

Summary Under the Criteria and Evidence for
Amended Proposed Finding against Federal Acknowledgment

of the

Pointe-au-Chien Indian Tribe

Prepared in response to a petition submitted to the Assistant
Secretary - Indian Affairs for Federal acknowledgment that this
group exists as an Indian Tribe.

Approved: **MAY 22 2008**
(date)

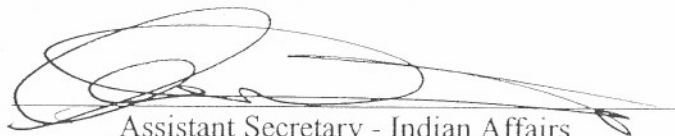

Assistant Secretary - Indian Affairs

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on the

POINTE-AU-CHIEN INDIAN TRIBE

INTRODUCTION

The Office of the Assistant Secretary - Indian Affairs (AS-IA) within the Department of the Interior (Department) issues this proposed finding in response to the petition the Department received from the group known as the Pointe-au-Chien Indian Tribe (PACIT) of Louisiana. The petitioner seeks Federal acknowledgment as an Indian tribe under Part 83 of Title 25 of the *Code of Federal Regulations* (25 CFR Part 83), “Procedures for Establishing that an American Indian Group Exists as an Indian Tribe.”

The evidence in the administrative record, submitted by the PACIT petitioner and third parties and obtained by Department staff through its verification research, is insufficient to demonstrate that the petitioner meets all seven mandatory criteria required for Federal acknowledgment. Specifically, the petitioner does not meet criteria 83.7(b), 83.7(c), or 83.7(e). The petitioner meets criteria 83.7(a), 83.7(d), 83.7(f) and 83.7(g). An explanation of the Department’s evaluation of each criterion is presented in sections that follow this introduction. In accordance with the regulations set forth in 25 CFR 83.10(m), failure to meet any one of the criteria in section 83.7 requires a determination that the petitioning group is not an Indian tribe within the meaning of Federal law. Therefore, the Department proposes to decline to acknowledge that the PACIT petitioner is an Indian tribe.

Regulatory Procedures

The acknowledgment regulations under 25 CFR Part 83 establish procedures by which an Indian group may seek Federal acknowledgment as an Indian tribe with a government-to-government relationship with the United States. To be entitled to such a political relationship with the United States, the petitioner must submit evidence demonstrating that it meets the seven mandatory criteria set forth in section 83.7 of the regulations. Failure to meet any one of the mandatory criteria will result in a determination that the group is not an Indian tribe within the meaning of Federal law. The Office of Federal Acknowledgment (OFA) within the Office of the AS-IA has responsibility for administering the Federal acknowledgment regulations and evaluating petitions based on the evidence in the administrative record.

The time periods for the evaluation of documented petitions are set forth in the acknowledgment regulations in section 83.10. Publication of the notice of a proposed finding in the *Federal Register* initiates a 180-day comment period during which the petitioner and interested and informed parties may submit arguments and evidence to support or rebut the evidence relied upon in the proposed finding. Such comments should be submitted in writing to the Office of the Assistant Secretary - Indian Affairs, 1951 Constitution Ave. N.W., Washington, D.C. 20240, Attention: Office of Federal Acknowledgment, Mail Stop 34B-SIB. Interested and informed parties must provide a copy of their comments to the petitioner.

The regulations, at 25 CFR 83.10(k), provide petitioners a minimum of 60 days to respond to any comments on the proposed finding submitted during the comment period. At the end of the response period for the proposed finding, OFA shall consult with the petitioner and interested parties to determine an equitable time frame for consideration of the arguments and evidence submitted during the comment and response periods. OFA shall notify the petitioner and interested parties of the date such consideration begins.

After consideration of all arguments and evidence received during the comment and response periods, the AS-IA will issue a final determination regarding the petitioner's status. The Department will publish a notice of this final determination in the *Federal Register*.

The Petitioner

The Pointe-au-Chien Indian Tribe (PACIT), Petitioner #56b, claims to be the continuation of a historical Indian community on a bayou in south-central Louisiana that was originally settled in the mid-19th century. PACIT's membership criteria require its members to descend from an individual living in the Bayou "Pointe-au-Chien" Indian settlement in 1900. PACIT has described its members as descendants of the historical Chitimacha, Acolapissa, Atakapa, Choctaw, and Biloxi Indian tribes. It does not claim to descend from the historical Houma tribe, although its members and their ancestors have been called "Houma" Indians since at least 1907. The petitioner's current organization was incorporated under Louisiana law in 1993 as the "Documented Houma Tribe" and adopted the name "Pointe au Chien Indian Tribe" in 1995, adding hyphens to its name in 2005. Most of PACIT's members previously had been members of the United Houma Nation (UHN), Petitioner #56, which received a negative proposed finding in 1994. PACIT submitted a letter of intent to petition for Federal acknowledgment in 1996. It has a written constitution as its governing document. PACIT has 682 members.

Administrative History

The Department received a letter of intent to petition for acknowledgment as the "Point au Chien Indian Tribe" on July 22, 1996. This letter followed a letter in 1995 from the chairman of the Biloxi, Chitimacha Confederation of Muskogees (BCCM) that stated various "Indian communities," including "Pointe aux Chene" [*sic*] had withdrawn from the UHN petitioner, which had received a negative proposed finding in December 1994 (59 F.R. 66118). The BCCM group claimed ownership of the petition submitted by UHN. In 1996, BCCM advised the

Department that “the Pointe aux Chene Indian Tribe [*sic*] has decided to seek federal recognition independently and should not be considered a member community of this confederation.” After receiving letters of intent to petition for Federal acknowledgment from the PACIT petitioner as well as the BCCM petitioner, the Department took the position that the PACIT, BCCM, and UHN petitioners would be treated as “three separate, independent petitioners sharing a common original petition....”

The Department advised the PACIT petitioner in 1997 of its decision to issue an “amended Proposed Finding” for PACIT, saying that, “[p]rocedurally, PACIT is being treated as a petitioner with a proposed finding....” The Department set a time period for PACIT to comment on the UHN proposed finding and submit its own petition documentation. The Department informed the PACIT petitioner that it would treat the petitioner as being “covered by the documented petition which was previously submitted” by the UHN petitioner. The Department also advised the petitioner that it should submit its governing document, its membership list, and a narrative responding to the UHN proposed finding. Based on this combination of new evidence and the original UHN petition documentation, the Department indicated it would issue “an amended Proposed Finding” that would “pertain specifically to the PACIT.” The amended proposed finding would also give the public an opportunity to comment on the PACIT petition.

On November 10, 1997, the Department received petition documentation from the PACIT petitioner. The PACIT petition has been considered to be in “active consideration” status, together with the original UHN petition, since filing its letter of intent. The Department notified PACIT that evaluation of its petition began on February 4, 2005, and a period to submit additional materials would close on April 15. The PACIT petitioner submitted petition documentation to the Department by April 15, 2005.

