

Part I: The 1836 Manistee Reservation Era (1821-1836)

The Michigan Territory

Ottawa people, including our Grand River ancestors, traditionally used lands throughout what is now the Lower and Upper Peninsulas of Michigan for hunting, cultivating and gathering. When United States citizens entered this territory, the Ottawa people continued using the same travel routes, lands and resources along the west and north shore of Lake Michigan and the north shore of Lake Huron as they had for more than 150 years. Fur trading played an important role in Ottawa economies between 1615 and 1850. Ottawa communities were often located at important waypoints for trade.

The 1820s and 1830s were years of great change for Ottawa communities. Fur trade hunting practices had depleted most animal species. The American Fur Company which bought furs that Ottawa hunters and trappers collected, was a major economic and political power in the Michigan Territory. The Company was losing money. Company owners and operatives wanted Ottawa leaders to sell their lands to pay off debts to the Company.

At the same time, large numbers of settlers began to arrive in the Michigan Territory from the East. So many came to Michigan, that the Michigan Territory soon had a population large enough to qualify for statehood. Territorial leaders wanted the Ottawa to give up their claims to Michigan land so that they could assume government of the new state free of Indian claims.

Land speculators pressed the Ottawa and other Tribal communities to sell their lands. They, along with missionaries, territorial officials and federal agents wanted the Ottawas to sell their Michigan lands, clearing the way for lumbering, settlement, and statehood. The combined pressures exerted by territorial officials, settlers, speculators, and the political/economic clout of the American Fur Company finally prompted the federal government to seek cessions (sales) of lands from the Ottawa/Potawatomi/Chippewa bands in the Michigan Territory.

In addition to the political changes around them, the 1820s and 1830s were some of the most difficult years for Ottawa communities for other reasons. Settlers brought small pox which ravaged Ottawa communities. For the Ottawa, food was becoming more scarce. Many of the wild plants, animals and fish they relied on for food and cash were becoming scarce. Despite intense political pressures and difficult obstacles, Ottawa leaders always insisted on protecting their people's homeland in Michigan - both by reserving lands and reserving access to natural resources.

Losing Ground - The 1821 Treaty of Chicago

As early as 1820, Territorial Governor Lewis Cass wanted the Ottawas to sell all of their land within the area that is now the State of Michigan. Federal officials asked Potawatomi and Grand River Ottawa leaders to go to Chicago to negotiate a Treaty to cede lands south of the Grand River. The majority of Ottawa refused to participate in these negotiations. Only the leader Kewaycooshkum and his followers attended the negotiations. The Ottawa granted this leader no authority to sell any portion of the Ottawa's territory.

Most signatories to the 1821 Treaty of Chicago were Potawatomis. Kewaycooshkum was the only Ottawa leader who signed the document which sold (ceded) all of the Grand River Bands' territory south of the Grand River. Other Grand River Ottawa leaders refused to recognize the Treaty of Chicago as a valid agreement. That position, however, has never been accepted by federal officials. Grand River Ottawas were so upset with Kewaycooshkum's conduct that he was killed to set an example for any future chiefs who might be faced with a similar situation.

Following ratification of the 1821 Treaty of Chicago, federal and state officials quickly surveyed and sold the

lands ceded by that treaty to non-Indians. Settlers quickly occupied those lands, in some cases, moving into Ottawa houses and taking over gardens.

The Threat of Removal - The 1836 Treaty of Washington

In 1834, as territorial and federal officials, settlers and the American Fur Company increased the pressure on the Ottawa to sell more of their land, Grand River Ottawa leaders met with Little Traverse Ottawas in a solemn council to discuss whether or not to sell all of their remaining Michigan land. Michiganians increasingly called on the federal government for removal of the Ottawa from Michigan to new reservations in the territories west of the Mississippi. Ottawa fears that they and their families might be physically forced to move west were not over-exaggerated. President Andrew Jackson had already rounded up Tribes in the southeastern United States (Cherokee, Seminole, Creek, Choctaw and Chickasaw) and forced them to walk to Oklahoma Territory on the "Trail of Tears."

Ottawa leaders steadfastly refused to leave their traditional Michigan lands. Leaders from the Grand River Ottawa, including ancestors of present day Little River Ottawa, determined that they would not sell any of their lands to the United States. These leaders sent a strongly worded petition to President Andrew Jackson refusing to sell the graves of the fathers.

Former Michigan Territorial Governor, Lewis Cass, who was now the Secretary of War, and Michigan Indian Agent Henry Schoolcraft refused to accept the Ottawa leaders' position. Ottawa leaders were escorted from their homes in Michigan to Washington, D.C, to negotiate a new treaty. Cass and Schoolcraft wanted these negotiations to take place in Washington, D.C. to put more pressure on Ottawa leaders to get the cessions of land they wanted. That strategy worked.

Faced with the prospect of the threat of removal to lands west of the Mississippi, and away from their support of their families and Band members, the Chiefs and Headmen of the various Ottawa communities negotiated the best deal they could under the circumstances. Only after unrelenting pressure from federal negotiators, and upon self-serving advice from American Fur Company representatives, Ottawa and Chippewa Chiefs reluctantly agreed to sell most of their Michigan lands to the United States. In exchange, the Ottawa/Chippewa leaders retained (or "reserved") a portion of their traditional territories as land Reservations.

Ottawa/Chippewa leaders also reserved, in Article 13 of that treaty, the right to continue to use the lands they had sold to the United States for "hunting and the other usual privileges of occupancy" until those lands were "required for settlement." The continuation of this reservation of rights by the previous leaders - the treaty right to hunt, fish, trap and gather on the lands that were sold - are currently being defended by Tribal leaders and attorneys in a lawsuit brought by the State of Michigan in federal court.

Ottawa leaders thought they had negotiated the best arrangement they could - one that allowed their people to remain on a portion of their traditional lands. Unfortunately, upon returning to their villages, Ottawa leaders learned that members of the United States Senate had amended the 1836 Treaty to limit their right to remain on the lands they had reserved for their people. The Senate had proposed to limit the Ottawa's right to remain on their Reservations to only five years unless the United States allowed them to remain beyond that time.

Ottawa leaders were strongly opposed to the change the Senate proposed to the 1836 Treaty. Only after Agent Schoolcraft assured them that the move west of the Mississippi was voluntary and that right of hunting and fishing guaranteed to them Article 13 would not go away did the Ottawa leaders agree to this amendment.

Uncertain Tenure on their Reservations

The United States expected Grand River Ottawas from Pere Marquette, Muskegon and other southern river communities to move to the 70,000 acre Manistee Reservation despite the fact that they were not guaranteed the right to remain on that Reservation for more than five years. The federal government sent surveyors to mark the boundaries of the Reservation. They built blacksmith shops and other improvements to assist the Grand River Ottawa families who were expected to move to the Reservation to join their relatives already living in the Manistee area.

However, because the treaty left the future of the Manistee Reservation, and the people's right to remain living there, in an uncertain situation, very few of the Grand River Ottawa agreed to leave their homeland and traditional gardens to move north to "temporary homes" on the Manistee Reservation.

