

**(4) Proposed Finding Documents**

- July 29, 1982



# United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

WASHINGTON, D.C. 20245

IN REPLY REFER TO:  
Tribal Government Services-FA

JUL 29 1982

Memorandum

To: Assistant Secretary - Indian Affairs

From: Deputy Assistant Secretary - Indian Affairs (Operations)

Subject: Recommendation and Summary of Evidence for Proposed Finding for Federal Acknowledgment of the Narragansett Indian Tribe of Rhode Island Pursuant to 25 CFR 83.

1. RECOMMENDATIONS

We recommend that the Narragansett Indian Tribe be acknowledged as an Indian tribe with a government-to-government relationship with the United States and be entitled to the same privileges and immunities available to other federally-recognized tribes by virtue of their status as Indian tribes, as well as having the responsibilities and obligations of such tribes. We recommend that a proposed finding to acknowledge the group as an Indian tribe be published in the Federal Register.

2. GENERAL CONCLUSIONS

The modern Narragansett Tribe is the successor to and its members are lineal descendants of the aboriginal Niantic and Narragansett Tribes. The Narragansetts, one of the most powerful tribes in New England, and the smaller Niantics were culturally very similar and generally closely allied in historic times. The political structure was organized around leaders, referred to as sachems, who were drawn from high-ranking families. Sachemship was inherited patrilineally within families. The chief sachem was frequently referred to as "king" by the English.

The Narragansetts have a documented history from 1614 until the present. The first 30 years of contact with the English and the Colony of Rhode Island was characterized by cordial but increasingly strained relations. Although the tribe remained strong culturally and politically, it gradually declined in size and political strength through epidemics and conflicts with other tribal groups. The aboriginal tribal land base was dramatically reduced by land sales to the English. One source states that by 1667 Narragansett and Niantic lands were reduced to approximately the area of the present Washington County.

Narragansett and Niantic sachems signed treaties with the United Colonies in July and October of 1675, and agreed to stay neutral in the United Colonies war against the Wampanoags (King Philip's War). Nonetheless, the Narragansetts were soon drawn into the conflict, apparently as a result of providing protection to fugitives from the war.

Subsequently, the Narragansetts were decimated in the "Great Swamp Fight" in December 1675. In the succeeding years, the tribe was defeated in several large battles. The ultimate result was that much of the tribe dispersed. Many members fled to join other New England tribes or were captured and forced into indentureship among the colonists. Others were sold into slavery in the West Indies. A substantial number of the Narragansett survivors combined with the Niantics under King Ninegret who stayed neutral during the war and survived with their territory and society intact. The combined tribes almost immediately became known as the Narragansett Indians.

The period from King Philip's War until the 1880's was a time of rapid and far-reaching changes in Narragansett culture and social organization, and in the tribe's relationship with the government of Rhode Island.

Major cultural changes were evident during the 1700's. After resisting Christianization in the 17th and early 18th centuries, a large body of the tribe was converted in the 1740's, and a separate Narragansett church was formed with a Narragansett minister. An independent, community-controlled church has continued until the present. At about the same time, a school was started, supported by the tribe. Significant numbers of members are listed as residing in Westerly and Wakefield, towns neighboring the tribal land area. It also appears that the Narragansett language had gone out of general use by 1800. Marriage to non-Indians began in this period and became increasingly common.

Between 1775 and 1800, a significant body of Narragansetts broke with the tribe and joined the intertribal Brotherton movement led by Samson Occum. This group, drawing on well-educated, strongly Christianized members of New England tribes, established a new community on lands provided by the Oneidas in upstate New York. The community later moved to Wisconsin. Additional Narragansetts emigrated to the community at intervals as late as the 1840's. Parallel to these cultural changes, the institution of the monarchy declined in the 18th century. It was replaced by a council about 1770, after a period in which there were both king and council.

Rhode Island's role after 1675 was essentially that of a trustee. The tribe remained essentially self-governing, but its external affairs were restricted and it became generally subject to the protection as well as the supervision of the colony. The land base was further reduced to the approximate area of the current Charlestown township by a 1709 deed from the ruler, Ninegret, ceding claims to all other land in Rhode Island. Protection of the tribe from suit for debt was established, and land sales required approval by the State Assembly. Notwithstanding this, there were frequent land sales at the tribal council's request, approved by the State Assembly. Often land sales were authorized for individuals wishing to emigrate to Brotherton.

In 1792, the state confirmed the council as the body with which it would deal and passed a law and rules which confirmed the council's powers and established elections, and defined voter eligibility.

The state continued to deal with the council after 1800 and over a period of time passed several acts which strengthened the council's authority in such areas as care of the poor of the tribe, affirmation of the tribal members' immunity from suit for debts, and confirmation of "the tenure by which are held lands of the Narragansett Tribe of

Indians, agreeable to their ancient usages and laws of descent." Further confirming the state's recognition of the Narragansett's tribal government were investigations into tribal affairs conducted by three legislative committees in the 1820's and 30's. The committees noted that the Narragansetts have "arrogated powers to themselves to govern public affairs according to rules they have prescribed" without any accountability to the Assembly.

Jedidiah Morse, in a report to the Secretary of War in 1822 as a part of a survey of eastern Indian tribes to be possible targets for removal to the West, described the Narragansetts as nominally independent, electing their own council, maintaining a school and a church. The Narragansetts stated they did not wish to be removed and were successful in their efforts to stop such a move. It was also noted by others that Christianity and education made substantial gains within the tribe during this period.

In 1849, the State Assembly again reaffirmed its recognition of the Narragansetts, and strengthened the tribal government through the passage of an act authorizing the council to lease common tribal and individual lands "according to their old usages and customs." Based on this legislation, the tribe adopted a written constitution in 1850 under which the tribe governed itself and continued to do so until 1880, when the State Assembly passed an act severing most of its relationship with the tribe.