PACIT’s submission in 1997 consisted of approximately 900 pages of documentation: a historical overview, organizational manual, maps of southern Louisiana, a narrative entitled “Marie Gregoire,” and a collection of PACIT-designed UHN resignation forms accompanied by ancestry charts for its members. PACIT did not then submit a current membership list. PACIT’s submission in 2005 included more than 20,000 pages of narratives, meeting minutes, a membership list, folders, forms, genealogical printouts, historical documents, and maps. This submission also included electronic media, in the form of videotape recordings of a meeting, a news broadcast, and member interviews. For the purpose of evaluating and verifying claims made by the petitioner, OFA staff conducted field work and obtained photocopies of archival records and published primary and secondary sources from various archives and libraries.

Historical Overview

This proposed finding concludes that the evidence in the record demonstrates Indian ancestry for two claimed ancestors of the petitioner’s members, Houma Courteau and Marie (Gregoire) Verdin. The available evidence does not show those two individuals had the same tribal ancestry. These conclusions agree with those of the proposed finding on the UHN petitioner. The UHN proposed finding also concluded that evidence supported Indian ancestry for a third individual, “Jeanet an Indian woman,” but the PACIT petitioner does not claim descent from her.

Houma Courteau and Marie (Gregoire) Verdin were progenitors of two of the three founding families of the “Houma” population of southern Louisiana, identified by ethnologist John Swanton as the Courteau, Verdin, and Billiot families. The evidence in the record is insufficient to demonstrate Indian ancestry for Marianne (Iris) Billiot, the claimed Indian progenitor of the Billiot family. The three founding “Houma” families are first documented together as neighboring landowners on lower Bayou Terrebonne in coastal Louisiana in the early 1820’s (see Figure 1). The evidence in the record for this petition does not show that these claimed Indian ancestors were part of a historical tribe at that time.

The three founding families intermarried in the early 19th century. Children of claimed progenitors Houma Courteau and Marianne Iris married around 1808, and three of their grandchildren from that marriage married three children of claimed progenitor Marie Gregoire between about 1833 and 1839. These claimed ancestors and their Indian descendants expanded beyond lower Bayou Terrebonne to Bayou Little Caillou by the 1830’s, Bayou Pointe au Chien by at least the late 1840’s, Bayou Isle Jean Charles by at least the 1870’s, Bayou Sale below Dulac on Bayou Grand Caillou by at least 1880, and lower Bayou Lafourche by at least 1900 (see Figure 2). In 1911, Swanton listed Indian settlements on six bayous that run to the Gulf of Mexico in modern Terrebonne and Lafourche Parishes (see Figure 3), and called their residents “Houma” Indians. The Pointe-au-Chien Indian Tribe (PACIT) petitioner is organized to represent members descending from historical residents of one of those bayous.

Many members of the PACIT petitioner previously had been members of the United Houma Nation (UHN) petitioner. Another petitioner, the Biloxi, Chitimacha Confederation (BCCM), also was formed by members who withdrew from the UHN petitioner. The UHN (#56), BCCM (#56a), and PACIT (#56b) petitioners share the same three claimed Indian founding families and share a common history through the mid-19th century. These petitioners have not demonstrated their continuous historical existence as a group descended from a historical Indian tribe, or from tribes which combined and functioned as a single political entity. As discussed in the proposed finding on the UHN, that petitioner did not demonstrate continuity from the historical Houma tribe, or from any other tribe or tribes which combined and functioned as a single political entity. The current petitioner does not claim to be Houma, but has not demonstrated that it has evolved as a group from a portion of the historical Biloxi tribe, historical Chitimacha tribe, any other historical tribe, or any tribal entity formed by tribes which combined historically. The Indian descendants who expanded to the lower bayous of Louisiana during the 19th century may have developed Indian settlements there, but there is insufficient evidence to find that these settlements continued the existence of a historical Indian tribe or historically combined tribes.

The petitioner did not submit a narrative which provides an account of how the petitioning group migrated to modern Terrebonne Parish or, alternatively, how the group has always been located in the area as a portion of a historical tribe. While the petitioner indicates it believes it has ancestry from several tribes, it presents no argument that those tribes combined historically. The evidence in the record indicates that its Indian ancestors came together as Indian individuals or families. This available evidence is insufficient to demonstrate that the Indian ancestors married into a portion of a continuously existing tribe. The land claims and land sales which document the presence of claimed Indian progenitors in the area of modern Terrebonne Parish in the first quarter of the 19th century all involved those Indians as individual landowners. The evidence in

the record shows that some of the petitioner's ancestors for whom Indian ancestry has not been demonstrated were first documented along Bayou Terrebonne with Spanish land surveys of about 1788 for Marianne Iris and her spouse Jean Billiot, Sr. The Indians claimed as ancestors were first documented along Bayou Terrebonne with an estate sale in 1809 which appears to have mentioned claimed progenitor Houma Courteau, and an approved land claim in 1817 and land sales in 1822 and 1824 for Alexandre Verdin, spouse of claimed Indian progenitor Marie Gregoire.

The available evidence emphasizes the importance of Rosalie Courteau ([1787]-1883), daughter of Houma Courteau, as a key ancestor crucial to the petitioning group's definition of its identity. Some oral history accounts mentioned Rosalie Courteau as a leader. Some oral history accounts linked her to an alleged movement of a tribal group to Bayou Terrebonne, where she purchased land, after being driven out or burned out of her home at the present site of the courthouse in the town of Houma. Although some accounts date such an eviction to the 1850's, this chronology conflicts with documentary evidence about the location of the courthouse since 1822 and Rosalie Courteau's own testimony that she resided on Bayou Terrebonne consistently after 1815. Thus, documentary evidence does not corroborate this tradition of a group movement within Terrebonne Parish at such a late date. Rosalie Courteau bought land in her own name in 1859 "back" of Bayou Terrebonne on Bayou Barré. Before that time, however, her father purchased land in 1836 on Bayou Little Caillou, west of Bayou Terrebonne, and by 1849 two of her sons were small-scale sugar planters on Bayou Pointe au Chien, east of Bayou Terrebonne.

The proposed finding on the UHN petitioner concluded that the petitioner's ancestors were arriving on Bayou Terrebonne between 1790 and 1830, and that by 1830 the petitioner's ancestors, the majority of whom were non-Indian, formed an identifiable distinct community on Bayou Terrebonne. The Federal census of 1880 revealed the existence of areas of almost exclusive Indian settlement on several bayous in Terrebonne Parish. In 1880, there was an area of predominantly Indian settlement on Bayou Terrebonne and areas of exclusive Indian settlement on both Pointe au Chien and Isle Jean Charles (see Figure 2). These three bayou settlements are now represented by three separate petitioning groups. The geographical expansion of Indian descendants continued during the late 19th century, for John Swanton identified six settlements of "Houma" as a result of his brief field work in Louisiana in 1907. Swanton identified those six settlements as: "Point au Barré" on or near Bayou Terrebonne, "Lower Point au Chien," "Champs Charles" or Isle Jean Charles, "Bayou Salé" below Bayou Grand Caillou, "Bayou de Large," and "Lower Bayou La Fourche" (see Figure 2). The identification of the Indians on those bayous as "Houma" Indians has persisted, and been made consistently, since publication of Swanton's report in 1911.