During this time, land speculators and lumber companies continued to press federal officials to remove Ottawa people entirely from the State of Michigan. The effect of the amendment to the 1836 Treaty inserted by the Senate was to make Ottawa people "tenants" on their own homelands. They could live on their own lands only until the United States told them to leave. In fact, efforts to survey the boundaries of the Manistee Reservation were pushed primarily to prevent lumber companies and other trespassers from removing the timber from the Reservation before it was properly surveyed.

Most Grand River Ottawa people recognized the fragile tenure of the Manistee Reservation and began to buy land at or near their traditional, summer village homes near Muskegon, Grand Haven and Grand Rapids. They did so while state and federal officials continued to threaten to remove all of the Ottawa to the west.

While Ottawa leaders continued to lobby federal officials to end the threat of removal, lumber companies were lobbying federal officials to get access to the timber resources on the few lands remaining under Ottawa control. In 1848, after meeting with a Michigan Congressman close to lumber interests, President James Polk signed an executive order opening the Manistee Reservation for sale. Most of the lands in the Manistee Reservation were quickly purchased by lumber companies or persons acting on their behalf.

The opening of the Manistee Reservation lands to sale left the Grand River Ottawa even more vulnerable. Although the United States continued to acknowledge that they had permitted the Ottawa to remain on their Reservations beyond the five year time period, the Ottawa were under the constant threat of removal. Accordingly, Grand River Ottawa leaders, along with other Ottawa/Chippewa leaders pressed the federal government to negotiate a new treaty that would guarantee them permanent Reservations and permanent homes in their traditional territories in Michigan.

Part 2: The 1855 Reservation Era (1855 - 1870)

Creating Protected Colonies, the 1855 Treaty of Detroit

The problems created for our Grand River Ottawa ancestors and relatives by the 1821 Treaty of Chicago and the 1836 Treaty of Washington continued to grow during the 1840s and early 1850s. The Senate hoped that by limiting the Ottawa's right to remain on their Reservations, they would be influenced to relocate to Kansas. They were under constant threat of removal.

Throughout the 1840's and 1850's, our people from the Manistee area and other Grand River Band area members who traveled to this area seasonally, continued to live on and use our 1836 Reservation lands. Meanwhile, their Reservation land was being sold off to lumber companies, land speculators and settlers.

The threat of removal from Michigan ended when United States President Franklin Pierce was elected, who appointed a new Commissioner of Indian Affairs, George Mannypenny, along with Henry Gilbert, a new Superintendent for Indian Affairs in Michigan.

Commissioner Mannypenny believed that Indian Tribes should be settled on Reservations, whose boundaries would be protected to insulate Indian people from the corrupting influences of non-Indians, such as liquor and dishonest traders and land speculators. This would also permit the introduction of more "civilized" influences to assimilate Indians and persuade them to adopt the "American" ways. Ottawa people, like other Native populations, had not been exposed to liquor before the coming of non-Indians, and the introduction of liquor had already proven detrimental in many Native communities.

Superintendent Henry Gilbert was asked to come up with solutions to the problems created by the 1836 Treaty. Gilbert recognized that the Ottawa would "never consent to remove west of the Mississippi [to Kansas]... from the home of their fathers."

Gilbert proposed that Reservations be created so that the Ottawa people could "be withdrawn to a great extent from the bad influences to which they are now exposed, and brought together in situations where educational enterprise and missionary labor" could more efficiently assimilate them.

Gilbert also recommended that the Reservations be "held for them in trust ... and only conveyed to them in fee as they become capable of taking charge of it themselves." Holding land in trust would protect Tribal members from being defrauded by non-Indians and assure that land remained in Indian ownership.

Commissioner Mannypenny accepted Gilbert's recommendation and, between 1853 and the summer of 1855, began preparing to negotiate a new treaty with the Ottawa and Chippewa. The goals of the United States negotiators were to: further concentrate the various Ottawa and Chippewa bands on a few Reservations, settle financial obligations (annuity payments to Bands and Band members) of the United States created under prior treaties; and to provide Indians with tools they thought would speed up the "civilization" and adoption of American ways.

The primary goal of our leaders, however, was to end the threat that our people might have to leave Michigan and to secure permanent homelands for their people. This sentiment was stated most strongly in a petition to the United States signed by a number of our leaders which stated: "We love the spot where our Forefathers bones are laid, and we desire that our bones may rest beside theirs also."

Ottawa and Chippewa leaders negotiated the 1855 Treaty in Detroit between July 25, 1855 and July 31, 1855.

The discussions that took place at those negotiations were recorded in a journal, which was maintained by Richard Smith, who would later play an important role in attempts to protect the Reservations created by the 1855 Treaty. The treaty journal confirms that Ottawa leaders went into those negotiations with the goal of maintaining permanent reservations, which they expected the United States to protect by holding those lands in trust and protected from taxation. In the words of the Ottawa negotiators, they wanted lands that they held by “strong title.”

Ottawa leaders wanted Reservations in locations that protected their existing villages and traditional gardens, which provided Band members with access to the natural resources that sustained them both physically and culturally. In contrast, Commissioner Mannypenny and Agent Gilbert wanted to move the various Bands onto just a few Reservations. For most of our Grand River ancestors, that would mean moving from their existing villages on the Grand, Thornapple and other rivers, to new Reservation lands not yet selected.

Besides concentrating Ottawa Bands onto a small number of reservations, Mannypenny also wanted to promote the “civilization” of the Ottawa by “allotting” or dividing the Reservations into family farms. This idea of “civilizing” Indian people by trying to turn them into “family farmers” was a process that would later be tried with many Indian Tribes.

Most Indian people, including many of our ancestors, were not interested in becoming farmers but simply wanted secure homelands in which to continue their traditional ways and have access to traditional hunting, fishing and gathering areas.

The 1855 Treaty was one of the first treaties in which the allotment process was utilized. The basic idea was that heads of household or single adults would receive 40 or 80 acres of land. The federal government would also provide farm implements, oxen and blacksmiths to promote agricultural efforts. They assumed this would speed up the process by which Indians adopted the “civilized” habits of the new settlers in Michigan, teach Indians “the value of private property,” reduce individual Indian’s dependence upon communal Tribal lands, and reduce the seasonal “wanderings” of Indians for hunting and other subsistence activities.\

Ottawa negotiators did not object to Mannypenny’s plan to create farms on their new reservations, but they wanted to hold the land by a strong title. Ottawa negotiators requested 160 acre allotments for every man, woman and child. Ottawa leaders also wanted to make sure that Reservation lands would be available for their children and future generations. A number of Ottawa negotiators also wanted assurances that the United States would continue its administration of funds held in trust for the Bands and assurances that their lands would be protected from taxation by the State.

Commissioner Mannypenny addressed most of the concerns raised by Ottawa negotiators. Mannypenny assured them that it was the United States’ intent to create “permanent homes” for the Ottawa and there would be “a restriction upon the individuals power of alienation” to provide assurances that “the land will [not] be pulled from under” the Ottawa Tribal members. Mannypenny also provided assurances on the issue of taxation by stating that “in connection with ... the question of taxes ... I am disposed to manage it for your benefit.”