The state continued to support the Narragansett school as they had since the 1830's, and passed several pieces of legislation supporting the group. At the same time, several investigations of the tribe were made, with strong suggestions that the group ought to be dissolved and the state role in its affairs ended. The tribal council strongly protested such moves to change the tribe's relationship with the state. Nevertheless, the state continued to pursue its interest in this course. The Indians, however, continued to resist any suggestion that they accept "full citizenship," stating, "while one drop of Indian blood remains in our veins, we are entitled to the rights and privileges guaranteed by your ancestors to ours by solemn treaty."

Despite poor economic conditions in the 1830's, the standard of living and degree of education were described as greatly improved in the 1860's. A strong religious revival occurred in 1859 under Aaron Sekator, a Narragansett preacher with a change in denomination from Baptist to Second Adventist. The original church, built in the 1700's, was replaced by the stone church which stands today. The annual or general meeting of the tribe in August was a combination church meeting, homecoming, and celebration. It was well established by 1850. The origins of the event probably go back at least to the 1830's, and possibly link to traditional summer ceremonies. It continues to be held today.

Narragansett marriage to non-Indians, black and white, became an issue in the 19th century although most marriages apparently remained within the group as is the case today. The reports of State Assembly committees noted that few fullbloods remained. The issue of race was raised in the context of state recommendations to dissolve the tribe because of the intermarriage with blacks. As a consequence, the group had to strongly defend its identity as Indian, and continues to do so today. At hearings in 1979 to consider the question of ending the state's relationship with the group, many tribal members stated they feared that if they were made citizens they would be treated as second-class colored citizens and felt their Indian/non-citizen status was preferable.

In 1879, the State Assembly appointed a commission which held three hearings on the questions of whether to abolish tribal relations of the group, make them citizens, and end their relationship with the state. This process is commonly referred to as "detrribalization." At those hearings, all five tribal council members opposed any such move. The council did agree to have the school closed. Later in 1879, the Narragansett council inexplicably voted to sell tribal lands at an undocumented meeting with the commission. There are indications that the council was unclear about the issues on which they were voting and they later claimed that they only intended to sell the reservation and not quitclaim any other lands owned by the tribe. There was no vote taken of the tribal membership on the issue, and there was a protest by individual tribal members in 1881.

The State Assembly passed legislation in 1880 which purported to abolish tribal authority and tribal relations, declared tribal members citizens, ended the state's relationship with the tribe, and which authorized the sale of all land held in common. The proceeds of the land sale were to be distributed to individual members. Tribal lands held individually were to be deeded to the individual Indian landholders.

The state's action was devastating to the tribe, resulting in the loss of virtually all of the approximately 927 acres of remaining tribal land held in common. Only two acres around the Narragansett Church and the church itself were saved for the tribe. This was given special status by the state. These two acres are still in the hands of the tribe. Notwithstanding the loss of the land, there continued to be a sizeable community existing around the Charlestown area, although after 1900's there were few residents in the area which comprised the reservation in 1880. The state's action also threw the tribal government into disarray. Although the tribe continued to administer the Narragansett community's affairs, primarily through the church, there appears to be a period in which formal tribal government activities were at a low ebb except for a very active pursuit of the tribal land claims and maintenance of the annual tribal meeting.

One beneficial result of "detrribalization" was the need for the state to prepare a roll from which to disburse \$5,000 paid by the state for the tribal land. This roll was carefully done by state officials with the cooperation of the tribal council, and ironically today serves as the source document on which Narragansett tribal membership is determined. In 1880, an initial list of 302 members was drawn up of those who were determined to have maintained close tribal relations. Ultimately, in 1881 a list of 324 members was certified by the Rhode Island Supreme Court. These were collectively referred to as the "Detribalization Rolls."

A council was continued, and some tribal meetings and elections were conducted, between 1889 and 1901. The tribe raised funds from its members, compiled a roll, and hired an attorney to pursue its claims. In this period, the council dealt with the state several times concerning its claims. The State Assembly investigated but rejected a claim to the Rhode Island shoreline in 1894. In 1898 the State Supreme Court heard and rejected another land claim.

After 1901, there continued to be several clearly evident leaders who were recognized both by the community and by outsiders as community leaders in general. These were George Ammons, the "chief" until his death in 1923, and Daniel Sekater and John Noka, who were respectively reverend and deacon of the tribal church. All three had been part of the earlier tribal council. Beginning around 1923, another younger element in

the tribe began to assert itself in community affairs. This group, oriented toward the pan-Indian movements in the Northeast, introduced a pow-wow to the annual August meeting and challenged Sekater and Noka for influence in the tribe. They were also pushing for greater recognition of the Narragansetts by the state and by non-Indians in general.

In 1934, the younger element formed a new council under a corporate charter from the state, and also formed a new governing body from the church under a separate state corporate charter. The tribal charter of the Narragansett Indian Tribe, Incorporated, was approved in December 1934, at a meeting of 200 Narragansett Indians and a like number of non-Indians. At this meeting Governor Green praised the Narragansetts and said he hoped the state would cradle social justice for the Indian. Among the purposes of the charter was the organization of the Narragansett Indian Tribe for self-government, education, art, and to protect the civil rights of the tribe. It established offices and provided for elections. A Bureau of Indian Affairs official, Gladys Tantaquidgeon, was an observer at the meeting.

In the 1930's, increasingly favorable relations developed with Rhode Island. The legislature passed a bill clarifying the tribe's right to the tribal church and the two acres of tribal land on which it was erected. In 1935, the Town of Charlestown appointed a tribal member as a special constable with powers specific to the church property. Also, in 1936, a law was passed establishing a Rhode Island Indian Day and the Governor designated the Narragansetts to choose the day.

