), flyer about powwow in NC, handout from powwows.com about what a powwow is.
167. B-19 3/22/1998, documentation shows Tribal meeting notice. Discussion of Richard velky, the constitution, and other matters concerning the membership rolls.
168. B-20 3/1998 Newsletter. Article from Indian Country about Means arrest, photos, and new facts about the CT Dept of Environmental Protection. Mentions general electric and their fishing waters.
169. B-21 1998 (August?) Tribal newsletter: notice about powwow in Uncasville, CT. In addition, a letter/complaint from SIT tribal member to State and federal government on behalf of tribal and tribal affairs issues. [REDACTED], December 27, 1998).
170. B-22 11/22/1999 a letter from Law Offices of Michael J. Burns to Alan Russell suggesting topics to be included in the newsletter
171. B-23 1999, a letter from Alan Russell to Richard Blumenthal about the removal and placement of sludge at the Kent sewer treatment plant. Claim that sludge is being dumped on historically Schaghticoke lands that are subject to litigation.
172. B-24 On 12/21/1999: letter by Alan Russell to H. John G Rowland regarding the submission of a constitution by Richard Velky to state of CT. Letter says that Velky has no authority.
173. B-25 On 2/29/2000: response to letter send by Russell about home repairs stating letter was attached and sent to attorney, no letter attached.
174. B-26 On 9/13/2000: response to request by SIT to be an interested party in petitions for fed. Recognition. The STN petition had been listed under the SIT name, BIA noted in ability to resolve the internal conflicts between STN and SIT.
175. B-27 See Citation A-128.
176. B-28 7/21/85 Asserting political influence by swearing he was not at non-tribal meeting. Affidavit Russell, April 29, 2004
177. B-30 1996 Tribal newsletter. Death of Tez Red Thunder Cloud
178. B-31 12/11/1997: Letter from Jason Lamb to Tribal Council stating that Alan Russell and his family are Schaghticoke and that the letter that was being attributed to him stating the contrary was not signed by him.
179. B-32 6/20/2000: Motion to amend motion to intervene in US, State of CT, Mass, Housatonic Environmental Action League v. General Electric. Acting on behalf of Tribe, Tribal Chairman enters suit against State Environmental Protection for fallout of GE's contamination of river.
180. B-34 6/4/2000 article in Sunday Republican about the conflict between Golden Hill and STN as well as STN and SIT
181. B-35 5/7/00 Tribe identifies self as an Indian community / tribe when Chairman clarifies those who are not members. Affidavit Russell, May 1, 2004
182. B-36 5/7/00 Chairman acts politically naming non-members at tribal meeting. Affidavit Russell, May 1, 2004.
183. B-37 12/19/01 Genealogist Choquet identifies Gail Russell Harrison as a Blue Heron Clan member of the Schaghticoke Indian Tribe acknowledging tribe as an Indian community. Letter from Schaghticoke Indian Tribe Genealogist to Member Harrison
184. B-38 10/25/2002: Letter to Alan Russell from Lee Fleming concerning petition at the time for federal recognition. It was going to be considered simultaneously with STN's petition.
185. B-39 *New Milford Gazette*, "Trip to North Purchase", November 12, 1909.
186. B-40 *New Milford Gazette*, "Rattlesnake in Captivity", January 14, 1910.
187. B-41 *New Milford Gazette* "King Snake is Dead," dated March 25, 1910.
188. B-42 *New Milford Gazette*, "From Point of the Mountain to Aspetuck", dated May 19, 1911.
189. B-43 *New Milford Gazette*, untitled news article dated May 31, 1912.

190. B-44 *New Milford Gazette*, "Will Hunt for Snakes: Schaghticoke Rattlesnake Club Plan Meet about June 1", dated May 9, 1913.
191. B-45 Jill Peacock, "Milford Woman Attends Canonization of First American Indian Saint", undated news clipping from the *Milford Citizen*
192. B-50 Theodore and Truman Cogswell, interview with Attorney Jeffrey Sienkiewicz at the Law Firm of Sienkiewicz and McKenna, P.C. in New Milford, CT on November 15, 2001, pp. 93-96.
193. B-51 1934: CT received an application or inquiry from a New York resident of 1/4 Schaghticoke blood who wished to be recognized as a member of the tribe
194. B-52 Schaghticoke Trust Fund Documents.
195. B-53 1933: Letter from State of CT regarding Quit-Claim deed releasing land taken by State in March 1922.
196. B-54 1936: There was a need for the Kilson house to be repaired, the decision was made to move the house rather than repair it. There were no more funds for repairs.