After decades of uncertainty and having the threat of removal hanging over their heads, Ottawa leaders looked forward to the security of having permanent homelands within the new Reservation lands of their Michigan homeland since it was obvious that their traditional riverside homes would not be secure. They agreed to Commissioner Mannypenny’s reservation plan. When details about annuities and services were complete, they agreed to sign the new treaty on July 31, 1855.

Final ratification of the 1855 Treaty for the Grand River Ottawa was delayed while they tried to locate an area of land that was large enough and where claims hadn’t already been made by non-Indians. Original plans were

for a Reservation consisting of five contiguous townships in Mecosta County; however, lumber companies had already bought most of the land there. Ottawa leaders next proposed a Reservation consisting of five townships on the Lake Michigan shoreline in Muskegon County. The Michigan Indian Agent, however, opposed this request. He believed that easy access to the Lake Michigan Shoreline would encourage whiskey traders to sell their liquor to reservation inhabitants.

Finally, in December of 1855, four contiguous townships in Mason and Oceana Counties were located by Ottawa leaders, which were believed to be free of claims by non-Indians. One additional township in Muskegon County was also selected by the Grand River Ottawa. Both Ottawa leaders and federal officials traveled to the Ionia Land Office to make sure that no one had made claims for the land. The lands were vacant.

Federal officials recorded the Ottawa's reservation selection in the 1855 Treaty. The 1855 Treaty was amended to include the final selection of lands that were reserved for the Grand River Bands, township 12 north, range 15 west [Holton Township in Muskegon County] and townships 15 [Elbridge Township], 16 [Crystal Township], 17 [Eden Township], and 18 [Custer Township] north, range 16 west.

The United States ratified the treaty on April 15, 1856 including the new Reservations selected by the Grand River Ottawa. This was the second Treaty in which Ottawa leaders were forced to accept small areas of land within their traditional territories in order to remain in their homelands and continue their way of life.

These reservation boundaries were established by the Treaty and protected by Federal Law. This should have given the Ottawa people the “permanent homes” and “strong title” they had been promised and demanded during treaty negotiations but it did not.

Good Intentions Gone Bad - Allotting the Grand River Reservation

Commissioner Mannypenny intended that the Reservations recognized in the 1855 Treaty be clearly defined, protected from non-Indian intruders and that they be permanent. Mannypenny stated that Michigan residents must be made to understand the United States government's policy “that the tribes are to be protected and remain undisturbed within the limits of their reservations, and that policy will be inflexibly adhered to by the government.”

Unfortunately, many people in the government posts charged with adhering to the policy defined by Mannypenny would work to undermine the goal of the treaty to create a permanent reservation for the Grand River Ottawa. Even before the 1855 Treaty was amended and ratified in April of 1856, non-Indian lumbermen and land speculators were already dispossessing the Ottawa of their Reservation lands. Despite requests that the Reservation land be withdrawn from market, the Ionia Land Office quickly sold 3,059 acres of reservation land between December 1855 and April 15, 1856, the date the 1855 Treaty was ratified.

The 1855 Treaty contained a carefully outlined 5-year timetable and process for Ottawa members to select their 40 or 80 acre allotments within their reservations. After the allotment selections were made, the treaty allowed them to purchase any additional land within their reservations boundaries before any surplus lands might be made available to non-Indians. Mannypenny expected that Grand River Band members' selections and purchases would include all of the lands within the Reservations. Indeed, Mannypenny rejected Ottawa requests that allotments be 160 acres in size because he did not believe there would be sufficient lands within the Reservation boundaries for all the Grand River Ottawa to have allotments of that size.

Unfortunately, the timelines established in the 1855 Treaty for completing this process were much too short. Government Agents charged with preparing the lists of lands selected by Grand River Ottawa's were unable to complete the selection process for allotments within the specified time. There were several delays and each

delay encouraged squatters to move on the Reservation. They believed that their elected officials would eventually give them title to the Ottawa Reservation lands. Lumbermen also found ways to exploit the delays. They illegally entered the Reservation, claimed ownership of Ottawa land, and cut timber with or without permission of federal officials. Federal officials made only weak efforts to stop this robbery from Ottawa property.

As a result of continuous delays, the Indian agents were unable to even produce an approved selection list of allotments chosen by Tribal members within the 5 year time period within which the entire allotment process was supposed to be completed. It would end up taking Indian agents fifteen years to complete the process of issuing patents – the “strong title” promised - to Grand River Band members.

Had the allotment provisions been carried out as specified in the treaty – first by allotting the land to Grand River Band members, followed by a period where the Ottawa’s could acquire the remaining available land within the Reservation - our ancestors would have likely held “strong title” to almost all the land within our Reservation. Instead, due to fraudulent actions and continuous delays in carrying out the allotment process, non-Indians ended up acquiring two thirds of the Grand River Ottawa’s reservation lands between 1865 and 1880, the very years when the Grand River Ottawa’s were attempting to make the allotment selections they were promised by law in the 1855 Treaty.

Commissioner Mannypenny clearly meant to protect the Reservation lands in Mason, Oceana and Muskegon Counties for the Grand River Ottawa’s, including those lands reserved for the branch of the Grand River Bands that now comprise the Little River Band; however, a succession of Michigan Indian agents failed to carry out the allotment process for the Ottawa’s between 1856 and 1870. Problems included poor record keeping, incomplete boundary surveys and, in some cases, outright neglect by government officials.

Dispossession and Dissolution Era (1870 - 1890)

Squatters and Settlers Take over the Ottawa Homelands

Commissioner of Indian Affairs, George Mannypenny, had intended that the Reservations established for the Ottawa in the 1855 Treaty be clearly defined, protected from non-Indian intruders and that they be permanent. Unfortunately, many people, including people in government posts charged with protecting those Reservations, worked to undermine the goal of preserving the Ottawa peoples right to establish protected homelands on permanent Reservations.

The 1855 treaty contained a carefully outlined 5-year timetable and process for Ottawa members to select 40-80 acre allotments within their reservations. Ottawa members would then receive a certificate that guaranteed their right to ownership and possession of the lands they had selected. The federal government would hold those lands in trust for our people for at least ten years. Ten years after Ottawa Tribal members received certificates for their lands, the President would issue patents to those individuals; however, the local Indian agent could recommend that the patents be withheld from individuals if he did not believe they were capable of managing their own affairs. This provision was intended to permit the Indian agent to recommend continued trust protection of certain Ottawa members lands if he felt they were likely to be defrauded by non-Indians.

The treaty also allowed Ottawa members the opportunity - for a five year period after the process of selecting allotments had been completed - to purchase additional lands within their reservation boundaries before any surplus lands might be made available to non-Indians. Mannypenny expected that Grand River Band members allotment selections and purchases would use all of the lands within the Reservations.

If the time lines established in the 1855 Treaty had been applied as was intended, to benefit our people, Mannypenny's expectation may have become a reality. Unfortunately, the time lines established in the 1855 Treaty for completing this process were much too short. It ended up taking ten years to complete the list of allotment selections, not the five years anticipated in the 1855 Treaty. Delays in selecting allotments and issuing certificates provided land speculators, lumbermen, illegal settlers (squatters) and, eventually, state and national legislators with opportunities to reinterpret treaty language to justify claims to title to Reservation lands by non-Indians.