Although the PACIT and BCCM petitioners filed letters of intent to petition for acknowledgment after a proposed finding was issued on the UHN petition, some efforts to create organizations separate from the UHN occurred prior to the proposed finding of December 1994. On October 20, 1993, the "Documented Houma Tribe" (DHT) was registered as a non-profit corporation with the State of Louisiana. At a UHN council meeting, in January of either 1994 or 1995, DHT chairman Steve Cheramie unsuccessfully proposed restructuring that organization into several component "tribes." In March 1995, individuals attending an "Indian community" meeting in East Houma agreed, according to the meeting minutes, "to govern themselves through

individual community leadership” rather than to continue in the UHN. At this meeting, participants elected interim representatives for several “identified Indian communities.” A local newspaper referred to the organizers of the “new group” as five former UHN council members, and reported that the meeting approved their plan to form a confederation of five independent “community groups.” This meeting established the basic structure that would become the BCCM, although its component subgroups would change over time.

The “Pointe au Chien Indian Tribe” (PACIT) became the name of the corporation previously known as the “Documented Houma Tribe” in April 1995. At that time, the BCCM confederation included “Pointe aux Chene” as one of its subgroups, and Steve Cheramie, chairman first of DHT and then of PACIT, served as a “community” representative to BCCM and as the BCCM vice-chairperson. In April 1996, PACIT adopted a resolution to petition for Federal acknowledgment and submitted a letter of intent to petition, which was received by the Department in July 1996. After that action, the PACIT chairman stopped participating as a representative to the BCCM council and Pointe au Chien no longer was represented as one of the BCCM “communities.” The PACIT letter of intent explicitly stated that PACIT considered its organization, and its petitioning effort, to be separate from those of both UHN and BCCM.

The Historical Indian Tribes

The Pointe-au-Chien Indian Tribe (PACIT) petitioner submitted no explicit statement or argument about its descent from a historical Indian tribe, or historical Indian tribes that combined. In the membership criteria set forth in its “Enrollment Ordinance,” the petitioner requires as one of the qualifications for membership that an individual must demonstrate that he or she “descends from an Indian living in the Pointe-au-Chien Indian Community in 1900” (PACIT 2/19/2005, EO). The petitioner’s requirement, therefore, is that members trace descent from a resident of a historical settlement. The petitioner refers to that settlement as “an historic tribal entity” without specifying a historical tribe (PACIT 4/20/1996, 4/22/1996). Although Indian descendants living on Bayou Pointe au Chien have been referred to as “Houma Indians” for the last century, the petitioner does not claim ancestry from the historical Houma tribe. In a statement prepared by the petitioner to describe itself, it referred to its members’ “ancestors, the Chitimacha,” and added that the “Pointe-au-Chien Indians also descend from the Acolapissa, Atakapas, Choctaw, and Biloxi Indians” (PACIT 4/15/2005, Overview; see also PACIT *ca.* 1996).

A key issue for this petition is the connection of the petitioner to a historical Indian tribe or tribes. The petitioner must demonstrate its continuous existence as a historical Indian tribe, or as a group that has evolved from a historical Indian tribe, or from historical Indian tribes that combined. It is not sufficient under the acknowledgment regulations to demonstrate that the petitioner’s members descend from individual Indians, whether of one or more tribes, who were separated from a tribal community. The possible tribal origins of the petitioner are those Indian tribes from which it claims genealogical descent, the “Houma” tribe to which others have attributed its origins, and the aboriginal tribes that may have lived in or migrated to the area

where its members have resided (see Figure 4). It is necessary to consider all of these possible historical tribes from which the petitioner may have evolved as a group.¹

In order to evaluate the petitioner's connection to a historical Indian tribe, this finding reviewed the available evidence about the location and migration of historical tribes mentioned as possibly ancestral to Indians of Terrebonne Parish, the oral history traditions of tribal origins and migrations related by claimed Indian descendants, and the claimed tribal ancestry of the petitioning group's claimed Indian founding ancestors (see Appendix A, "Report on Historical Tribes").² This review finds no historical evidence that a historical tribe continued to exist in or migrated to the area of modern Terrebonne Parish, inconsistent oral history accounts of the petitioning group's historical origins, and insufficient evidence to establish the tribal ancestry of historical individuals claimed as the founding Indian ancestors of the petitioning group. In short, this proposed finding concludes that the petitioner has not demonstrated its continuity from a historical Indian tribe or from historical Indian tribes that combined to form an autonomous Indian entity.

A review of the available evidence about the location and migration of historical Indian tribes finds no contemporaneous historical accounts or conclusions by modern historians that place any historical tribe in the vicinity of the earliest known historical settlement in Terrebonne Parish by the petitioner's claimed Indian ancestors (see Figure 5). The aboriginal Ouacha and Chaouacha tribes of the area were relocated by colonial officials and historical references to them disappeared after about 1769. Chitimacha settlements were located west and north of modern Terrebonne Parish. It is possible some Chitimacha Indians relocated to the vicinity of Bayou Terrebonne, but no known historical observation places a group of them in that area. Some Biloxi Indians migrated from an area along the Gulf coast in modern Mississippi and Alabama to areas west of the Mississippi River, but all historical accounts place those various locations well north of Terrebonne Parish. The Houma tribe migrated from an original location near the junction of the Mississippi and Red Rivers to a later location along the Mississippi near the headwaters of Bayou Lafourche. Neither Swanton nor any other source has offered a likely explanation or evidence of a Houma tribal migration to Bayou Terrebonne. The petitioner has not presented an alternative account of a tribal migration there. Since it has not been demonstrated that any historical tribe or portion of a historical tribe had relocated in Terrebonne Parish when the petitioner's ancestors were first documented in the area, there is no basis to conclude that the petitioner's claimed Indian ancestors arrived there as part of a tribal migration.

Oral history interviews with older members of the "Houma" population were conducted by researchers for the UHN petitioner between 1978 and 1981. Some of the individuals interviewed made references to a historical Houma tribe or referred to an ancestor as a Houma Indian, but some individuals also mentioned other tribal backgrounds such as Chitimacha or Choctaw.

¹ The proposed finding on the United Houma Nation (UHN) found that petitioner did not demonstrate its continuous existence from the historical Houma tribe. This petitioner, many of whose members previously were part of the UHN petitioner, raises the issue of its possible continuous existence from a historical tribe, or combined tribes, other than the Houma.

² See also an Appendix to the United Houma Nation proposed finding entitled, "Historical Indian Tribes in Louisiana: Background Paper," by BAR (BIA 1994), which also considers other historical tribes.