197. B-55 The 3/11/36 Section 1587(c) of Connecticut General Statutes include the Schaghticoke Tribe.
198. B-56 1938: release of a mortgage on property entered in 1867 held by the overseer of the tribe.
199. B-57 *Newtown Bee*, "Bethel: Governor Baldwin Speaks at American Indian Day in Kent", pg. 14, dated October 6, 1939.
200. B-58 1952 Indian Claims Commission Case Petition Docket No. 112 shows that the Tribe had political recognition to be heard in the Commission and political authority was exercised by suing the United States government.
201. B-59 Henaretta Peckham, Schaghticoke Secretary, "Official Minutes" dated October 24, 1954.
202. B-60 Interview with Attorney Jeffrey Sienkiewicz at the Law Firm of Sienkiewicz and McKenna, P.C. in New Milford, CT on November 15, 2001, page 113
203. B-61 1961 – Present: CT specifically lists Schaghticoke Tribe as a tribe in their current statutes.
204. B-62 8/6/1954: letter from deputy commissioner to the attorney general in the DOJ. Letter states that there is no information concerning properties that were subject to inquiry.
205. B-63 See B-59.
206. B-64 See B-60.
207. B-65 7/1/1955-6/30/1956 Schaghticoke Indian Fund record.
208. B-66 January Session 1959: Update to section 1587c of the 1935 supplement to the general statute – An Act Authorizing the Commissioner of Welfare to Act as Overseer of Indians Residing in the State.
209. B-67 2/28/1960: New Haven Register Article on Gail & Allen Russell noting them as members of the Schaghticoke Tribe that had been there for two centuries. Also explains Tribe as politically independent entity with no access to schools or tax funds ("tax free"), receiving healthcare, etc.
210. B-68 7/1/1961-6/30/1962 No Fund for Schaghticoke. 400 acres of land with and houses. Schaghticoke Indian Reservation Fund report documenting Reservation residents.
211. B-69 See Citation A-145.
212. B-70 In 1973, Removal of Welfare Dept. as institutional tribal overseer (and replacement by Dept. of Environmental Protection) spearheaded by Schaghticoke Tribe.
213. B-71 3/22/1973 Letter from then chief of the Schaghticoke to his Uncle Charlie who had recently come back to Connecticut.
214. B-72 3/25/1974: Tribe sends official demand letter to the US House on behalf of another tribe, Havasupai.
215. B-73 1980: Trudie Ray Lamb note about her involvement as a Schaghticoke Indian in New England Indian affairs.
216. C-1 A 1/19/2001: Letter from the executor of the estate of Florence Baker Bonos authorizing Russell as the chairman of the tribe to be the agent of the estate.
217. C-2 On 4/7/2001: Resolution by Tribal council to send a letter of intent to apply for recognition
218. C-3 On 5/29/2001: US support of SIT motion to intervene in US v. 43.74 acres of land.
219. C-4 An 8/16/01 Email notice of Council meeting regarding a resolution.
220. C-5 Letter from Schaghticoke Indian Tribe Genealogist to Member Harrison 12/19/2001.
221. C-6 On 5/23/2002: OLR Research Report by CT State Associate Attorney refers throughout document to an Indian entity, Schaghticoke, as distinct group and community. It discusses various events throughout. Under State Recognition point 5, State legislature passed 1989 act recognizing five "indigenous tribes" which included the Schaghticoke. 2002-R-0517.
222. C-7 A 10/25/2002: Letter to Alan Russell from Lee Fleming concerning petition at the time for federal recognition. It was going to be considered simultaneously with STN's petition.

223. C-8 A 2/15/2004: Article in New York times discusses the conflict between STN and SIT, it also discusses some of the history of the tribe as well as conflict with the state.
224. C-9 On 3/19/2004: Letter from Michael Burns to Nicholas Bellantoni, Office of State Archaeology, about excavation. Letter explains that SIT is in control of reservation and that the State does not have the jurisdiction to make decisions regarding the land.
225. C-10 On 4/28/2004: notice about the presence of a tribal marshal and protection from intrusion by local government.
226. C-11 Dated 5/1/04, the Tribe identifies self as an Indian community/tribe when Chairman clarifies those who are not members. Affidavit Russell, May 1, 2004.