Even as the first wave of our ancestors from the Grand River Valley were making preparations in 1857 to move from the villages they had lived in for nearly more than one hundred fifty years, squatters were already moving onto their Reservation lands in Oceana and Muskegon Counties.

A succession of Indian Agents - Henry Gilbert, Andrew Fitch, DeWitt Leach, and Richard Smith - assigned to Michigan were charged with preparing the lists of lands selected by Grand River Ottawa members. After both Henry Gilbert and Andrew Fitch failed to complete the selection process, Secretary of Interior Orville Browning cancelled all of the previous selections made under Gilbert and Fitch, and instructed Agent Leach to begin the selection process all over again. Richard Smith, who formerly served as Clerk and Recorder at the 1855 Treaty negotiations, succeeded Leach as Indian Agent in 1865. Agent Smith did not complete the process for Grand River Ottawa members to make their selections until 1869.

Most of the certificates for the allotments selected by our ancestors were not issued until 1866 - six years after the date the allotment process was supposed to be completed. Under the terms of the 1855 Treaty, the federal government was supposed to hold those lands in trust for our people for at least 10 years until 1876. Many of our ancestors (166 families) selected their allotments on lands along the Pere Marquette River in Custer Township in Mason County. Other members/families selected allotments with their relatives in Elbridge Township in

Oceana County. Other members were never able to select allotments on their Tribe's Reservation as a result of the delays and confusion associated with this process.

Instead of allotting lands to Grand River Band members, the delay assisted non-Indians in acquiring two-thirds of the Grand River Ottawa reservation lands between 1865 and 1880, the very years when the Grand River Ottawa were attempting to make the allotment selections they were promised by law in the 1855 Treaty. Despite Mannypenny's belief that the allotment process would result in sole Ottawa ownership of lands within the Reservations, by 1866, our Grand River people held a strong title to only one-fourth of the Reservation lands promised in the Treaty of 1855.

While the United States officials paid little attention to the timetable outlined in the 1855 Treaty, land speculators and officials anxious to help their non-Indian constituents did. They took advantage of the delay in completing the allotment process to force their way onto the Grand River Ottawa Reservations and to press federal officials to open the Reservations to claims by non-Indians.

In 1865, the United States Civil War ended and returning veterans were offered military bounty warrants that allowed them to select land within the public domain as compensation for their service in the war. The demands of these returning soldiers and misinformed readings of the treaty's five-year restricted purchase provision prompted a new round of calls to open the Grand River Reservations for settlement. The treaty stated that the United States could sell or dispose of any unappropriated lands remaining in the Reservations after all Ottawa members entitled to make selections had done so and after Ottawa members five-year time exclusive time period for purchasing additional lands had expired.

If the treaty had been implemented as intended, the exclusive time period for Grand River Ottawa members to make selections should have run from 1866-1871. People interested in opening the Reservations to non-Indians claimed that the Treaty required that the Reservations be opened to sale in 1865, ten years after the five-year allotment process (1855-1860) and five year exclusive purchase period (1860-1865) had run. These same people - lumbermen and speculators - also took advantage of the five-year exclusive purchase period by using Ottawa straw men to file claims (so-called cash entries) for large quantities of Reservation lands.

Three men, in particular, Joseph Ba Ba Me, an Ottawa Metis, named John B. Parisien, and John R. Robinson (son of former American Fur Company operative Rix Robinson and an Ottawa mother) purchased 10.8% of the lands within the Grand River Reservations in Mason, Oceana and Muskegon Counties on behalf of land speculators. They began this assault on land title of Grand River Ottawa reservations in 1866.

An old family friend of John Robinson, Congressman Thomas Ferry, assisted him in his efforts to secure lands in the Muskegon County (Holton Township) Reservation. Congressman Ferry helped John Robinson press his case before James Harlan, the Commissioner of the General Land Office, to get Harlan to recognize Robinson's claims to lands. Congressman Ferry argued that since the five-year period specified in the 1855 treaty for completing allotments to Grand River Band Ottawas had passed that sale of un-allotted reservation land to John Robinson was legal.

During the time Richard Smith served as Indian Agent for the Michigan Agency, he voiced opposition to every plan devised to separate the Grand River Ottawa from our reserved lands. Having served as the Clerk and Recorder of the 1855 Treaty negotiations, Smith knew that the treaty negotiators intended to create Reservations that were exclusively occupied by Ottawa people. Smith also knew that the time lines and land selection/purchase procedures established in the Treaty were intended to be applied for the benefit of the Ottawa people, not as deadlines that allowed non-Indians to preempt our Grand River ancestors ability to obtain lands in their own Reservation.

Michigan Congressman Thomas Ferry had very different ideas. Congressman Ferry sought to please his land-hungry supporters by urging the Interior Department to end the existence of reservations. He requested an investigation of the situation on the Grand River Band Reservations - not to learn if our Ottawa ancestors had received the lands they were promised under the Treaty - but to determine which unoccupied lands he had available to open for sale to non-Indians.

In September of 1866, new Commission of Indian Affairs Dennis Cooley appointed Henry Alvord to conduct the inquiry that Congressman Ferry had requested. Dr. Alvord filed his report with new Commissioner of Indian Affairs, L.V. Bogy, in November of 1866. In that report, Dr. Alvord reported that the Grand River Ottawas on the Oceana and Mason County Reservations wished to assure that lands be made available to their children who had reached the age of 21 since the 1855 Treaty had been negotiated, even though the Treaty did not specifically grant them the right to select allotments.

Although Dr. Alvord wanted to open the Grand River Reservations to non-Indians, he believed that a new treaty was necessary to accomplish that. Dr. Alvord's opinion was drawn from experience. Similar problems with the allotment process on the Saginaw Chippewa Tribe's Reservation had required negotiation of a new treaty. Dr. Alvord served as negotiator of the 1864 Treaty with the Chippewa of Saginaw, Swan Creek and Black River in which those Bands ceded a portion of the lands that had been reserved for them in their 1855 Treaty back to the United States in exchange for a promise by the United States that all the remaining land on the Isabella Reservation be set aside for the exclusive use, ownership, and occupancy by those Bands.

Ottawa Push for a New Treaty to Protect Their Homelands

Grand River Ottawa on the Mason and Oceana County Reservations wanted to negotiate a new treaty with the United States with similar provisions. The Grand River Ottawa also wanted the United States to protect the remaining unclaimed lands within their Reservations so that children who had turned 21 could receive lands. Under the terms of the 1855 Treaty, allotments had only been granted to those members who were 21 at the time of the Treaty. Now more than 10 years later, a number of our members had reached the age of 21 and found themselves living landless on their own Reservation.