Many of the references to “Houma” Indians in these interviews referred to 20th-century Indians, after a local population had been labeled as “Houma,” rather than to a historical tribe. The individuals interviewed suggested that the previous locations of their ancestors included the town of Houma and the area of the junction of Bayou Lafourche and the Mississippi River to the north; Mobile, Biloxi, and Mississippi to the east; and the Atchafalaya basin and Bayou Teche to the west. The interviewers, interested in evidence of a historical Houma tribal connection, did not pursue further information from interviewees about these other tribes or other origins they mentioned. These oral history interviews produced no consensus story of a tribal background or a tribal migration for the Indian population of Terrebonne Parish or the members of the petitioning group.

The presumed Indian population of Terrebonne and Lafourche Parishes has become known as “Houma,” but this petitioner claims its founding ancestors came from Indian tribes other than the historical Houma tribe. Swanton’s three founding families of the “Houma” can be associated with three founding ancestors, or progenitors, of the “Houma” population: Houma Courteau, Marie (Gregoire) Verdin, and Marianne (Iris) Billiot (see Figure 7). The Department determined that specific tribal ancestry is suggested for only one of these progenitors, Courteau, and Indian ancestry is demonstrated for only two of them, Courteau and Gregoire. The researcher for the BCCM petitioner claims Indian ancestry for additional historical individuals. The available evidence, however, does not establish any tribal ancestry for them, and none of them have descendants in the PACIT membership (see Appendix B, “Individuals Claimed as ‘Indians’”).

The evidence in the record contains some hints of specific tribal ancestry for some of the petitioner’s claimed ancestors. Biloxi ancestry is suggested by Swanton’s reference to the grandfather of one of his informants having been called “a Biloxi medal chief” and by references in land records to Houma Courteau as a “Beloxi Indian.” This evidence about Courteau more clearly states that his ancestry was Biloxi than any other source indicates that any other claimed ancestor of the petitioning group was “Houma.” The will of “Alexandre Verdun” in 1829 referred to Marie Gregoire as a *femme sauvage*, which is reasonably interpreted as Indian woman, but the evidence in the record does not demonstrate any specific tribal ancestry for her. The evidence in the record about Marianne Iris is insufficient to demonstrate Indian ancestry or any specific tribal ancestry. Chitimacha ancestry was suggested for a Pointe au Chien founder by Swanton when he referred in his field notes to “old chief Alexandre Billiot[,] Chitimacha.” Ethnologist David Bushnell also wrote in 1917 that his informant, Abel Billiot of “Point-au-chien,” was known as Chitimacha. Atakapa ancestry was suggested by Swanton when he said that the mother of one of his informants was “an Atakapa from Texas.” Finally, Swanton said that these Indians called themselves “Houma,” although his field notes appear to indicate that only one informant said so.

The three claimed Indian progenitors were rarely discussed in oral history interviews conducted between 1978 and 1981 by researchers for the UHN petitioner. Houma Courteau’s daughter Rosalie Courteau was the most commonly identified Indian progenitor of the modern “Houma” population. Those oral history interviews revealed that persons interviewed by UHN researchers held several different theories about the parentage and tribal background of key ancestor Rosalie Courteau. Accounts of the migration of Rosalie Courteau’s parents to the vicinity of Bayou Terrebonne found in these oral history interviews and Swanton’s field notes do not match

Swanton's theory of a Houma tribal migration to Terrebonne Parish. In general, the oral history interviews had little to say about the origins and background of Rosalie Courteau and how she arrived in Terrebonne Parish.

This evidence from various sources does not demonstrate a reasonable likelihood that the petitioner's claimed Indian founding ancestors constituted a portion of a historical Indian tribe or historical Indian tribes that combined and functioned as a political entity. The petitioner needs to show that its claimed Indian ancestors, or Indians with whom the claimed founding ancestors associated even if those Indians have no descendants in the petitioning group today, were together as a group of people and that they and at least some of their parents and their grandparents had a shared history that demonstrates a link from a founding generation on Bayou Terrebonne back to a historical Indian tribe. The petitioner would improve its case if it could identify the parents of the two progenitors accepted as Indians for this finding, and the parents of other contemporaneous ancestors who may have been Indians, and show that they were in the same place at the same time and that many of them shared common tribal ancestry. The petitioner is more likely to establish a link to a historical Indian tribe by finding its ancestors in earlier generations than by submitting more information about the histories of various historical tribes.

Previous Federal Acknowledgment

The evidence in the record does not show that the petitioner's claimed Indian ancestors were ever part of any acknowledged historical Indian tribe that lost that status, whether one located in the Terrebonne Parish area or outside that area from which the petitioner evolved as a group. Therefore, the petitioner is not eligible to be evaluated under the provisions of section 83.8, which modifies the acknowledgment criteria for previously acknowledged groups, and will be evaluated according to the criteria set forth in section 83.7 of the regulations.

SECTION 83.7

Summary Conclusions under the Criteria

The evidence the Pointe-au-Chien Indian Tribe (PACIT) petitioner and third parties submitted and the Office of Federal Acknowledgment (OFA) staff obtained through its verification research is insufficient to demonstrate that the petitioner meets all seven mandatory criteria required for Federal acknowledgment. Specifically, the petitioner does not meet criteria 83.7(b), 83.7(c), or 83.7(e). The petitioner meets criteria 83.7(a), 83.7(d), 83.7(f), and 83.7(g). In accordance with the regulations set forth in 25 CFR 83.10(m), failure to meet any one of the criteria in section 83.7 requires a determination that the petitioning group is not an Indian tribe within the meaning of Federal law.

This amended proposed finding is based on the evidence in the record. The petitioner and interested and informed parties may submit additional evidence during the 180-day comment period which follows publication of this finding. Such new evidence may result in a change in the conclusions reached here. The burden of providing sufficient evidence under the criteria in the regulations rests with the petitioner. After the receipt of the public comments and the petitioner's response to them, the Department will make a final determination and publish a notice of it in the *Federal Register*. The Department will base its final determination on the original evidence used in the proposed finding and amended proposed finding and the new evidence submitted in response to these proposed findings.

This amended proposed finding reaches the following conclusions for each of the mandatory criteria in 25 CFR Part 83.7:

The PACIT petitioner meets the requirements of criterion 83.7(a). This amended proposed finding concludes that identifications of a "Houma" population or group when combined with other identifications of a Pointe au Chien settlement or group of the "Houma" provides evidence sufficient to demonstrate the substantially continuous identification of the petitioner as an Indian entity since 1900. Therefore, the petitioner meets the requirements of this criterion.

The PACIT petitioner does not meet the requirements of criterion 83.7(b). This amended proposed finding concludes the PACIT petitioner has not demonstrated that it meets the requirements of this criterion because the evidence is insufficient to demonstrate that its ancestors and others associated with them constituted a community before 1830. This finding concludes the PACIT petitioner meets this criterion between 1830 and 1940 on the basis of the conclusions contained in the 1994 proposed finding on the UHN petitioner and that it meets this criterion since 1940 on the basis of the evidence available for this amended proposed finding. Because the evidence in the record does not show that the petitioning group existed as a community from historical times to the present, the petitioner has not demonstrated that it meets the requirements of this criterion.