227. C-12 On 5/28/2004 A newspaper recognizes Tribe and Russell as leader. Russell also builds a border to define the Reservation, asserting Tribe's political influence and making an important decision on behalf of all members and the Tribe. State Police Arrest Alan Russell, Chief of the Local Schaghticoke Indian Tribe, Kent Trib., May 28, 2004.
228. C-13 "Local Schaghticoke Indian Chief Faces Continuing Court Appearances in Dispute over Control of Schaghticoke Reservation in Kent", *Kent Trib.*, August 21, 2004.
229. C-14 Rick Green, Tribes Await Federal Rulings, *Hartford Courant/CTNOW.com*, June 14, 2004.
230. C-15 On 11/11/2005 Letter to state authorities about some of the voted-on issues at 11/10/05 special meeting.
231. C-16 Dated 1/27/2006: Letter from Ed Sarabia of Ct Department of Environmental protection about newspaper articles mentioning a development plan.
232. C-17 Dated 6/6/2006: council meeting minutes.
233. C-18 On 1/17/2007: resolution of tribal council concerning economic development. Later that year, on 6/6/2007: a statement by the council that they are the true tribe and that any representatives already claiming to be the Schaghticoke representatives are not representatives of the tribe
234. C-19 On 3/11/2008: Newsletter including a March 11, 2008 article about the fire on the reservation and Alan.
235. C-20 On 3/11/2008: article from *Indianz.com* about fire, same article from *Hartford Courant*.
236. C-21 On 4/21/2008: Resolution to give permission to Lucky Cricket Productions to use reservation for filming. A Letter from Litchfield Hills Film festival thanking "Chief Alan Ressel" for extending knowledge and time to help with documentary film about Schaghticoke Nation and Moravian movement.
237. C-22 From 6/2008: minutes from tribal council meeting. Note to resolve the conflict with Gail. Call in to state police to help exclude trespassers form reservation. Goal to contact department of environmental protection to help with fire clean up.
238. C-23 SEE CITATION A-32
239. C-24 On 12/05/2008: article in *Kent Dispatch* about attempt to stop quarrying on the reservation SIT and STN joined forces to remove Michael Rost who was taking materials off the reservation without permission of SIT council.
240. C-25 From 12/20/08 Notice to membership, exercising authority of Tribe; acting as Indian entity and identifying itself as such
241. C-26 Dated 2/11/2009: response from Ed Sarabia in the CT Department of Environmental Protection to a FOIA request from Tribe.
242. C-27 2/26/2009: Letter from Lee Fleming to Gail Harrison-Donovan about the need to respond to the 2006 TA letter and how to continue with the petition.
243. C-28 5/7/2009: council meeting minutes. Discussed cease and desist to protect land. Discuss need for a new computer. Discussion of land claims to Kent School land.
244. C-29 7/1/2009: print out from Algonquian Confederacy of the Quinnipiac Tribal Council. Two articles listed that reference the Schaghticoke
245. C-30 April 2008: Council meeting minutes discussing Lucky Cricket productions wish to use the reservation, donation to rebuild Russell home, Birch housing on reservation request, talk about land claims and need of advice from an attorney.
246. C-31 8/1/2009: complaint by SIT against [REDACTED] concerning land that was sold on behalf to the tribe after 1790 in violation of the non-Intercourse Acts.
247. C-32 8/6/2009: Letter concerning a proposed restraining order on land that Kent School claims it owns.
248. C-33 Dated 3/10/2010: Invitation to Algonquian Confederacy of the Quinnipiac Tribal Council meeting.
249. C-34 Later that month, on 3/30/2010: motion to dismiss Jennifer Calhoun v. Gail Donovan. Uses Schaghticoke as a sovereign tribe with a reservation.

250. C-35 On 9/11/2010: Letter in response to report from Alan Russell about [REDACTED] activities on Appalachian Trail National Park.
251. C-36 On 7/20/2010: Letter regarding a structure on the reservation and the cost that it would take to repair that structure.
252. C-37 Dated 8/2/2010: Letter about the summons and complaint in the case against [REDACTED].
253. C-38 Dated 9/2010: council meeting minutes. Discussion of an expansion of council, national park service call about Rost, intent to contract department of environmental protection, need to provide security on weekend, and need to fill in gaps in petition.
254. C-39 On 3/28/2011: Letter from First Selectman-Town of Kent certifying that Alan Russell is Chief of SIT.
255. C-40 Council meeting minutes from June of 2011 discussed status conference on land claim where SIT was recognized as a tribe.