Efforts to negotiate a new treaty were pressed by both Ottawa leaders, Indian Agents and Congressman Ferry, amongst others. Our leaders sought new commitments to protect their Reservations in Mason and Oceana Counties, including provisions that would invalidate all of the claims to Reservation lands made by non-Indians. Ottawa leaders also asked that patents be issued for the allotments by members. Leaders made this request to prevent the federal government from again canceling the allotment certificates that had been issued to members. Ottawa leaders believed that the issuance of patents would prevent the United States from canceling certificates and granting claims to squatters at their people's expense. Ottawa leaders also wanted assurances that their young people who had turned 21 since 1855 could also select lands within their Reservations. Finally, Ottawa leaders wanted the United States to speed up certain financial commitments so that they could develop their economies on their Reservations.

The Grand River Ottawa Lose Their Homelands

Commissioner Parker and Agent Long were convinced that the United States should issue unrestricted fee patents to all of the Grand River Ottawa people who had received allotments. However, neither Long nor Parker seemed concerned with whether the Grand River Ottawa people receiving these patents understood the ease with which our people could lose lands they held in fee. Private property was a concept that was fairly new to our people. For generations, our Ottawa people had held our lands in common and no individual had the right - let alone authority - to own and sell this land. Our people had thought that their Reservation lands would be protected and they were not prepared for the various frauds and schemes that would be perpetrated by non-Indi

ans anxious to acquire title to lands in the Reservations.

While federal officials, and even our own Grand River Ottawa leaders, believed that issuance of patents would solve many of the problems with the allotment process, they quickly learned that this was not the case. Despite the fact that the 1855 Treaty seemed to clearly require protection of Reservation lands allotted to individuals and Ottawa Tribal members until at least 1876, most Grand River people lost title to their lands within two years after receiving their patents. Federal officials also learned that many Ottawa who had selected allotments had already lost the lands they had selected to non-Indians even before patents had been issued. Grand River leaders also continued to press federal officials to permit their young people, who had reach the age of 21 since 1855, to receive lands on their Reservations. Ottawa leaders also asked that they be given the opportunity to purchase additional lands within their Reservations under the exclusive five-year period they were promised; however, as mentioned earlier, influential federal officials were arguing that that right ended in 1865. Ottawa leaders also asked federal officials to make good on their promise to require non-Indian squatters to leave their Reservations.

Prospects for convincing federal officials to honor the new promises they had made improved when former Indian Agent Richard Smith, who had worked to secure the land for the Ottawa as intended by the Treaty, returned in 1870 as head of the Michigan Agency. Unfortunately, Agent Smith did not live to see federal protection properly extended to the Grand River Reservations. As Smith and his wife traveled to northern Michigan to make annuity payments in Fall of 1871, their ship sank in Lake Huron. This took Smith's knowledge about the meaning and intent of the 1855 Treaty, as well as other important papers, to the bottom of Saginaw Bay.

Remedial Measures Taken - Some Good, Some Bad

Between 1872 and 1876, at the constant urging of Congressman Thomas Ferry, Congress took action that was presented as remedial legislation to resolve the conflicts over lands on Grand River Reservations. The legislation did address some problems raised by Grand River Ottawa leaders, by providing a mechanism for members who had not been allowed select allotments, to select homestead allotments within the Reservations. The legislation mandated that patents be delivered for a specified number of parcels within the Reservations. The legislation also included language to extend the trust protection for certain lands allotted to Ottawa tribal members.

However, these laws were primarily aimed at protecting non-Indian squatters who had illegally claimed lands on the Reservations and speeding up the process of opening additional lands on the Reservation. That purpose was evident in the 1872 Acts title: An Act for the Restoration to Market of Certain Lands in Michigan. Many of the parcels of land for which patents were required, were lands that Ottawa straw men had purchased for non-Indian lumber companies and speculators. The law also ordered the opening of the Reservations to non-Indian homesteaders within six months after its passage even if the Ottawa tribal members it was supposed to benefit had been able to make homestead selections or receive patents.

The law also did nothing for the hundreds of Ottawa who had selected allotments under the 1855 Treaty but whose lands were not claimed by non-Indians. This problem was addressed, in part, by an amendment to the 1872 Act that was passed by Congress in 1875; however, by that time, there were few unappropriated lands remaining in the Reservations that had not already been claimed by non-Indians.

The legislation adopted in 1872 and 1875, and the issuance of patents to the Ottawa, only seemed to worsen the problems on the Grand River Reservations. As was discussed earlier, the issuance of unrestricted fee patents opened the door for dishonest non-Indians to defraud Ottawa members into schemes that resulted in the loss of lands. Despite the assurances from Commissioner Mannypenny during the negotiations of the 1855 Treaty, local governments also began assessing property taxes against Ottawa lands. Finally, non-Indians initiated abandonment proceedings against lands that Ottawa families had obtained under the 1872 or 1875 homestead laws.

As the problems worsened, a new Indian Agent, George Lee, attempted to revive Agent Smith's policy of protecting the remaining lands held by the Grand River Ottawas within their Reservations. During 1876 and 1877, Agent Lee investigated Reservation land transactions and recommended that the Secretary of the Interior protect the remaining Ottawa homesteads with trust patents. The Secretary of Interior authorized Special Federal Agent Edwin Brooks to examine homestead fraud on the Grand River Reservations.

Agents Brooks and Lee examined homestead frauds on a number of Reservations. Although Brooks' report was to focus on homestead frauds, the investigation conducted by he and Agent Lee uncovered frauds and other unethical practices used by non-Indians to take Ottawa lands. Brooks' report also called for federal protection of Ottawa landholdings from attempts by the state and local governments to assess property taxes against Ottawa held lands on their Reservations. Brooks also recommended that the government go beyond initiation of lawsuits to protect Ottawa lands and reinstate complete trust status for all Ottawa land for at least 20 years.

Even though Brooks noted that his report listed on a portion of the legitimate claims that Ottawa tribal members had and asked that action be taken to protect Ottawa lands, few, if any, actions were taken. Most federal officials viewed the Grand River Ottawa continued presence on the Reservations as an impediment to development and civilization of the state. Federal officials were also increasingly adopting the incorrect interpretation of the 1855 Treaty voiced by Senator Howard over ten years earlier, that the 1855 Treaty had dissolved the tribal status of the Grand River Ottawa and that the Ottawa and their lands were now subject to the jurisdiction of the State of Michigan.

Congress did enact a final amendment to the 1872 homestead law in 1884, which allowed Ottawas to obtain homesteads under the authority of the 1862 homestead act. Despite the enactment of four separate pieces of federal legislation (1872, 1875, 1876 and 1884) designed to remedy the problems that had denied Grand River Ottawa people their right to lands within their Reservations. Only sixty-four Grand River Ottawas received patents to homesteads between 1872 and 1888, representing only 6,972 acres, or 6% of the 111,793 acres within the boundaries of the Grand River Ottawas Reservations.

All told, with the help of many officials representing the United States government which had entered into the very Treaty intended to provide the Grand River Ottawa with a permanent Reservation homeland and who promised to protect that homeland, non-Indians had acquired title to nearly two-thirds of the land within the Grand River Ottawa Reservations by 1880. Before 1890, federal officials would, with few exceptions, completely abandon their responsibilities to our Grand River Ottawa relatives. Federal officials would adopt, as official policy, an interpretation of the 1855 Treaty that considered the tribal status of the Ottawas governments as dissolved - meaning, we were no longer sovereigns but simply Indian citizens of Michigan.