The PACIT petitioner does not meet the requirements of criterion 83.7(c). This amended proposed finding concludes the PACIT petitioner has not demonstrated that it meets the requirements of this criterion because there is insufficient evidence that it maintained political influence over its historical ancestors before 1830. This finding concludes the PACIT petitioner meets this criterion between 1830 and 1940 on the basis of the conclusions contained in the 1994 proposed finding on the UHN petitioner. For the period since 1940, the evidence available for this amended proposed finding is sufficient to demonstrate that the petitioner meets this criterion only since 1988. Because the evidence in the record is insufficient to show that the petitioning group has maintained political influence over group members from historical times to the present, the petitioner has not demonstrated that it meets the requirements of this criterion.

The PACIT petitioner meets the requirements of criterion 83.7(d). The petitioner provided current governing documents that describe its governing procedures and membership criteria, and, therefore, meets the requirements of this criterion.

The PACIT petitioner does not meet the requirements of criterion 83.7(e). The petitioner submitted a certified membership list identifying 682 members. An analysis of selected members demonstrates that most of them descend from at least one of two individual historical “Indians,” but those historical individuals have not been shown to be a part of a historical Indian tribe, or of historical Indian tribes which combined and functioned as a single tribal entity. The evidence in the record has not demonstrated that the PACIT petitioner’s members descend from a historical Indian tribe and, therefore, the petitioner does not meet the requirements of this criterion.

The PACIT petitioner meets the requirements of criterion 83.7(f). The names of current PACIT members do not appear on rolls of federally recognized Indian tribes reviewed for this amended proposed finding. Additionally, the PACIT petitioner requires its members to disavow membership in any other Indian group, and its submission included disavowals for 84 percent of the 682 PACIT members. Because evidence in the record indicates that the petitioning group is composed principally of persons who are not members of any acknowledged North American Indian tribe, the petitioner meets the requirements of this criterion.

The PACIT petitioner meets the requirements of criterion 83.7(g). Because no evidence has been submitted or located that indicates the petitioner, its members, or their ancestors have been the subject of congressional legislation that has expressly terminated or forbidden a relationship with the Federal Government as Indians or as an Indian tribe, the petitioner meets the requirements of this criterion.

The Department’s evaluation of the evidence under each criterion is presented in the following sections on each criterion. Each criterion is reproduced in boldface type as it appears in the regulations and is followed by a summary of the evaluation of the evidence in the record relating to that criterion.

Criterion 83.7(a)

83.7(a) The petitioner has been identified as an American Indian entity on a substantially continuous basis since 1900.... by other than the petitioner itself or its members.

83.1 ... *continuous* means extending ... throughout the group’s history to the present substantially without interruption.

External observers have identified a “Houma” Indian population or group on a substantially continuous basis since 1900. They have described that “Houma” population as composed of several settlements, including the Pointe au Chien settlement associated with the petitioner. Since 1900, external observers have tended to identify the larger “Houma” population or group in southern Louisiana rather than its settlements or component groups, frequently noting that this population or group inhabited a specific geographical area in Terrebonne or Lafourche Parishes,

which would have included the ancestors of the PACIT petitioner. In other cases, external observers identified the petitioner's ancestors as constituting either one of the settlements among the "Houma" Indians or as one of the groups within the larger "Houma" entity. This amended proposed finding concludes that identifications of a "Houma" population or group when combined with other identifications of a Pointe au Chien settlement or group of the "Houma" provide evidence sufficient to demonstrate the substantially continuous identification of the petitioner as an Indian entity since 1900. Therefore, the evidence in the record demonstrates the PACIT petitioner meets the requirements of this criterion.

The description of the Indian population of southern Louisiana as "Houma" was shaped by ethnologist John Swanton of the Bureau of American Ethnology (BAE) who conducted research in the area during a brief visit in 1907 and published his findings in a BAE report in 1911. Swanton identified six settlements of "Houma" Indians, including Pointe au Chien. Since that report, a variety of external observers influenced by Swanton consistently identified a "Houma" Indian population living on the lower bayous and in the marshes of coastal Louisiana.³ In addition to Swanton, influential writers included Roy Nash and Ruth Underhill of the Bureau of Indian Affairs in the 1930's and anthropologists Frank Speck in the 1940's and Ann Fischer in the 1960's. Descriptions of the "Houma" also were provided by Federal and local government officials, other anthropologists and scholars, visitors and area residents, and local newspapers. Some of these observers suggested that "Houma" is an inaccurate label for a population that had, as Swanton noted, complex and multiple origins, but they accepted the convention that refers to these people as the "Houma." For this reason, perhaps, observers did not consistently identify a Biloxi or Chitimacha population in the area. A few studies noted that Louisiana residents referred to the "Houma" as a tri-racial group by the derogatory term "Sabine." Some external observers identified the "Houma" as a "group," "tribe," or "community." These descriptions of the "Houma" population can reasonably be considered to have included the petitioner's ancestors as part of that population.

Some of the external observers who identified a "Houma" population or group in southern Louisiana during the 20th century noted that population was living in a number of separate geographical settlements. The observers who identified a series of "Houma" settlements generally named the same settlements. These descriptions treated the residents of these settlements as constituting the "Houma," defining the "Houma" in terms of their settlements. The Pointe au Chien settlement was identified as one of the specific settlements. Such

³ See "Criterion 83.7(a)" in the proposed finding for *United Houma Nation*. See also: Swanton n.d. [1907] MS 4906; Harrington 1908; Swanton 1911; W. Martin 7/30/1921; Burke 9/21/1927; Associated Press 4/25/1931; Garber 5/8/1931; Nash 6/-/1931; Dumez 9/11/1934; Kniffen 1935; Dormon 7/4/1935; Hardin 2/15/1936; *New Orleans Times-Picayune* 4/17/1938; Underhill 10/22/1938 and 10/25/1938; *New Orleans Times-Picayune* 1/29/1939; Speck 2/7/1939; WPA 1941, xxvii; Speck 1941a, 1941b, and 2/14/1941; Zimmerman 3/12/1941; Beatty 1/1/1942 and 1/30/1942; Jennings 5/5/1942; Beatty 9/3/1942; Speck 1943; Beatty 4/10/1943; Albrecht 1945; Beatty 12/5/1945 and 8/18/1948; Parenton and Pellegrin 1950; Fischer 8/14/1960b; Madigan 8/22/1960; Fischer 3/28/1963; Teeter 1964; Fischer 1965; *New Orleans Times-Picayune* 5/10/1966; United Press 11/18/1966; Guidry n.d. [1970's]; *New Orleans Times-Picayune* 1/4/1970 and 4/17/1970; Stanton 1971; *Houma Courier* 8/21/1972, 4/25/1974, 7/19/1974, and 8/18/1974; Davis 1975; ITCL n.d. [1975-]; *Houma Courier* 5/10/1976; Louisiana 1977; Edwards 4/20/1977; *Houma Courier* 11/18/1977, 3/5/1978, and 6/14/1978; Stanton 1979; *Daily Comet* 4/13/1979; *Houma Courier* 5/6/1979 and 5/13/1979; *New Orleans Times-Picayune* 10/9/1983; Terrebonne Parish 3/14/1984; *State Times* 4/4/1985; Kniffen *et al.* 1987; St. Mary Parish 5/24/1989; *Houma Courier* 9/29/1994 and 3/14/1996.

identifications demonstrate it was considered a component part of the “Houma” population or group that was consistently identified after 1907. Under the reasonable likelihood standard, this amended proposed finding accepts general identifications of the “Houma” as constituting an identification of a Pointe au Chien settlement or group. Such identifications of the “Houma,” in combination with other identifications that specifically identified a Pointe au Chien group, provide substantially continuous identification of the PACIT petitioner.