256. C-41 On 12/21/2012: article in Republican American about SIT wanting to gain federal recognition and that they are a separate group from STN.
257. C-42 In 2013: Identification of SIT as an Indian entity throughout book. Lucianne Lavin, *Connecticut's Indigenous Peoples* p. (Yale University 2013).
258. C-43 Dated 2/7/2013: Letter from CT Department of Energy and Environmental Protection about need to repair a structure, DEEP decided the structure needed to be removed. Response letter from SIT that STN does not have influence on the reservation and that they are a non-recognized faction.
259. C-44 Dated 7/21/2013: need to replace council member who passed away, voted in new member, sheriff had not yet served [REDACTED] meeting with mayor of Danbury to discuss land claims.
260. C-46 Article from May 28<sup>th</sup>, 2004 about Alan Russell arrest in Kent Tribune.
261. C-47 Kilson Clan held a meeting on February 10<sup>th</sup>, 2005 to elect a new representative to the Tribal Council.
262. C-48 Newsletter from 2008 to all members letting them know of the fire at Alan Russell's house. Includes a photo of the house before it burnt and a photo of Gail by the outhouse. People from the community came to help.
263. C-49 Letter from Ed Sarabia of Ct Department of Environmental protection about newspaper articles mentioning a development plan from January 27<sup>th</sup>, 2006.
264. C-50 A 4/22/2008: letter on behalf of the Schaghticoke tribal council to give permission to Lucky Cricket Productions, LLC to film on the reservation.
265. C-51 5/4/2001: SIT motion to intervene in STN v. Kent School Co.
266. C-52 Article in Hartford Courant about fire to Russell house from July 11<sup>th</sup>, 2008.
267. C-53 A 9/23/2003: Motion to reappoint tribal enforcement officer for an additional 30 days.
268. C-55 2004: tribal newsletter, includes photographs and a note from the head of land management.
269. C-56 4/4/2004: Tribe engaged in consulting agreement on behalf of members. Russell addressed as leader of Tribe. Letter from [REDACTED] to Russell signed by Tribal Council members.
270. C-57 4/15/2004: meeting minutes from the tribal council meeting Voted on proposal by CMB to assist in legal needs as well as security, tribal marshals, and acceptance of land donation.
271. C-58 5/2004: Council resolution showing exclusion from tribal lands of any unauthorized persons or groups.
272. C-59 Local Schaghticoke Indian Chief Faces Continuing Court Appearances in Dispute over Control of Schaghticoke Reservation in Kent, Kent Trib., August 21, 2004.
273. C-60 9/2004: Tribal newsletter, includes dates for a potluck, DOI/BIA news, Court case between SIT and STN update, a birth announcement, information about land maintenance, and a get well soon message.
274. C-62 11/2004: tribal newsletter. 86 people attended the powwow the previous October. Includes thank you notes for those who helped with the event.
275. C-64 2/1/2005: letter to Michael Burns? Talks about council meeting on 11/21/2004 about issues that were voted on and passed. Mentions removal of council member who was not taken off rolls, adoption of a co-council, application for a national bank charter. Mentions future meeting with Kirk Goodtrack, President of the Emerging Markets Division of Penn National. Additionally, mentions the adoption of the Oneida style judiciary system.
276. C-65 11/11/2005 letter to state authorities about some of the voted-on issues.
277. C-66 3/5/2006: announcement of a telephone conference council meeting agenda on 3/19/2006. Agenda includes budget issues, council expansion, new member acceptance, trading post, grant opportunities, and youth program.
278. C-67 6/6/2006: Council meeting minutes.
279. C-68 7/31/2006: Letter to Bradley-Fisher clan seeking new representatives from the clan to be part of the tribal council.