Consistent with this view, the federal government closed the Michigan Indian Agency in 1889. This left the Ottawas to the mercy of those who wished to exploit them or their remaining property. As many current Little River Tribal members know, our Grandparents and Great-grandparents did not leave the Grand River Reservations. They simply crowded on the few remaining parcels with other families. Other lived in settlements on homestead lands just outside the Reservation that had been obtained under one of the remedial homestead laws. Still other families joined relatives who still lived in settlements on the 1836 Manistee Reservation.

Other people were also advocating for a new treaty at this time; however, those individuals had very different agendas. Agent DeWitt Leach, for example, recommended that the United States negotiate a treaty which would require the Grand River Ottawa to relinquish their Reservations in Mason, Oceana and Muskegon Counties in exchange for lands on an expanded Reservation at Little Traverse. President Abraham Lincoln even entered an Order withdrawing nine additional townships and adding those lands to the Little Traverse Reservation in anticipation of the Grand River Ottawas being relocated to that Reservation.

Thomas Ferry, on the other hand, was simply interested in protecting the claims of non-Indians who had made claims to lands within the Grand River Reservations. Ferry also wanted a new treaty so that all of the unoccupied lands within the Reservations could be opened to non-Indian settlers. Despite repeated requests from Grand River Ottawa leaders, Indian Agents and state and federal legislators, officials in Washington, D.C. failed to take action to authorize negotiation of a new treaty with the Grand River Ottawa. Finally, in June of 1868, the members of the Grand River Ottawa communities on both the Mason County Reservation (known as Indian Town or Pere Marquette Village) and the Oceana County Reservation (Pentwater or Elbridge) formally authorized a delegation of Chiefs and Headmen to travel to Washington, D.C. to take efforts to protect their Reservations for their people. Those leaders departed for Washington, D.C. on June 9th, 1868. Unfortunately, the efforts of our leaders to protect our Reservations would fall on deaf ears in Washington. Michigan's Congressmen opposed any effort that would delay the issuance of patents to non-Indians claiming lands on the Grand River Reservations. In addition, since the time the Saginaw Chippewas had been able to negotiate a new treaty in 1864, Congress had passed a law which prevented the President from negotiating any new treaties. Any new treaty with the Grand River Ottawa could only be enacted as federal legislation.

Most disturbingly, federal officials (Michigan Senator John Howard) would begin mis-stating a provision in the 1855 Treaty that would come to haunt our people until 1994. In essence, Senator Howard responded to pleas by Grand River Ottawa leaders for protection of their Reservation lands by arguing that no protection was due. Senator Howard argued that the tribal relations [of the Grand River Ottawa] were dissolved by that treaty and they are now Citizens of the State [Michigan].

During this same time, Grand River Ottawa leaders in Mason and Oceana Counties hired W.T. Howell, who had served as a Prosecuting Attorney in Oceana County, to file a lawsuit against the federal government. Howell noted that while the Grand River Ottawa leaders had made several requests for a new treaty several thousand acres of the choicest and most valuable lands reserved under the provisions of the Treaty had been sold and patented under circumstances of fraud and criminality, which in ordinary transactions would amount to a felony including lands for which individual Indians hold the Government certificates for patents as selections made by them under the Treaty.

In what may have been the final blow to the Ottawas efforts to negotiate a new treaty, Michigan Indian Agent Richard Smith was replaced by a former military officer, Major James W. Long. Long abandoned Agent Smith's efforts to protect the Grand River reservations. Agent Long met with Grand River Ottawa leaders to convince them to drop their plan to sue the federal government. Ottawa leaders believed that the only way to obtain the strong title that would protect their people's lands was to receive patents. They had seen too many of their people lose the lands they thought they had selected to non-Indians when their certificates were cancelled and new allotment lists required.

Grand River Ottawa leaders agreed to delay their plans to visit Washington and pursue their lawsuit if Agent Long kept a promise to stop settlers from moving onto the Reservations and to ask that patents be issued for the allotments selected by their people. Agent Long kept those promises in part.

Unfortunately, Agent Long requested that unrestricted, fee patents be issued, not restricted patents that clearly protected Ottawa lands from taxation and other schemes that non-Indians would use to defraud our people of their lands. The first batch of patents reached our people in Muskegon, Oceana and Mason Counties in October 1870. Unfortunately, a number of Grand River Ottawa would not receive patents for a number of years - some not at all.

The Restoration Era (1889 - 1994)

Restoration

As was reported in Part 3 of this Reservation History Series, despite the fact that the 1855 Treaty was intended to provide the Grand River Ottawa with permanent Reservation homelands, many officials representing the United States government responsible for protecting the Grand River Reservations actively assisted non-Indians in taking lands reserved for the Grand River people. Nearly two-thirds of the land within the Grand River Ottawa Reservations was transferred to non-Indians by 1880. With few exceptions, federal officials completely abandoned their responsibilities to our Grand River Ottawa relatives. Federal officials also adopted a new interpretation of the 1855 Treaty that considered the tribal status of the Ottawa's governments as dissolved - meaning, we were no longer sovereigns but simply Indian citizens of Michigan.

Consistent with this view, the federal government closed the Michigan Indian Agency in 1889. This left the Ottawas to the mercy of those who wished to exploit them or their remaining property. As many current Little River Tribal members know, our Grandparents and Great-grandparents did not leave the Grand River Reservations. They simply crowded onto the few remaining parcels with other families. Some lived in settlements on homestead lands just outside the Reservation that had been obtained under one of the "remedial" homestead laws described in Part 3. Other families joined relatives who still lived in settlements on the 1836 Manistee Reservation.

A special census of Michigan Indians conducted in 1890 confirmed that Grand River Ottawa's continued to exist as distinct social, political and cultural communities on the Reservations. Few Ottawa people spoke English. Most Ottawa people continued to make their living by trapping, hunting, fishing and gathering berries/roots from their Reservations and throughout 1836 Ceded lands.

Despite the federal government's attempt to write-off the "tribal status" and treaty obligations to the Ottawa, Ottawa leaders refused to let the federal government disregard its commitments. Ottawa leaders from various Reservation communities assisted individual Band members in presenting claims to federal officials to seek recovery of lands that had been denied or taken from members. Grand River Ottawa leaders also presented petitions demanding the United States honor its Treaty-based obligations to provide a Reservation homeland and financial assistance to their people. Similar petitions were filed by leaders from Little Traverse and Grand Traverse communities.

A lawsuit against the federal government to recover annuity and trust fund money wrongly denied the Ottawa Bands under the 1855 Treaty eventually resulted in a judgment against the United States in 1905. In order to pay this claim to the descendants of the 1855 Treaty signatories, the federal government commissioned a new census of the Michigan Ottawa. Federal officials believed that census would identify very few Ottawa descendants.