From 1934 until 1963 when they began to diverge, the tribal corporation council and the church board had essentially the same composition and their activities were often parallel, with one or the other being more active in leading community affairs during different periods. At times, the church board would meet, then adjourn, and then reconvene as the tribal council. From 1940 to 1951, the church board was the more active organization, taking the lead in the construction of the tribal longhouse and in organizing the annual meeting. The longhouse was constructed with funds and land provided by tribal members. There was an internal reorganization and revitalization of the council in 1951, after which it became more active. In 1950, after four years work by council and church leadership, a clause in the state constitution which technically barred Narragansetts from voting was repealed by State Assembly action and a state-wide vote.

In the 1970's and up until the present there has been a strong revitalization of tribal activities. The tribe has been very active in administering a number of Federal and state programs in the fields of education, employment, health, food and nutrition, energy crisis assistance, and in the pursuit of a tribal land claim.

In 1975, the tribe filed a land claim against the State of Rhode Island. The tribe and its attorneys negotiated with Federal, state, and local authorities and reached a negotiated settlement on the land claim under which they reacquired 1,800 acres of land. Nine hundred acres were ceded by the State, and 3.5 million dollars were to be paid by the Federal Government to reimburse the private land owners for 900 additional acres. The settlement was finalized and funded by the Rhode Island Claims Settlement Act of 1978 (P.L. 95-395). Under state legislation, the land is managed and held in trust for the Indians by a state corporation, jointly controlled by representatives from the tribe and the state.

The modern Narragansett community is an extremely close-knit society whose membership can virtually all trace their Narragansett ancestry to the 1880 and 1881 lists of members. The group's members have remained geographically localized within the area of the former reservation or in neighboring towns. There are, however, no readily distinguishable survivals of the aboriginal culture, although there have been some revivals and adoptions of pan-Indian cultural traits. There clearly is a strong sense of group identity and the group is considered a separate and distinct Indian community by nearby local populations and the State of Rhode Island. Group members maintain a high degree of interaction with each other and are very knowledgeable about the past and present life and behavior of others in the group. There is clearly a sense of long-term association and familiarity even between strongly opposed factions within the tribe. There is a link of common cultural and historical knowledge about the tribe and a general sense of pride about being Narragansett.

The formal government of the Narragansetts presently consists of the board and officers of the Narragansett Tribe, Incorporated, the corporation formed in 1934. A clear distinction is made between the corporation, acting as the administrative arm of the tribe and the tribe itself, with most of the tribal membership not having membership cards with the corporation. The corporation receives and administers various grants and programs for the entire tribe. It is also the party designated to appoint members to the joint Indians/non-Indian corporation established in 1979 to administer the lands obtained in the 1978 land claims settlement with the state.

The church continues to be governed by a separate board, under the separate second corporation established in 1934 to govern its affairs. Regular services are held by the church, and it plays a cooperative role with the tribal council in the annual August tribal meeting.

The group currently has a high degree of intermarriage within and, by all indications, has had this characteristic throughout most of its history. Virtually every individual is related in several ways to several other families. Most of the current marriages are within the group. There is some intermarriage with other northeastern groups such as the Pequot, Wampanoag and Schaghticoke. This is a continuation of a pattern dating back to colonial and presumably pre-colonial times.

There are a number of significant divisions within the group along a number of lines: between those who remained in the Charlestown area versus moving to neighboring areas; between those strongly oriented to church activities versus the pan-Indian cultural complex; and along family lines. The division represented by the change in control in 1934 is still somewhat reflected in the group today. For a few years, one faction maintained a separate organization, most strongly between 1943 and 1950, holding its own annual meeting at least once and attempting to build a separate community building. It has since been reintegrated into the group's political system.

The petitioner is presently governed pursuant to the corporate charter and bylaws adopted in 1934. The bylaws establish Narragansett Indian blood as the criteria for membership and set up an investigating committee to consider all matters pertaining to eligibility. The Executive Board of the corporation has the authority to accept or reject the committee's report. The original membership requirement was amended according to a memorandum from the chief, dated October 4, 1979, to require that tribal members with full voting membership in the corporation be able to trace their

Narragansett Indian bloodlines to the "Detribalization Rolls of 1880-84." This refers to the initial and final rolls prepared in 1880 and 1881 as a result of detribalization. The charter also defines two non-voting membership categories, "associate", which is "any person married to a Narragansett Indian," and "honorary," which consists of "any non-Indian interested in the Narragansett Indian Tribe, Inc., and supportive of tribal affairs. There appear to be no "associate" or "honorary" members listed on the current roll.

A current membership roll with a total of approximately 1,170 members listed was submitted with the petition. Several former lists of members of varying origins and composition were obtained by the Acknowledgment staff. Essentially all Narragansetts on the current tribal roll are believed to be able to trace to at least one ancestor on the "detribalization rolls;" many are expected to be able to trace to several.

There is no evidence to indicate that any Narragansetts are enrolled with any other North American Indian tribe. Further, the Acknowledgment staff can find no legislation which terminates or forbids establishing a Federal relationship with the Narragansetts.

#### EVALUATION OF THE NARRAGANSETT TRIBE BY THE CRITERIA IN PART 83 (Formerly Part 54) OF TITLE 25 OF THE CODE OF FEDERAL REGULATIONS

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

The primary identification of the Narragansetts as a group of Indians has come through the state, and formerly the colony, of Rhode Island, by virtue of the group's status until 1880 as a state-recognized tribe with a protected land base and non-citizen status of tribal members.

The Narragansett and the allied Niantic tribe were initially dealt with as independent nations by England and the English colonies of Rhode Island and Massachusetts beginning in 1622. The two tribes formally accepted the authority of the English King in 1644 and confirmed this in 1663. After the Narragansett nation was essentially destroyed in 1675 in King Philip's War, the Niantics combined with the remnants of the Narragansetts. Led by Ninegret, the Niantic tribal monarch, the combined tribes came under closer supervision by the colony of Rhode Island. Despite the predominance of the Niantics, the group very quickly became known as the Narragansett tribe.