The record includes some examples in which an external observer identified an Indian settlement at Pointe au Chien as a “group” or “community” or “colony” and some examples in which an observer included Pointe au Chien in a listing of the several settlements of the “Houma” Indians. Pointe au Chien was identified as one of the settlements of the “Houma” by John Swanton in his 1907 field notes and 1911 publication (Swanton 1911, 291; Swanton n.d. MS 4906). In 1921, U.S. Representative Whitmell Martin identified the “Houma Indians” in his district in Terrebonne Parish in a letter that specifically referred to Swanton’s work (W. Martin 7/30/1921). Roy Nash in 1931 identified the specific settlement areas of the “Houma Indians,” including Pointe au Chien (Nash 6/-/1931, 11). Pointe au Chien was identified as one of the “Houma” settlements by Ruth Underhill in 1938 and Frank Speck in 1941 (Underhill 10/25/1938, 12-13; Speck 1941a, 1, 10, 14-16; and Speck 1943, 137, 212). A local priest identified Pointe au Chien as a “colony of Indians” and one of the Indian “groups” in the parish during his service there from 1938 to 1941 (Bezou 8/20/1979, 1, 5). A Baptist missionary who served there in 1944-1946 described Pointe au Chien as a “group” of the “Houma” (Sanders 1947, 2, 4). In 1950, a pair of scholars identified the “Houma” who “inhabit the marshy fringe of a Louisiana parish” as a “tri-racial group,” an acceptable identification under acknowledgment precedent (Parenton and Pellegrin 1950, 148). In 1960, LaVerne Madigan referred to the “Houma Indians of Pointe au Chien,” based on anthropologist Ann Fischer’s 1960 report (Madigan 8/22/1960). Some observers identified Pointe au Chien as a group of “Houma,” as Fischer in 1965 called it one of the “groups” within the Houma “group” and Max Stanton in 1971 and 1979 said it was one of the “communities” within a “Houma” or Indian “community” (Fischer 1965, 134, 135; Stanton 1971, 82, 85, 90, 91 n.4; and Stanton 1979, 90). Various newspaper articles during the 1970’s identified the “Houma” Indians of Terrebonne and Lafourche Parishes, the “Houma Tribe of Louisiana,” and the “Houma Alliance Inc.”⁴ The United Houma Nation, of which the petitioner’s members were a part, was identified consistently in the 1980’s and early 1990’s.⁵ Terrebonne Parish in 1989 identified Pointe au Chien as one of the parish’s “Native American communities” (Terrebonne Parish 10/25/1989).

⁴ *New Orleans Times-Picayune* 1/4/1970, 4/17/1970; *Houma Courier* 8/21/1972, 4/25/1974, 7/19/1974, 8/18/1974, 11/18/1977, 3/5/1978; see also Louisiana 1977.

⁵ *Houma Courier* 5/7/1979; Edwards 8/15/1979; Breaux 8/31/1979; Leach 9/4/1979; *Houma Courier* 3/25/1980, 3/26/1980; *New Orleans Times-Picayune* 11/9/1980; *Franklin Banner* 1/21/1981; *Daily Comet* 2/6/1981; *Houma Courier* 5/3/1981; *New Orleans Times-Picayune* 7/17/1981; *Houma Courier* 2/25/1982, 3/4/1982, 7/9/1982, 11/18/1984; Lee 2/16/1987; Toomy 4/10/1987; [Town Talk] 11/25/1988; Hale 12/7/1989; St. Bernard Parish 1/9/1990; Iberia Parish 1/24/1990; Plaquemines Parish 1/25/1990; Jefferson Parish 1/31/1990; New Orleans City Council 2/1/1990; Vermillion Parish 2/5/1990; Terrebonne Parish 2/14/1990; Lafourche Parish 2/14/1990; U.S. Senate 4/5/1990; U.S. House 5/23/1990; Louisiana 1990; *Houma Courier* 7/10/1990, 8/16/1991, 8/10/1992, 4/25/1993, 5/30/1993, 7/1/1993, 7/11/1993, 7/27/1993a, 7/29/1993, 8/18/1993, 6/10/1994, 8/16/1994, 10/28/1994, 12/6/1994, 12/18/1994.

Since 1996, when the Pointe-au-Chien Indian Tribe petitioner submitted a letter of intent to petition for Federal acknowledgment, local newspapers have consistently identified it by name and as a “group” or “tribe.”⁶ In 2002 and 2004 the parishes of Terrebonne and Lafourche designated Pointe au Chien as an “Indian community” (Terrebonne Parish 5/6/2002; Lafourche Parish 10/12/2004). In 2004, the State legislature identified the petitioner by name in a resolution of State recognition (Louisiana 2004). Thus, since the formation of the petitioner’s formal organization, external observers have continuously identified it.

Conclusion

External observers have identified a “Houma” Indian population or group on a substantially continuous basis since 1900. They have described that “Houma” population as composed of several settlements, including the Pointe au Chien settlement associated with the petitioner. In these circumstances there is a reasonable likelihood that a general identification of the “Houma” Indians was an identification of their settlements, which include the petitioner. Various outside observers have consistently identified a “Houma” Indian population since 1907. External observers also have often identified a Pointe au Chien settlement or group as an Indian entity and have consistently identified the petitioner’s formal organization since its formation. Therefore, the petitioner meets the requirements of criterion 83.7(a).

Criterion 83.7(b)

83.7(b) A predominant portion of the petitioning group comprises a distinct community and has existed as a community from historical times until the present.

83.1 *Community* means any group of people which can demonstrate that consistent interactions and significant social relationships exist within its membership and that its members are differentiated from and identified as distinct from nonmembers. *Community* must be understood in the context of the history, geography, culture and social organization of the group.