Instead, the Special Agent assigned to prepare the roll of Grand River Ottawa found communities of Ottawa Bands living on and near the Reservations. Durant's roll found substantial portions of Grand River Ottawa living in towns they had built on and near their Reservations contrary to the federal government's assumption that Grand River Ottawa Bands had been "dissolved" and assimilated into Michigan society. They continued to recognize traditional chiefs and continued to live as culturally-distinct people. Nearly 700 (25% of the total population) Grand River Ottawa people still resided on or near the 1836 Reservation and the Mason County portion of the 1855 Reservation. In addition to providing the "base roll" that is used today by the Little River Band and other Michigan Ottawa/Chippewa Bands, Durant's Roll also confirmed that official census numbers grossly undercounted the number of Ottawa people living on and near their Reservations.

Throughout the 20th Century, Grand River Ottawa leaders continued to pursue claims for both land and money due them. Among the most prominent leaders during the early 20th Century were Sampson Robinson, Jacob Walker Cobmoosa and Enos Pego. In 1910, Sampson Robinson and other Reservation community leaders (William [Paquotush] Sam and William Micko) organized a committee and hired attorneys to pursue claims for land and money.

At the same time, Jacob Walker Cobmoosa and Henry Pego were organizing other Grand River communities and formed a coalition with other Ottawa leaders from the Grand Traverse and Little Traverse Reservations to pursue financial and other claims under their treaties. This group held a joint council on the Manistee Reservation in 1917 to discuss their plans. These community leaders continued the practice of previous Grand River Ottawa communities of selecting headmen and speakers to represent their communities and to meet with United States officials in Washington, D.C. on a government-to-government basis.

Sampson Robinson and Jacob Walker Cobmoosa shared the goal of pursuing land claims, focusing on seeking compensation from the United States for lands illegally taken from their Bands. Cobmoosa obtained a power of attorney from 358 Ottawa people authorizing him to pursue land and other claims against the federal government. The names of the signers on Cobmoosa's document include a number of Little River Ottawa families: Bailey, Battice, Genereau, Kelsey, Koon, Lewis, Medacco, Memberto, Pego, Pete, Peters, Sam, Theodore, and Wabindato.

During the 1920's, Cobmoosa and Robinson successfully lobbied Congress for introduction of legislation that would have allowed the Ottawas to pursue their land and money claims. Federal officials attempted to argue that Cobmoosa and Robinson could not represent the interests of the Grand River Ottawa because the Bands' status had been "dissolved" by the 1855 Treaty. Commissioner of Indian Affairs Cato Sells opposed the legislation arguing that: "By the 5th Article of said Treaty the Indians tribal organization was dissolved and the Indians in effect agreed to become citizens. There are no funds available for disbursement to them and the Government has no land in trust for the tribe or any members thereof." (emphasis added) Although the United States Senate passed the legislation, the bill died due to lack of support by the Commissioner of Indian Affairs. This lack of support from the Indian Affairs office would continue to hinder the efforts of Grand River Ottawa leaders until September 1994.

Despite the setback in 1917, Jacob Walker Cobmoosa returned from Washington, D.C. to Michigan and continued his work on behalf of the Grand River Ottawa. Beginning in 1922, Cobmoosa began work to make a detailed list of all of the claims that individual Grand River Band members had relating to their lands. Cobmoosa continued to write letters to the federal government outlining the claims of the Grand River Ottawa and asking that lands be purchased for the Band and Band members. There is no indication that any of the claims identified by Cobmoosa received any consideration by federal officials; however, Cobmoosa's efforts inspired a new generation of Ottawa leaders who would later successfully bring financial claims against the United States on behalf of the Grand River Band Descendant's Committee and the Northern Michigan Ottawa Association.

Indian Reorganization Act

In the 1930s, the policy of the federal government shifted from trying to assimilate Indian people by "allotting" land within Indian reservations to individual Indians and non-Indians to a policy intended to strengthen Tribal governments. In 1934, a landmark law known as the "Wheeler-Howard Indian Reorganization Act of 1934 (IRA) was enacted. The IRA sought to improve the condition of Indian communities by strengthening Tribal governments by allowing those governments to organize under a constitution. The IRA also ended the practice of allotting reservation lands and provided a mechanism to assist Tribes in re-acquiring lands within their reservations.

At the request of Jacob Walker Cobmoosa, Jerome Medacco wrote to Commissioner of Indian Affairs John Collier to ask the Bureau of Indian Affairs to acquire lands for the Grand River Ottawa within their Reservations so the Grand River Ottawa could take advantage of the IRA. Word of potential benefits under the IRA spread to various Grand River communities. Petitions requesting assistance under the IRA were filed by Arthur Moby on behalf of the Grand River Ottawa residing on the Manistee Reservation and by Enos Pego on behalf of the Grand River Ottawa living on the 1855 Reservation in Mason and Oceana Counties. Those petitions specifically asked the United States to provide them with reservation lands.

John Collier and other Bureau of Indian Affairs employees met with Grand River delegations in Manistee, Muskegon, and Grand Rapids in 1935 and 1936 to discuss their potential reorganization under the IRA. As those discussions progressed, the issue of whether or not the Grand River Ottawas would be allowed to reorganize and take advantage of the benefits under the IRA hinged on the issue of reservation land.

As a result of the closure of the Mackinaw Agency over 40 years ago, the BIA had no current institutional knowledge of the history of the Grand River Bands' Reservations. Most of the lands within the Grand River Bands' Reservations had been conveyed – in many cases illegally – to non-Indians. Those lands that had been conveyed to individual Grand River Band members were transferred as “fee patents” and Band members quickly lost title to most of those lands through illegal tax sales and fraud. Because there were no “trust” lands within the Reservations, BIA officials took the legally incorrect position that no Grand River Reservations still existed. At that time, most federal officials did not recognize the distinction between “land ownership” and “reservation boundaries.” Federal officials believed that the Grand River Ottawa could not reorganize under the IRA until “new” reservation lands, held in “trust” by the United States, were purchased for the Bands.

In the end, federal officials refused to allow the Grand River Ottawa (and other Michigan Ottawa communities) the opportunity to receive assistance and to reorganize under the IRA. Federal officials stated a number of reasons for their decision. Most notably, federal officials stated that the Grand River Ottawa could not vote to reorganize under a constitution unless and until reservation lands were acquired for them. Unfortunately, the burden on the federal government caused by the Depression meant that no additional appropriations would be approved to permit the acquisition of “new” reservation lands for the Grand River Ottawa. Federal officials also continued to re-state their belief that the tribal organization of the Grand River Bands had been “dissolved” under the 1855 Treaty and that the Grand River Ottawa were all citizens of Michigan.

Northern Michigan Ottawa Association

In 1946, the United States created the Indian Claims Commission to resolve the numerous legal claims that Indian tribes nationwide had against the United States government for wrongs committed by federal officers and agencies. Grand River Ottawa leaders, who had unsuccessfully tried to bring treaty-based claims against the United States acted quickly to use this new process to pursue their claims. Initially, Jacob Walker Cobmoosa, still using Power of Attorney he received in 1918, attempted to file the claims on behalf of the Grand River Ottawa.

