

Deft's Ex. 31; Testimony of Kinietz, Tr. pp. 102, 103).

2. The earliest known contact made by white men with that group of Algonquin Indians which became known as Ottawas, occurred in the year 1615 when Samuel de Champlain, a Frenchman, visited them in the area south or southwest of Georgian Bay. Champlain called them the "Cheveux Releves" or "High Hairs," and reported them to be a numerous people who "have several chiefs who take command, each in his own district." (See Deft's. Ex. 12).

3. In the early contact period, that is, during the 17th century, as many as seven Ottawa Tribes of Indians are mentioned by historians. The tribes of Ottawas most frequently mentioned during that period were four in number; the Kiskakons, the Ottawas du Sable, the Ottawa-Sinago, and the "people of the Fork." These four divisions of Ottawa Indians were indiscriminately referred to by contemporary writers in the contact period Nations, Tribes, and Bands. Beginning with the last half of the 18th century such denominations of the Ottawa Indians became extant and the various groups and bands of Ottawa Indians began to be known by their geographic location rather than by their totemic, or clan, designations. Even during the early contact period certain bands or tribes of Ottawas were known solely by their geographic names such as the Ottawas du Sable and the "people of the Fork." (See Deft's. Exs. 14, 16, 17, 18, 23, 24, 26, 27 and 28).

4. Although one discovers, in documents relative to the early contact period and in documents pertaining to the early transactions between the United States and the Indians, the use of the words "Ottawa Nation" or "Ottawa Tribe" there is no record existing to establish the fact that there ever existed an over-all Ottawa Nation or Tribe, embracing within its field of sovereignty all tribes, bands, or groups of Ottawa Indians in the U.

States, or which possessed a continuity of collective or communal existence with a common leadership and which evidenced an exercise of political authority over all Ottawa Indians. (See Testimony of Kinietz, Tr. pp. 95, 96, 97, 104, 111, 112, 113, 114, 130, 131, 132, 133 and 134).

5. The documentation of the history of the Ottawa Indians from their first contact with white men to the present time illustrates vividly the division of the Ottawa Indians into separate and independent tribes, bands and groups which were wholly autonomous in their political actions and other movements. At the beginning of the 19th century there was no political connection between the Ottawa Indians in the northwestern section or the lower peninsula of Michigan with the Ottawa Indians on the Maumee according to an interview Henry R. Schoolcraft, a noted authority, had with an Ottawa Indian of Northern Michigan. In 1821 the Grand River Ottawas, who were located along that river in southwestern Michigan, through their chief, speaking at the treaty council considering the Treaty of August 29, 1821, complained that the Grand River Ottawas had no part in the treaties whereby the Ottawas of the Maumee had ceded their claimed interest in lands. (See Deft's. Exs. 1, 3, 12, 18, 23, 24, 25, 27 and 28).

6. When the United States first treated with the Indians within its borders, beginning in 1785, the Ottawa Indians of the Northwest Territory were scattered in independent bands and groups over an immense territory in the area of the Great Lakes. Along the Maumee River and its tributaries in Ohio were the Ottawas known as the Ottawas of the Maumee, or the Ottawas of Blanchard's Fork and the Ottawas of Roche de Boeuf. A larger portion of the Ottawa Indians were at L'Arbre Croche and in other parts of the northwestern section of the lower peninsula of Michigan; others

were located in the vicinity of the Grand River in Michigan; while still others had settled further south as far as the Saint Joseph River, in the southwestern part of Michigan. There were also a few Ottawas who had found their way into Wisconsin and Northeastern Illinois. A small part of the Ottawas were also located in Canada on Manitoulin and Walpole Islands. (See Deft's. Ex. 31).

7. From 1785 to 1867, the Ottawa Indians were parties to numerous treaties with the United States. The terminology of the treaties variously referred to the groups or bands of Ottawa Indians so treating with the United States as the "Ottawa Nation," the "Ottawa Tribe" or the treaties mentioned specifically the bands or groups parties to the treaty. In addition, Ottawa Indians are mentioned in other treaties as affiliated with certain groups such as the "United Tribes of Ottawas, Chipawas, and Pottowatomees, residing on the Illinois and Melwakee rivers, and their waters"; the "United Nations of Chippewa, Ottawa and Potawatomie Indians, of the waters of the Illinois, Milwaukee, and Manitowuck Rivers"; and the "United Nation of Chippewa, Ottawa and Potawatomie Indians." In two other treaties groups or bands of Ottawa Indians are referred to as being affiliated with other tribes or bands. (See Treaties).

8. The available definite information as to the location of the lands ceded by the Treaties of August 3, 1795, July 4, 1805, November 17, 1807, September 29, 1817, and August 29, 1821, together with an analysis of the provisions of said treaties and a comparison of the Indian signatories to said treaties makes it clear that these negotiations were executed by certain bands or groups of Ottawa Indians rather than by an Ottawa Nation

or Tribe embracing within its authority all Ottawa Indians in the United States. (See Treaties).