This amended proposed finding concludes the PACIT petitioner has not demonstrated that it meets the requirements of this criterion because the evidence is insufficient to demonstrate that its ancestors and others associated with them constituted a community before 1830. This finding concludes the PACIT petitioner meets this criterion between 1830 and 1940 on the basis of the

⁶ *Houma Courier* 7/10/1996, 7/17/1996, 11/13/1996, 2/23/1997, 3/19/1997, 5/14/1997, 4/30/1999, 5/5/1999; *Daily Comet* 5/5/1999; *Houma Courier* 5/12/1999, 6/13/1999; *Daily Comet* 5/10/2001; *Houma Courier* [11/16/2003], 3/14/2004, 5/27/2004; *Daily Comet* 6/8/2004; *Town Talk* 6/27/2004; *Daily Comet* 6/29/2004; *Houma Courier* 7/5/2004, 3/13/2005; see also *WWL News* 4/4/2005.

conclusions contained in the 1994 proposed finding on the UHN petitioner and that it meets this criterion since 1940 on the basis of the evidence available for this amended proposed finding. No evidence has been submitted or found that shows that the earliest claimed Indian ancestors of the petitioner were part of a community that evolved from a historical Indian tribe or formed a community together before arrival at Bayou Terrebonne. The claimed founding ancestors of the petitioner, according to the evidence available, came together during the early 19th century along Bayou Terrebonne but the evidence is insufficient to demonstrate community before 1830. The descendants of these families multiplied and this population expanded to other bayous, including the settlement on Pointe au Chien. Because the evidence in the record does not show that the petitioning group has existed as a community from historical times to the present, the petitioner has not demonstrated that it meets the requirements of this criterion.

A review of the UHN proposed finding reveals that this amended proposed finding must consider this criterion for the PACIT petitioner only for the chronological periods before 1830 and after 1940. Because the proposed finding on the UHN petitioner reached conclusions that separate settlements met this criterion during certain periods, and such a settlement is associated with the current PACIT petitioner, this amended proposed finding does not need to reconsider those conclusions.

The UHN proposed finding concluded that the UHN petitioner did not meet this criterion because it did not demonstrate that the petitioning group had an antecedent social community prior to 1830. Therefore, the PACIT petitioner needed to demonstrate its historical members constituted a community before 1830. The evidence in the record has not demonstrated community before 1830.

The UHN proposed finding concluded that separate settlements met this criterion between 1830 and 1940, originally as part of a single ancestral community between 1830 and 1880 and then between 1880 and 1940 as separate settlements that evolved out of the earlier community. The UHN proposed finding concluded that both the single group between 1830 and 1880 and the separate settlements between 1880 and 1940 met this criterion by meeting the provisions of section 83.7(b)(2)(i). Because the petitioner is one of those settlements, it meets this criterion for the same time period.⁷

The UHN proposed finding did not reach conclusions for this criterion for the separate settlements during the period after 1940. Therefore, the PACIT petitioner needed to demonstrate that its members constitute, and previous members constituted, a distinct community during that period. The evidence in the record is sufficient to demonstrate the PACIT petitioner meets the requirements of this criterion as a distinct community since 1940.

⁷ This amended proposed finding considers the Pointe au Chien settlement to be one of “at least six component settlements” of the “Houma” mentioned in the UHN proposed finding that met this criterion from 1880 to 1940 although it was not one of the six settlements explicitly listed in that finding’s statement of that conclusion (*UHN PF*, 17). The UHN proposed finding elsewhere referred to the six settlements mentioned by Swanton and his list included “Lower Point au Chien” (*UHN PF*, 13). In addition, that finding’s supporting Anthropological Report provided a list of six settlements that included “Bayou au Chien” (*UHN PF*, AR, 7).

Before 1830

The PACIT petitioner does not meet the requirements of criterion 83.7(b) because it has not shown that any ancestral population of its current members continued the existence of a historical Indian tribe or that its historical members formed a community before 1830. The PACIT petitioner needs to show that a pre-1830 community composed of its ancestors and their associates evolved into the community identified by the UHN proposed finding as existing between 1830 and 1880. The petitioner could accomplish this in one of two ways. The petitioner could submit new analysis or evidence to demonstrate that its ancestral community formed on Bayou Terrebonne or elsewhere earlier than 1830. Alternatively, the petitioner could show that its Indian ancestors formed an Indian community, and a portion of that community joined the Bayou Terrebonne community that evolved into the current petitioner. The PACIT and BCCM petitioners responded to the latter option.

The petitioner's membership is derived from the Billiot, Courteau, and Verdin families that ethnologist John Swanton identified as the founding families of the "Houma" population of Louisiana (Swanton 1911, 292). The petitioner has not shown that those ancestors, or additional claimed Indian ancestors or associated Indians, were members of the same historical Indian tribe or came to the area of Bayou Terrebonne as a group that then evolved into the petitioner. This amended proposed finding, like the earlier proposed finding on the UHN petitioner, concludes that the evidence in the record demonstrates Indian ancestry for two claimed ancestors of the petitioner's members, Houma Courteau and Marie (Gregoire) Verdin. The available evidence is insufficient to show that those two individuals had the same tribal ancestry. The UHN proposed finding also concluded that evidence supported Indian ancestry, but not specific tribal ancestry, for "Jeanet an Indian woman." The evidence for this amended proposed finding includes claims of possible additional Indian progenitors. The researcher for the BCCM petitioner (whose research is cited favorably by the PACIT petitioner) lists additional historical "Indians" (Westerman 1997, 12-31; BCCM 2005, 247-263; Westerman 2005; BCCM 4/21/2005). This finding accepts that Indian ancestry is demonstrated for five of those individuals (see Appendix B). It has not been shown that any of the five Indians were members of a historical Indian tribe.

The available evidence is insufficient to show that Houma Courteau, Marie (Gregoire) Verdin, Jeanet, or the five historical Indians identified in the evidence came from a common tribal background, or that some of them or their parents were together in a shared location in the 1790's or earlier, before settlement on Bayou Terrebonne. The evidence in the record is insufficient to show that the five historical Indians identified in the new submissions had connections with each other. None of those five historical Indians have been shown to be linked to the three founding families and their associates in Terrebonne or Lafourche Parishes during their lifetimes. The available evidence is insufficient to show that the "Houma" founding families or historical Indians moved together to Bayou Terrebonne. The evidence in the record is insufficient to show that the claimed Indian ancestors of members of the petitioning group and other Indians interacted with each other before some of them arrived at Bayou Terrebonne. Thus, there is an absence of evidence that any of the petitioner's claimed Indian ancestors or their Indian associates were part of a community that evolved from a historical Indian tribe or formed a community together before arrival at Bayou Terrebonne or before 1830.