280. C-69 11/12/2006: Telephone conference tribal meeting discussing council expansion.
281. C-70 10/2007: Tribal council teleconference meeting.

282. C-71 11/15/2007: Council meeting via telephone.
283. C-73 6/2008: Minutes from tribal council meeting.
284. C-74 1/13/2009: Letter sent by Alan Russell to Ed Gasser that Gasser does not represent SIT.
285. C-75 1/28/2009: Suisman Shapiro retainer letter for the firm to represent the tribe on all SIT matters.
286. C-78 8/2009: Minutes from council meeting.
287. C-79 8/27/2010: Letter from First Selectman-Town of Kent understanding that Alan Russell is Chief of SIT.
288. C-80 9/2010: Council meeting minutes.
289. C-81 5/2011: Council meeting minutes.
290. C-82 Tribal Meeting Minutes.
291. C-88 3/14/2013: Notice to quit sent to June Hatstat, showing exclusion.
292. C-96 9/5/2013: Council meeting minutes.
293. C-97 10/1/2013: Council resolution to have Arlinda Locklear represent tribe for petition.
294. C-98 11/25/2013: Council meeting to vote in new members.
295. C-99 11/28/2013: Council resolution acknowledging acceptance of retaining Anderson Indian Law.
296. C-103 Letter explains that SIT is in control of reservation and that the state does not have the jurisdiction to make decisions regarding the land.
297. C-104 SIT motion to intervene, declaratory relief, injunctive relief, and damages in STN v. US & CT light and power.
298. C-105 1/27/2006: Letter from Ed Sarabia of Ct Department of Environmental Protection about newspaper articles mentioning a development plan.
299. C-106 5/4/2001: SIT motion to intervene in STN v. Kent School Co.
300. C-107 9/23/2003: motion to reappoint tribal enforcement officer for an additional 30 days.
301. C-108 4/28/2004: Notice about the presence of a tribal marshal and protection from intrusion by local government.
302. C-109 8/4/2004: Letter to attorney Michael Burns seeking updates on the recognition process.
303. C-110 11/21/2004: Tribal council meeting minutes.
304. C-111 5/25/2004: Exclusion letter sent to Richard Velky about his wish to use a pavilion on the reservation.
305. C-112 8/30/2004: Letter to Nancy Johnson to discuss the issues with SIT and STN.
306. C-113 2/1/2005: Letter to Michael Burns regarding Council meeting.
307. C-114 2/1/2005: SIT acceptance of resignation of Michael Burns, asking for transfer of documents to new attorney Kevin Quill.
308. C-115 5/4/2004: Special meeting agenda.
309. C-116 9/2005: Tribal Newsletter.
310. C-117 12/10/2005: Special council meeting.
311. C-119 3/19/2006: Council meeting notes.
312. C-120 11/1/2006: Agenda for telephone conference tribal council meeting.
313. C-121 11/12/2006: Telephone conference tribal meeting.
314. C-123 10/25/2007: Letter from Alan Russell to Gail Harrison.
315. C-124 11/15/2007: Council Meeting via telephone.
316. C-125 9/2008: Minutes from Council meeting.
317. C-126 10/2008: Notice of tribal meeting.
318. C-128 8/2009: Minutes from Council meeting.
319. C-129 8/9/2010: Council meeting minutes
320. C-130 2/7/2013: Letter from CT Department of Energy and Environmental Protection.
321. C-131 8/2/2010: Letter about the summons and complaint in the case against [REDACTED]
322. C-141 10/1/2013: Council resolution.
323. C-142 11/28/2013: Council resolution.
324. C-143 2014: 10/03/14: Email from [REDACTED].
325. C-144 2014: SIT Council Meetings.
326. C-145 2015: SIT Council Meetings.
327. C-149 2016: SIT Council Meetings.
328. C-150 2017: SIT Council Meetings.
329. S-1 C.R.S. 47 Section 63 (2015).
330. S-2 47 C.R.S. 59b-10 & 29 (1976).
331. S-3 Connecticut Public Law 368, Sec. 16, passed in 1989.

332. S-4 Pleadings U.S. District Court Massachusetts Western Division June 20, 2000. Action Nos. 99-30225, 99-30226, 99-30227-MAP
333. S-5 Superior Court Litchfield Judicial District, 2010. The Court case: "Connecticut law recognizes the Schaghticoke as an indigenous, self-governing tribe that possesses powers over its members and reservation." Kent Inland Wetland Commission v. Rost, Superior Court Litchfield Judicial District, 2010.
334. S-6 State of Connecticut General Statutes Section 47 - 59a
335. S-7 United State Department of Commerce, *Indian Population in the United States and Alaska 1910*. Government Printing Office, Washington, D.C, printed 1915.
336. S-8 National Archives, Indian Affairs, Assistant Commissioner E.B.
337. S-9 Section 1587(c) of General Statutes (1935) State Park and Forest Commission Overseer of Schaghticoke and Other Tribes. Disbursement of Tribal Funds.