Cobmoosa's efforts were picked up by a new generation of Ottawa leaders, Levi McClellan, Robert Dominic and Waunetta Dominic, who had formed a new organization, the Northern Michigan Ottawa Association (NMOA). With Cobmoosa's support, the Dominics and the NMOA hired attorneys to pursue the claims of the Grand River Ottawa (and other Ottawa communities) against the United States.

Dominic asked Cornelius Bailey to meet with Grand River Ottawa Elders to collect documents and other information they may have concerning claims against the United States. Ultimately, the NMOA and its attorneys drafted a complaint listing eleven claims for unconscionable dealings by the United States government in the way it compensated the Ottawa for lands under various treaties. While the prosecution of those claims proceed

ed, the NMOA continued organizational efforts to serve as an “umbrella” government for Ottawa communities throughout Michigan.

The NMOA organized itself as an umbrella council for local units that elected their own officers who were sent to serve on a central committee. The Grand River Ottawas elected several local units representing Reservation communities and urban/out-of-state communities. Units 5 and 7 of the NMOA represented the Reservation communities in Manistee, Mason, Oceana and Muskegon Counties. Although many Reservation-based Grand River Ottawa families wanted to pursue claims for Reservation lands, the NMOA leadership made clear that claims being pursued were for compensation for lands the Ottawa and Chippewa were forced to sell to the United States under the 1836 Treaty, not for the return of lands illegally taken from the Band or Band members.

The NMOA won claims against the United States in 1964 (for Grand River Ottawa claims under the 1821 Treaty of Chicago) and 1968 (for Ottawa/Chippewa claims under the 1836 and 1855 Treaties). The Indian Claims Commission agreed that the federal government had knowingly paid too little money for millions of acres the Ottawa and Chippewa had sold to the United States. The Grand River Ottawa voted to divide the funds awarded to them as per capita payments to Grand River persons who were ¼ Ottawa blood or more. The Grand River Ottawa, through the Grand River Band Descendant’s Committee, also exercised their political will to win Congressional approval of their proposed distribution plan over the objections of the Bureau of Indian Affairs.

Restoration of Tribal Status and Reservations

Although the matter of restoring sovereignty to the Ottawa Bands and the status of their Reservations remained unsettled, the Grand River Ottawa’s political victory in obtaining approval of their distribution plan empowered the Grand River leadership to seek broader recognition of their political status. Grand River leaders formed new organizations (Grand River Bands of Ottawa Indians, Inc., and the Thornapple Band of Ottawa Indians, Inc.) to promote broader political/community goals.

Grand River Ottawa leaders or headmen began seeking funds to develop housing for members residing on their Reservations and again petitioned the United States to provide lands to the Bands within their Reservations. Leaders in the Oceana County portion of the 1855 Reservation sought funds to develop housing for members residing on or near the Reservation. Leaders on the Manistee Reservation petitioned federal officials to acquire lands within the Reservation for their use. Leaders also contacted the Native American Rights Fund for legal assistance in obtaining restoration of Manistee Reservation lands.

Bureau of Indian Affairs officials responded by telling them that land and services were only available to bands and tribes that were “federally recognized.” This created a “Catch-22” situation for the Grand River Ottawa because these same Bureau of Indian Affairs officials had been telling Grand River Ottawa leaders that only those bands and tribes that had “reservation lands” could be recognized as sovereigns. Thus, the matter of restoration of the United States’ recognition of the Bands’ political status and reservation status became more frequent topics of discussion at NMOA meetings.

The concepts of “federal recognition” and “federal restoration” were new to both the Ottawa and the Bureau of Indian Affairs. Those concepts appear to have originated as part of the 1977 American Indian Policy Review Commission’s examination of the history of Indian tribes’ relationship with United States. One result of that Commission’s work was establishment of the Bureau of Indian Affairs’ regulations allowing “unrecognized” tribes and bands to petition the Bureau to have their “status” as tribes recognized and to reestablish government-to-government relations with the United States.

In the mid-1970s, the issue of “reservation” status of lands in Michigan also received renewed attention from Bureau of Indian Affairs in connection with efforts to identify claims as part of the process of implementing fed

eral legislation intended to resolve thousands of claims nationwide. As part of this process, the Bureau of Indian Affairs was charged with identifying potential land claims possessed by Tribes, individual Bands, and Band members, including claims on Michigan reservations. The Bureau of Indian Affairs contracted with Michigan Indian Legal Services to examine land transaction records; however, it quickly became apparent that the amount of time and funding allowed for this task would not be sufficient. In addition, it also became apparent to federal officials that many of the claims being investigated on the Ottawa Reservations involved wrongdoing by the federal government. Funding for the project was ended in 1981 before the investigators were able to identify potential claims of the Grand River Ottawa or Band members. This most recent neglect – if not wrongdoing – by the federal government apparently took place without the knowledge of Grand River Ottawa leaders.

The Manistee Reservation-based Ottawas who formed the “Thornapple River Band”, later formed a second non-profit corporation called the “Little River Band of Ottawa Indians.” The name “Little River Band” was chosen because the Band owned a small piece of land on the Little Manistee River. In 1991, Band members obtained the first of several federal grants intended to assist that portion of the Grand River Ottawa petition the Bureau of Indian Affairs to restore their tribal sovereignty. They also asked Senators Donald Riegel and Levin and Congressman Dale Kildee to urge Congress to pass legislation that would recognize that the Ottawa continued to exist as sovereigns or governments.

Although this particular effort was focused on restoration of the federal government’s recognition of the status of the Bands as sovereigns, Tribal Council members involved in the legislation knew that restoration of the Reservations was an integral part of this effort. The Tribal Council and community members involved in the reaffirmation efforts also knew that the Grand River Ottawa had, in the eyes of the federal government, lost their sovereignty as a result of having lost – mostly through wrongdoing on the part of federal and state officials - title to the lands within their Reservations.

In cooperation with the Little Traverse Bay Bands of Odawa and Pokagon Potawatomi, the Little River Ottawa achieved their goal. More than one hundred years after the United States claimed the Ottawas had been dissolved, the United States Congress passed a law that would restore and reaffirm the status of the Little River Band of Ottawa as a sovereign – as the political successor of nine (9) of the nineteen (19) Bands of Grand River Ottawa. President Clinton signed the bill into law on September 21, 1994.

Little River leaders who worked to win this legislation laid the groundwork for restoring the recognition of the Tribe’s Reservations and to recover lands within those Reservations. The restoration legislation reestablished, all rights and privileges of the Bands, and their members thereof, which may have been abrogated or diminished before the date of the enactment of this Act ... The Secretary shall acquire real property in Manistee and Mason Counties for the benefit for the Little River Band.

Language of the legislation restored the political sovereignty of the Little River Band Ottawa Indians as a Tribal government. The words also refer to all treaty rights and privileges that were taken from the tribe. The words were intended to refer to the reservation land the Tribe lost during the 1870s. The law specifically requires the United States to buy land in the counties where the reservations are located for the restored tribe. With the support of Tribal members, the Tribal Council and Tribal Ogema are working to get the United States to honor this most recent commitment. The Little River Band Tribal Council continues the work of our ancestors to restore our Reservation land so that our rights as Ottawa people – and as a Nation - can never be denied to us again.