From 1675 onward, the tribe was dealt with under a form of guardianship by Rhode Island, with state approval of land sales required in most periods, and numerous commissions to investigate and deal with tribal affairs and resolve disputes within the tribe. The state in 1792 authorized and formalized the council system which had replaced the monarchy around 1770.

The state legislature continued extensive dealings with the tribe in the 19th century until 1880, acting as guardian and several times making laws confirming and defining the council's form and certain of its powers. Numerous laws and appropriations were made for the tribe's benefit or to deal with its affairs and, except for a limited period, there was a special state official to oversee its affairs.

The state's legal relationship as guardian was ended in 1880 with the passage of the "detrribalization" act, dissolving tribal authority and the guardian relationship and providing for the sale of land, and granting citizenship status to the Indians. It purported to dissolve the tribal authority which the state had previously supported. State law, however, has continued recognition of the ownership of the Narragansett church and associated lot by the "religious society" that has met there until the present day. This was reaffirmed by legislation in 1936. The state General Assembly also met with Narragansett leaders several times between 1880 and 1900 to discuss land claims. State officials including the governor and other influential non-Indians attended and sometimes spoke at the annual August meeting in the decade between 1925 and 1935. State officials met in the early 1930's with Narragansett leaders to discuss the tribe's land claims.

The state clearly recognized the group again beginning in 1934 when, at a meeting attended by the governor, a new formal organization, the Narragansett Tribe, Inc., was created through adoption of a state corporation charter. In 1936, Rhode Island Indian Day was created, at the request of the Narragansetts and others, and the tribe was appointed to designate the day of celebration. In 1945, the Rhode Island Indian Day was designated to specifically honor the Narragansetts and the date made the same as the tribe's annual August meeting.

In 1972, the New England Governor's Conference, which included Rhode Island, supported Federal recognition of all New England tribes desiring it. In 1976, the Rhode Island Commission for Indian Affairs was created by executive order which specifically designated the Narragansett Tribe, Incorporated, to name the majority of the commission members. In 1978, a land claim against the state and private landholders was settled by an agreement setting up a joint state-tribe corporation to administer certain lands granted to the tribe. The agreement was implemented by state and Federal legislation.

There has been relatively little Federal contact with the Narragansetts as a group. In 1822, Jedidiah Morse reported to the Secretary of War that he had contacted the Narragansetts in 1820 in connection with the proposed removal of eastern tribes. Schoolcraft's report in 1857 also notes the Narragansett, apparently entirely on the basis of Morse's report. A number of inquiries to the Bureau of Indian Affairs between 1880 and 1934 elicited the reply that there was no Federal responsibility for or jurisdiction over the group.

A BIA official visited the group and attended the 1934 meeting at which the corporation charter was adopted. Her report identified the group as a group of Narragansett Indians. From the 1970's to the present, the group has received a number of Federal grants, e.g., from the Administration for Native Americans. The Federal Government has enacted legislation implementing the 1978 land claims settlement with Rhode Island.

After detrribalization and until the present the group has continued to be identified as an Indian entity in Rhode Island newspapers in connection with land claims, annual

meetings and other matters. The group has been identified in the works of various scholars before and since detribalization. Among the later works are ones by Boissevain (1952, 1959, 1969 and 1975), Gilbert (1948), Beale (1957), and Berry (1963).

The tribe has long had recognition among other New England tribes and was a member of the Coalition of Eastern Native Americans as well as being recognized by pan-tribal groups in the 1920's. Its August meeting has been part of a summer "pow-wow" circuit among Northeastern Indian groups for at least 50 years, and probably much longer. It has been a member of NCAI since 1978.

We conclude the tribe has met the criterion in 25 CFR 83.7(a).

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

The present-day Narragansett Tribe of Indians is primarily derived from the Niantic Tribe which was joined by substantial remnants of the Narragansetts that remained in 1675 after the defeat of the Indians by the English colonies in King Philip's War. The group almost immediately became known as the Narragansetts despite the predominance of the Niantic and the leadership of their King Ninegret.

A distinct community has existed since earliest European contact in the area of the present Charlestown township and neighboring areas to the east and west in the present Washington County, Rhode Island. An area approximately corresponding to the Charlestown township was specifically defined in a 1709 deed by King Ninegret, which ceded all other areas claimed by the tribe. There has been a significant resident population in this area from earliest contact until the present day. In addition, since at least the mid-1750's, significant numbers of tribal members have been resident in neighboring towns to the east and west, particularly Westerly and Wakefield, i.e., about a 10-mile radius around Charlestown. Almost all of those persons listed on the "detrribalization rolls" of 1880 and 1881 of individuals maintaining significant tribal ties were resident at Charlestown or in these neighboring areas. Currently, most tribal members reside in Washington County and the community in Charlestown township serves as the core of the contemporary tribe. Emigration from this area continues to be limited.

Although the method by which tribal membership is determined has varied throughout the years, the membership has remained stable. Over the years many lists were made of the Narragansetts for various reasons. The names of historic Narragansett families appear repeatedly until the present.

At the time of "detrribalization" in 1880, the State of Rhode Island clearly defined a community of individuals of Narragansett descent who were maintaining significant tribal ties. The State went through a lengthy process to determine who were members of the tribe and, therefore, eligible to receive a share in the payment (see page 16).

Of a total of 473 claimants 324 tribal members were included on the final list issued August 19, 1881. Almost all of the current members can trace to one individual on this list and in most cases can trace to several persons listed.

Members today emphasize that one is born a Narragansett and remains one for his entire life. Even among members expressing some dissatisfaction with tribal politics withdrawal of membership is not considered a viable alternative. Members of the tribe indicate they generally know who other members of the tribe are. Members can readily name other members, can detail relationships among the families, can identify which families have intermarried, and are knowledgeable about other families in the tribe. Members can generally discuss the size of other Narragansett families, describe what types of occupations certain families are engaged in, where they reside, and how active these families are in various tribal activities.