9. The following annuities were payable to the Ottawa Indians under the treaties listed below as of the year 1822:

Treaty	Annuity	Type
August 3, 1795	\$1,000	Permanent
November 17, 1807	\$ 800	Permanent
September 29, 1817	\$1,000	15 years
September 17, 1818	\$1,500	Permanent
August 29, 1821	\$1,000	Permanent

(See treaties).

10. The records of the Government available for study at this time fail to disclose the amounts disbursed for Ottawa annuities from 1796 to 1811. The records from 1812 to 1820 indicate only that disbursements were made for the Ottawa Tribe or Nation without disclosing the specific bands or groups of Ottawa Indians receiving said annuities. Beginning with the year 1821 to 1862 disbursements are shown as having been made to two groups of Ottawas. One group was identified as the Ottawas residing on the Grand River in Michigan and the other group was ascertained to be the Ottawas residing on the Miami (Maumee) River and its tributary streams in Ohio, or the Ottawas of the Maumee, Blanchard's Fork, Auglaize and Roche de Boeuf. (See Deft's. Ex. 5).

11. The records of the General Accounting Office of the United States disclose that in the year 1821 the Grand River Band of Ottawas in the State of Michigan received an annuity payment of \$700.00 while the Ottawas of the Maumee, Blanchard's Fork and Roche de Boeuf received an annuity payment of \$3,600.00. In 1822 the annuities of the Grand River Band of Ottawas

were increased to \$1,700.00 following the Treaty of August 29, 1821, while the annuities of the Ottawas of the Maumee, Blanchard's Fork and Roche de Boeuf remained \$3,600.00. In 1834, the annuities paid to the Ottawas of the Maumee, Blanchard's Fork and Roche de Boeuf were reduced \$1,000.00 to \$2,600.00 when the fifteen-year annuity payable under the Treaty of September 29, 1817, (7 Stat. 160; II Kapp. 145) to the Ottawa Tribe elapsed. (See Deft's. Ex. 5).

12. The records of the Government disclose that only two groups of Ottawa Indians were the recipients of annuities from the United States in the year 1821. They were the Ottawas of the Grand River in what is now the State of Michigan and the Ottawas of Ohio, or the Ottawas of the Maumee, Blanchard's Fork and Roche de Boeuf. Documentary proof also discloses that prior to 1820 the Grand River Ottawas had not been receiving any annuities nor had any of the other bands of Ottawa Indians in Michigan been receiving annuities. (See Deft's. Exs. 1 and 5).

13. The Ottawa Indians, who were parties to the Treaties of August 3, 1795, July 4, 1805, November 17, 1807, September 29, 1817, and September 18 1818, and who were thereafter recognized as having the larger interest in the Ottawa annuities provided by said treaties, were those bands and groups of Ottawas known as the Ottawas of the Maumee, Blanchard's Fork, Auglaize and Roche de Boeuf (whose successors in interest are the petitioners in Docket 133). (See Testimony of William Vernon Kinietz, Tr. p. 157; also, treaties of August 30, 1831 (7 Stat. 359); Febr. 18, 1833 (7 Stat. 420); June 24, 1862 (12 Stat. 1237); and Febr. 23, 1867 (15 Stat. 513, 517)).

14. The Ottawa Indians who were parties to the Treaty of August 29, 1821, and who were thereafter recognized as having the right to the entire Ottawa annuity provided by said treaty, were those Ottawas known as the Ottawas of Grand River in Michigan. This group also participated in previous annuities. (See Findings Nos. 11 and 12). Their successors in interest are the petitioners in Dockets 40-B, C, D, E and F. (See Claimant's Exs. 1 and 2, and Defendant's Ex. 5).

15. The treaties executed by the Ottawas and other Indians with the United States of dates August 3, 1795 (7 Stat. 49); July 4, 1805 (7 Stat. 87); Nov. 17, 1807 (7 Stat. 105); Nov. 25, 1808 (7 Stat. 112); Sep. 29, 1817 (7 Stat. 160); Sep. 17, 1818 (7 Stat. 178); Aug. 29, 1821 (7 Stat. 218); Aug. 30, 1831 (7 Stat. 329); Febr. 18, 1833 (7 Stat. 420); July 31, 1855 (11 Stat. 621); June 24, 1862 (12 Stat. 1237); and Febr. 23, 1867 (15 Stat. 513), by reference are a part of the record and are hereby made a part of these Findings of Fact.

16. Defendant's Exhibit No. 5 in its entirety, by reference is hereby made a part of these Findings.

17. The evidence shows that the Ottawa Indians were not recognized as a single political entity; and all the lands ceded by the various treaties were not owned by the Ottawa Nation as a single entity, but whatever ownership was had and whatever right of cession existed was in specific bands or groups of Ottawa Indians.

18. Claims are now maintainable only by the successors in interest of the respective bands of Ottawas, and recoveries are to be had, if any, to the extent of the interest or ownership by such respective bands of

the lands involved and made the basis of claims. Such interests are determinable only after the introduction of evidence upon the trial of the cases on their merits; awards, if any, will be made to the respective bands if the liability of the defendant is shown to exist.