The Narragansetts have been a closely intermarried community for at least the last 150 years with innumerable connections between families. A comparison between 1880 and 1980 also shows that there has been a high degree of retention of family lines. The close intermarriage and the stability of composition, plus the geographic stability of the group, reflect the maintenance of a socially distinct community. Members of the tribe are knowledgeable about current and past tribal affairs. Members can relate recent events at the longhouse or council meetings and can refer to specific services and programs operated by the tribe regardless of whether or not they or their family actually participated.

The tribe has not retained cultural traits from the traditional culture which distinguish it from the surrounding populations. Significant adoption of non-Indian culture was evident as early as 1730 and 1740. During this period formal schooling was introduced, English surnames became common, and Christianization became acceptable. Around 1760 and 1770 the tradition of sachemship died out. This may have been the last era when the Narragansett language was commonly used.

Several tribal institutions indicate the degree of tribal cohesion present among the Narragansetts and the strength of the ethnic boundary. Two of the most important are the Narragansett Indian Church and the annual August meeting. The Narragansett Indian Church, and the church organization, has been a significant community institution since around 1746. The church was formed as an independent community-controlled institution by members of the Narragansett community. Although the denomination has changed occasionally, the church has been led through most periods by a Narragansett minister and apparently has always had an exclusively Narragansett membership. The governing body of the church presently consists of a board, the members of which are also members of the tribe. The land on which the church was constructed is tribal land, not land owned by a particular denomination.

In addition to its religious role, the church performs a variety of other functions within the Narragansett community, including active participation at the annual August meeting, sponsoring various youth and elderly activities, and arranging holiday celebrations and events. Although weekly attendance is small at present, many of the family lines are still represented by attendance at church activities or services. During the annual August meeting of the tribe the claim is made that as many as 200 attend the church services.

The tribe's annual August meeting can be documented back to 1851 and probably existed as early as 1830. Attendance is high. Members claim "all" Narragansetts attend the event. Many members living away from the core community in Washington County return on a regular basis for this event as well as on other occasions such as family visits, important family events, and holidays.

A substantial portion of the tribe inhabits a specific area with a majority of members living in Washington County, Rhode Island, traditional Narragansett and Niantic territory and the location of the original Narragansett reservation. The tribe has resided in this area continuously from earliest historical times. The Narragansett community is viewed as American Indian, distinct from other populations in the area. The Narragansett Tribe is a highly cohesive community with members having a wide range of contacts and shared experiences within the tribe. Tribal institutions such as the Narragansett Indian Church and the annual August meeting reflect the retention of tribal cohesion. Members are knowledgeable about tribal affairs and interaction among members is extensive.

We conclude that the Narragansett Tribe of Indians forms a community viewed as American Indian and distinct from other populations, that its members are descendants of a tribe which historically inhabited the area, and that the tribe has met the criterion in 25 CFR 83. 7(b).

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

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The contemporary Narragansett Tribe has its origins in the aboriginal Narragansett tribe and the closely allied and culturally similar Niantics. The political structure was organized around sachems, leaders drawn from high-ranked families. The chief sachem was often referred to as king or monarch by the English. Both tribes were dealt with as independent nations by England and the English colonies of Rhode Island and Massachusetts, beginning in 1622. Some degree of external control was increasingly exercised by the Colony of Rhode Island during the 17th century. In 1644, the tribes formally accepted the authority of the English crown, and confirmed this again in 1663. The Narragansett Tribe was decimated and its sachemships ended by the Narragansett defeat in King Philip's War in 1675. The Niantic tribe, under the Ninegret Kings, remained neutral and survived, taking in remnants of the Narragansetts and other Northeastern tribes. The combined group was soon referred to as the Narragansetts.

The sachems still essentially controlled internal tribal affairs after 1675, but were subject to increasing limitations by Rhode Island. Besides the monarch, there was influence from advisors and councilors drawn from the high-ranked families, as had been the traditional pattern. Rhode Island took close control over external affairs and exercised a form of guardianship. The key act was a 1709 deed from Ninegret II ceding all holdings except 64 square miles in the southern part of Rhode Island corresponding roughly to the current Charlestown township. Laws were passed to control the sale of Indian lands and to protect Indians from suit for debt. The legislature frequently investigated tribal affairs, often at tribal request, and was sometimes called upon to resolve political conflicts within the tribe.

After considerable conflict within the tribe, a council form of government, probably based on earlier councilors to the chief sachem, replaced the monarchy around 1770. The institution of the monarchy had gradually lost strength in the earlier part of the century. In 1792, this council, originally created by the tribe, was given an explicit form and endorsement of its powers by the Rhode Island General Assembly, which continued and enlarged its guardianship role. Standards of voting membership were defined, council election procedures set up, and rules established to determine sale, use and inheritance of land, as well as council powers relating to these and other matters.

Between 1792 and 1880, the group was consistently described as governing its own internal affairs. It was subject to a varying and generally loose degree of oversight by the General Assembly and an Indian Commissioner, and often functioned without strict regard for the rules set up by the assembly. Although legislation made changes in council powers and obligations from time to time, it clearly established a legal foundation in Rhode Island law. Legislation often specifically endorsed "traditional usages and practices." A written constitution was adopted by the tribe in 1850 based on requirements and grants of power in 1849 legislation. Between 1792 and 1880, the council exercised such functions as defending the group against encroachment on its land, caring for the poor, renting tribal and individual land, determining membership, determining the division and inheritance of individually held tribal lands, and maintaining the Narragansett school. The council also defended the tribe against several attempts to "detritalize" it.

An act of the Rhode Island General Assembly in 1880 purportedly dissolved the tribal authority and tribal relations of the Narragansetts, as well as called for the sale of tribal lands. In 1879, the council had reluctantly agreed to terminate the school, to take up U.S. citizenship, and to sell the tribal land base. The records available do not clearly indicate that the council intended to dissolve its own authority and the council was subsequently revived.

There is good evidence that after 1880 the group continuously had leaders who had a general standing as community leaders and were regarded as legitimate by outsiders as well. Without a land base, however, few of the powers of the pre-1880 council could continue to be exercised. Much of the material for this period concerns continued efforts to pursue several land claims which the group felt were not properly dealt with at the time of "detrilateralization."

A tribal council existed between at least 1892 and 1901 and met fairly frequently, if not regularly, and some tribal meetings were also held. Several elections were held, although not on the regular pattern that had existed under the 1850 constitution. The council composition was similar to the 1880 council, but replacements were elected for council members who died and, in one case, for the chairman and another member who were ousted by an opposition faction. Replacements were often drawn from the same families which had been active tribal leaders before 1880. Gideon Ammons, the president of the 1880 council, remained the key leader until his death in 1899, even though he was replaced as chairman of the council in 1896 by his son, George. Several of these leaders were also active as leaders in the tribal church which continued to function. There continued to be a closeknit community with a resident population on and near the reservation as well as elsewhere in Washington County, and the community institution of the annual August meeting was maintained throughout.

Between 1901 and 1934, there clearly existed several individuals recognized as legitimate group leaders. Except for a tribal meeting and council meeting called in 1921 to deal with a threat to lands the Narragansetts claimed, however, there was apparently no formal council or tribal meetings in this period. The most important leader was George Ammons, "who stood practically in the relation of chief," and about whom "the affairs of the tribe revolved," according to contemporary accounts. Daniel Sekater and John Noka were respectively pastor and deacon of the church as well as playing more general roles as leaders. After Ammons died in 1923, they acted somewhat like co-chiefs.

Tribal and church leadership roles were, in a real sense, merged during this period and in the preceding and following decades. Gideon and George Ammons, among other community leaders between 1880 and 1934, were also leaders in the church. George Ammons was described as "the moving factor in the religious and temporal affairs" of the tribe. In this latter period the church was the only tribal institution with state recognition, by virtue of having been granted continued occupation of the church building and its associated tract of land. Before 1880, council members were often also church leaders and the church itself served as the tribe's meeting house where council meetings and elections were held. After 1934, the composition of the council and the church board were often virtually identical. The church is and has been a community institution, having been an independent tribal church from its beginnings around 1746.

Ammons and the others made strong efforts around 1910 to restrengthen the annual meeting, which had declined in attendance. The regular congregation of the church itself declined for a time, but was revived and regular services were being held in the 1920's. The church and annual August meeting thus existed as community-wide institutions. There continued to be a closeknit community at Charlestown and in the nearby towns, with the church in Charlestown linked to Indian churches in Wakefield and Westerly, although the resident community on the reservation did not exist after about 1910 at the latest.

The most clearcut tribal effort came in 1921, when Daniel Sekater held a large tribal meeting to protest a threat to drain the cedar swamp on the former reservation. His announcement described the meeting as "called by the council of the tribe." Officers were elected and the membership roll compiled in 1901 was reviewed. No definite evidence of any follow-up was found, although the swamp was never drained.

Group efforts to push land claims continued, becoming particularly active again after 1925, along with efforts to seek state and Federal recognition. Sekater as "councilor" in 1906 and Ammons as "chief" in 1913 had written the Federal Government seeking assistance in settling their claims. After 1925, Sekater and Noka contacted and met with state officials concerning the land claim. Several times they also sought Federal assistance and recognition for the Narragansetts. During the same period, a newly active element in the tribe worked with state leaders and other influential non-Indians toward greater public and state government recognition of Rhode Island Indians. This culminated in tribal reorganization and effective state recognition in 1934.

Internal political processes are evident in the gradual shift in power and community support between 1925 and 1934 from the "old guard," led by Sekater, Noka and Ammons, to another group which had not been as politically active in the tribe. The

new group was younger, and drawn from different families than the previous leadership. This group, active in pan-Indian organizations, first clearly became influential at the 1925 annual August meeting, when they added a "pow-wow." The group gradually grew in influence, although they were not initially supported by a majority of the community. By 1929, Sekater and Noka, acting in effect as co-chiefs, were actively disputing attempts by one of the new group to be considered a third chief in addition to themselves. By 1934, the younger group easily established control over the church and set up a new corporation as the tribe's governing body, leaving only Sekator and Noka, and a small faction, opposed to them.

The new organization, which was called the Narragansett Tribe, Incorporated, (NTI), was chartered to "organize the Narragansett Indian Tribe for self-government, protect the civil rights of Narragansetts, and to promote education and other purposes." The NTI established the position of chief and various officers and also elected a council. The establishment of a Narragansett tribal organization was seen at the time as a breakaway from the pan-Indian organizations which were threatened because at the time they wanted to assert a dominant role in Indian relations with the state. The new tribal organization's initial activities were to enroll members, publish a tribal paper, work with the state to establish a Rhode Island Indian Day, and generally to enhance Narragansett standing and community knowledge of Narragansett history and traditions.

The NTI corporation and the church, which had virtually identical composition until the 1960's, have continued to function until the present. Between 1940 and 1951, the church was the primary organizational focus, meeting regularly, holding regular services, controlling the annual meeting and its funding and organization, and playing the major role in the building of a community meeting place known as the longhouse, one of the stated goals of the NTI. It also took care of funerals and helped the sick. The council actively functioned only for part of this period, playing a role in the longhouse project, the annual meeting, and in Narragansett efforts to have a restriction against their voting removed from the state constitution. In 1945, the group was also instrumental in having Rhode Island Indian Day made synonymous with the annual meeting. The council was reorganized and restarted in 1951, reviving the system of membership cards called for in the original charter. The council and the church board then played somewhat parallel, shared roles in group affairs, such as the longhouse and the annual meetings, continuing to have essentially identical composition until the middle 1960's. The formal functions of the tribal government were somewhat limited in this period. A chief, as well as a chairman and council, continued to exist, although regular elections do not appear to have been held. After approximately 1970, the governmental functions of the NTI emerged more strongly. It maintained a permanent staff, administered grants, conducted regular elections, pursued a land claim suit against the state and individuals, and provided various programs to the membership such as education, social services, and feeding the elderly.

We conclude therefore that the Narragansett Tribe has maintained tribal political influence and authority over its members throughout history until the present and that it has met the criterion in 25 CFR 83.7(c).

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

The Narragansett Indian Tribe has submitted the corporate charter of the Narragansett Indian Tribe, Incorporated, dated December 4, 1934, as well as a set of bylaws evidently adopted at the same time, which are its current governing documents.

The bylaws set Narragansett Indian blood as the criterion for membership, established an investigating committee to consider all matters pertaining to eligibility, and gave the Executive Board the authority to accept or reject the committee's report. According to most sources, the investigating or screening committee in practice also took into consideration the person's reputation, whether they were from a known family and whether they had participated in the tribe. Oral history and documentation were used by the committee for evidence of descent.

A memorandum, dated October 4, 1979, from George Watson, the elected chief, stated the requirements for full membership in the Narragansett Tribe, Inc., as descent from the "Detribalization Rolls of 1880-1884." This is a revision of the membership provision in the original bylaws of the corporation. This revision was evidently made between 1975 and 1979. The memorandum further states that "many Narragansett Indians do not hold cards in the Corporation, but are recognized members of the Tribe."

The standards in the memorandum were, as far as could be determined, used to compile the tribal membership list and are the current tribal membership requirement.

We conclude that the group has met the criterion in 25 CFR 83.7(d).

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

Two current lists of tribal members were prepared and submitted for acknowledgment purposes. The first, a partial listing dated October, 1979, was submitted with the petition and included 284 members. Ancestry charts were also provided for 20 additional members whose names had been omitted from the roll. Among the reasons offered by the leadership for initially submitting only a partial list was that they had not understood that more than a core list was required. In response to a request from the Acknowledgment staff for a complete list of members, a supplementary list dated March 19, 1981, was provided which contained the names of 932 additional members. The total membership submitted included approximately 1,170 members, once duplicates were removed.

Tribal membership and corporation membership are not considered to be the same. Corporation membership is and has been more limited. While some partial lists of corporation members did exist, no recent official and complete list of tribal members

had been prepared prior to the lists noted above which were prepared for acknowledgment purposes. The process of creating an overall membership list for the tribe, using corporation membership standards, has formalized what was previously a rather informal system. There is a large additional indeterminate number of Narragansett descendants living in Rhode Island who could apparently meet the group's membership standard of descendency from the "detrribalization rolls" but are not currently on the tribe's membership lists. Tribal leaders have indicated that they would be interested in adding further members to the rolls from among these descendants, if they were to apply.

Several former lists of Narragansetts of varying origins and composition were obtained: two apparently prepared around 1975 for the State of Rhode Island in connection with the Narragansetts' land suit; a list of persons holding membership cards in the corporation; and a mailing list for the tribe. The list of corporation card holders and the mailing list were presumably used as the basis for the current membership lists.

In addition to these, several other lists of members have been created in the past. In 1901, the council issued a call for enrollment of all those with an interest in legislation introduced in the Senate or "already on the tribal books." Neither this nor an apparently similar roll of 800 Narragansett descendants reviewed by the group in 1921 was located. In 1935, under the newly reorganized government, it was reported by the tribal newspaper that 439 of "proven Narragansett blood" had been registered. No list from this period was located.

Submitted with the petition was a list of 62 names "of the members of the Narragansett Tribe of Indians which has been recognized by the United States Government." The list is a 1935 revision of a list submitted to the Bureau of Indian Affairs in 1933 by Daniel Sekater and appears to be only a partial listing of the tribal membership at that time. The original 1933 list was not discovered, nor was an apparently related list sent to the BIA in 1927 by John Noka and returned to him later that year.

Although the former lists which were available were not identical, they did appear to be somewhat consistent with one another in that they shared many of the same core group of members.

As was discussed under 83.7(d), the tribe submitted a corporate charter established in 1934 and a set of bylaws, evidently adopted at the same time, which defined Narragansett Indian blood as the criteria for membership. Eligibility based on Narragansett Indian blood has been further defined and restricted, according to a memorandum dated October 4, 1979, to require applicants for full voting membership to trace their Narragansett Indian bloodlines back to the "Detribalization Rolls of 1880-84."

The "detrribalization rolls" refer to the lists of persons drawn up in 1880 and 1881 who were determined to be tribal members and eligible to share in the \$5,000 to be paid by the State for common tribal land. Three commissioners were appointed by the State, one by tribal nomination, to conduct hearings in order to establish who were tribal members and therefore entitled to share in the proceeds to be distributed from the sale of tribal lands.

Six hearings were held by the commissioners in 1880 concerning the determination of members. The primary consideration of the commissioners, beyond Narragansett descent, which was only an issue in a few cases, was whether an individual had maintained tribal relations. The determination of having maintained tribal relations was tightly drawn by the commission. Evidence used included the exercise of such tribal rights and privileges as residence on the reservation, attendance and participation at the annual August meeting and annual elections, election to the council, cutting wood in the swamp (a privilege limited to Indians), and/or receiving support from the tribe. Evidence of having abandoned tribal relations included residing away from Charlestown, selling individually-held tribal lands, and exercising the rights and duties of U.S. citizenship by voting. As a general rule, an absence of contact with the reservation over a ten-year period was considered prima facie evidence of having abandoned tribal relations, providing no evidence to the contrary was available. These policies had the concurrence of the tribal council and the Rhode Island attorney general.

The commission's roll containing the names of 302 members was submitted to the State Supreme Court for final determination in February 1881. A second and final list containing the names of 324 members was certified by the court in August 1881. A few additions and deletions were made by the court. Both of these rolls are now being used as the source documents to which current members must trace Narragansett Indian ancestry.

An examination of the testimony of those accepted and rejected makes it clear that the "detrribalization rolls" described a core of actively participating members. From all indications, the initial list prepared by the commission was made following lengthy consultations with the tribal council. Since the rolls were obviously tightly drawn, their use as the criterion for membership gives a firm eligibility standard for the tribe to apply and further insures the historical continuity of the tribe's membership as a whole. Given the nature of the "detrribalization rolls" and the circumstances surrounding their preparation, they are considered to be acceptable as evidence of Narragansett Indian ancestry for acknowledgment purposes.

A great deal of intermarriage has occurred among Narragansett tribal members over the years creating an incredibly interwoven genealogical picture. In order to simplify the process of verifying descendancy, the tribe was asked to trace a member's descent from only one ancestor on the "detrribalization rolls." In spite of this, ancestry charts showed that essentially all Narragansetts on the current tribal lists could be expected to trace to at least one ancestor and most could probably trace to several ancestors named on the rolls. Descent from the historical tribe is clearly visible in the continued presence of descendants of a large percentage of the early families found on the detrribalization rolls. Descendants of all five of the members of the council in power at the time the rolls were prepared in the 1880's are still present and some are still active in tribal affairs today.

The change in the membership requirement to require descent from the "detrribalization rolls" and the coincident compilation of a tribal membership roll has put formal determination of membership on a more purely genealogical basis now than

it had been previously. Despite this, the membership of the group is a close-knit rather than a loosely organized group of descendants. This change in the tribal criteria has also inadvertently excluded a handful of individuals who can show Narragansett Indian ancestry, but apparently cannot trace to an ancestor on the "detrribalization rolls". These are persons who have been considered members of the tribe, previously held membership cards in the corporation, and have long played an active role in tribal activities.

In summary, the Narragansetts have submitted lists of approximately 1,170 current known members and copies of several former lists, all of which appear to be generally consistent with one another since they share many of the same core group of members. Essentially all of the members on the current tribal lists are believed to be able to trace to at least one ancestor on the source document used for determining eligibility, and most members are, in fact, expected to be able to trace to several ancestors. Use of the "Detribalization Rolls of 1880-84" as the source document is considered acceptable as evidence of Narragansett Indian ancestry given the nature of the rolls and the circumstances surrounding their preparation. A great many of the families which were present in the historical tribe are still present and active in tribal affairs today. The Narragansetts are, therefore, determined to meet the criterion found in Section 83.7(e) of the regulations.

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

No evidence was found to indicate that any of the Narragansetts are enrolled with any other North American Indian tribe, thus they are determined to meet the requirement of Section 83.7(f) of the regulations.

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

The Narragansetts do not appear on the current lists of "Indian Tribes Terminated from Federal Supervision" and of "Terminated Tribes Restored to Federal Status" prepared by the Bureau of Indian Affairs. They have not been the subject of congressional legislation which expressly terminated a previous Federal relationship. The Narragansett Indian Tribe is, therefore, determined to meet Section 83.7(g) of the regulations.

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- 1779 Petition of the Indian Council Granted. August, p.4.
- 1787 Act to prevent selling liquor near Indian Meeting-House, Charlestown. March, p.11.
- 1788 Act for settling differences among the Indians. December, p.9.
- 1790 Committee to settle disputes among the Indians. January, p. 11.
- 1792a An Act for regulating the affairs of the Narragansett Tribe of Indians, in this State. February, p.26.
- 1792b Report respecting the Narragansett Indians. June, pp. 28-30.
- 1795 Committee on Indian Affairs to number the tribe and etc. March, p. 24. (re Brotherton)
- 1811a Committee to report register of Narragansett Indians and etc. October, p. 22.
- 1811b Committee to sell lands of N Indians. October, p.28.
- 1816 An act in addition to the act entitled, "An act providing for the relief, support, employment and removal of the poor." February, p.29.
- 1818 Report of Committee relative to N Indians. June, pp. 49-50. (re grievances and disputes of tribe)

(see also legislative actions: December 1783, p.5, March 1787, p.9, January 1798, p.9, October 1803, pp.34-5, February 1810, pp.10-11, June 1810, p.39, February 1813, p.14, June 1813, p.12, June 1817, p.35, May 1818, p.22, October 1818, pp.53-4, 82-3, January 1826, p.37, October 1838, p.53, January 1840, p.96)

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- 1882 Second Report of the Commission on the Affairs of the Narragansett Indians, Made to the General Assembly at its January Session, 1882. (contains hearings on individual lands, list of names of members entitled to be paid, as decreed by R.I. Supreme Court)
- 1883 Third and Final Report of the Commission on the Affairs of the Narragansett Indians, to the General Assembly at its January 1883 Session.
- 1884 Report of the Commissioners of the Narragansett Tribe of Indians to the General Assembly at its January Session 1884.

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- 1935a Tea at Sunset Cottage. May.
- 1935b The Tribal Blood. August.
- 1935c Our Purpose, Editorial for September. September.
- 1935d An August Meeting Reverie of Yesterday and Today. by Cassius Champlin. September.
- 1935e Christian Indian Homes. December.
- 1936a Report for the Year. April.
- 1936b 1936 Family Names of the Narragansett Tribe in R.I. (accompanied by Discussion of Enrollment). April.

#### Narragansett Indian Meeting Church

- 1934 Articles of Association as a Non-Business Corporation. August 4.
- 1940-79 Minutes of the Church Board.

#### Narragansett Indian Tribe

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- 1850-64 Minutes of Narragansett Indian Council. Charlestown Town Hall.
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Field Data (F.D.)

Research trips were conducted in Charlestown, Rhode Island and the surrounding area on April 24-30 and May 11-16 for the purpose of verifying and adding to the information submitted in the petition.