The evidence available for this amended proposed finding is insufficient to show interaction of the petitioner's ancestral families earlier than noted in the UHN proposed finding.⁸ The evidence in the record indicates that the founding families of the "Houma" population came together at Bayou Terrebonne after arriving there independently of each other. Marianne (Iris) Billiot and Jean Billiot, Sr., received Spanish grants of land as early as 1787 and claimed to have resided on those grants on Bayou Terrebonne by 1800.⁹ Houma Courteau appears to have been present in the area as early as 1809 based on a probate sale, and two of his daughters claimed to have married Billiot brothers there about 1808.¹⁰ Marie (Gregoire) Verdin appears to have arrived in the area sometime after 1810 since her spouse Alexandre Verdin was listed on the Federal census in another parish in that year.¹¹ An association of all three families with each other at Bayou Terrebonne is not documented until land records show them owning or exchanging adjacent lands in 1822.¹² The additional claimed historical Indians also appear to have arrived in Terrebonne Parish independently of each other, and some arrived after 1830. There is insufficient evidence in the record to show that the later arrivals had existing relationships to earlier arrivals or were part of a continuing pattern of migration. Later marriages during the 19th century between descendants of the "Houma" founding families and other families in the general population created the basis for the emergence of a new group. The petitioner's submission is insufficient to demonstrate that before 1830 its historical members formed a community. This evidence in the record is insufficient to demonstrate that any historical Indians or historical members of the petitioning group constituted a community on Bayou Terrebonne or in Terrebonne Parish prior to 1830.

1830-1940

The PACIT petitioner has sufficient evidence for this criterion between 1830 and 1940 based on the conclusions of the UHN proposed finding. The UHN proposed finding concluded the UHN petitioner met this criterion as a single community between 1830 and 1880 because more than half of the petitioner's ancestors lived in an exclusive settlement on Bayou Terrebonne extending to Isle Jean Charles, which under the provisions of section 83.7(b)(2)(i) provided sufficient evidence for that period. The UHN proposed finding concluded that separate communities evolved out of that original community.¹³ For the 1880 to 1940 time period, the UHN proposed

⁸ *UHN PF*, HR, 33-41, 48; AR, 20-32, 37-39.

⁹ Treasury 1/8/1812, 433, no.370, 371; Treasury 1/1/1823, 597, no.249; Westerman 1995, 13 and map 7. *See also*: Westerman 1995, form #574; BCCM 2005, 19 n.1.

¹⁰ Billau 1809, item no.9; R. Courteau 4/11/1878. *See also*: U.S. Census 1810; Westerman 1995, form #575; BCCM 2005, 19 n.1, 34.

¹¹ Brasseaux 1975; GLO 6/9/1813, 845; Surveyor General n.d., SW District. *See also*: Treasury 1/8/1812, 435, no.338; GLO 1/16/1817, 261-262, no.612; Westerman 1995, map 7.

¹² C. Billot to Verdin 8/27/1822; Jean Billot to Verdin 8/27/1822; Billot to Courteau 8/29/1822; BCCM 2005, 34.

¹³ The petitioner's narrative of the origins of its settlement, however, does not adopt this explanation that it evolved out of an earlier community that existed between 1830 and 1880. The petitioner has the option of presenting an

finding concluded that more than half of the petitioner's ancestors lived in geographical isolation in at least six exclusive settlements that individually would meet the requirements of section 83.7(b)(2)(i). This amended proposed finding concludes on the basis of the UHN proposed finding that the petitioner has sufficient evidence for this criterion from 1830 to 1940, because it is one of those settlements.

An Indian settlement on Bayou Pointe au Chien has its origins in the arrival there of three families of children of Rosalie Courteau and Jacques Billiot married to children of Marie (Gregoire) Verdin. In a local history manuscript, a non-Indian resident suggested that Alexandre Billiot had a "plantation" at the "end" of Bayou Pointe au Chien by 1835 (Ledet n.d.). Statistical reports of the sugar cane crop grown in Louisiana prior to the Civil War indicate that at least by 1849 Celestin and Alexandre Billiot were sugar producers at "Pointe aux Chiens" (Anonymous 2004). The sugar mill was several miles down the bayou from the area of present settlement (*see* Hays 1996, 48-56). On the 1850 census, the families of the Billiot and Verdin siblings were counted in two adjacent households at "Pointe aux Chien" (U.S. Census 1850, #548-550).¹⁴ Another adjacent household contained children of another daughter of Marie (Gregoire) Verdin. These households, which represent the joining of two sibling groups, established a settlement on Bayou Pointe au Chien that still exists. An exclusive settlement on lower Bayou Pointe au Chien developed by 1880, as descendants of the "Houma" founding families appear to have constituted at least 11 of 14 households there (U.S. Census 1880, E.D. 190, #309-322). In 1900, at least 16 of 27 consecutive households, and possibly 23 of 27 households, contained descendants of the "Houma" founding families (U.S. Census 1900, E.D. 74, #321-347). In both 1880 and 1900, almost all of the individuals in these households were descendants of Indians Houma Courteau and Marie (Gregoire) Verdin.

Background to the Post-1940 Pointe au Chien Settlement

Pointe au Chien, the southern-most settlement on Pointe au Chien Bayou, is the social center of the petitioner. Two-thirds of the petitioner's members live in or very near it and virtually all PACIT members descend from its founders and are part of a family residing there continuously since its founding. The Indian descendants there today live in a line of homes on the east bank exclusively inhabited by Indian families or among other Indians and non-Indians on the west bank, where they have moved since 1950. Their music, religion, language, cuisine, and agricultural economy are similar to neighboring French-speaking "Cajuns."

The social organization of Pointe au Chien is typical of societies that are highly successful in expanding a growing population into new territories. Families are headed by an independent kin-based older man equal in stature to the heads of other similarly situated families in the settlement. These families, some very large, can readily break away from the main body of related families living in an established settlement to move to new locations. This well

alternative explanation to the UHN finding adopted here of how its settlement maintained continuity from an earlier community and how it emerged as a distinct group.

¹⁴ Horvath 1985, 150; BCCM 2005, 61-62; IJC 1997, 5, and IJC 2005, 23.

established social organization and process identified by anthropologists in other societies is acceptable evidence for criterion (b) under the regulations.

Patterns of Marriage, Residence in Exclusive Territorial Areas, and Retention of Family Lines

The social processes mediating the expansion of Indian descendants throughout the lower bayous, including the settlement of Pointe au Chien, shaped the 1940 composition of Pointe au Chien, and its composition to the present. In the 1800's, some families from Pointe au Chien left and established outposts at Isle Jean Charles by the 1870's, in wetlands east of Pointe au Chien around 1900, and finally, in other parishes in the 1930's. A family would move from Pointe au Chien to a new location, a process that would then be repeated by families moving to various locations. Out-migrants' settlements evolved from part-time camps into small permanent clusters of related families. Through marriages to other Indian descendants or non-Indians in the first generation, and then increasingly marriage with close relatives within the settlement in later generations, the group evolved into separate settlements. The descendants of such out-migrants may be in the BCCM and UHN petitioners, but are not in the PACIT membership. Descendants of persons who married out of the Indian population or descendants of families that moved away and no longer resided in Pointe au Chien between 1930 and 1950 generally are not PACIT members.

Pointe au Chien's community is demonstrated decades before 1940 by the existence of geographically distinct, exclusive residence areas, and marriage within the settlement group or sometimes within a network of collateral family lines living in the closest (in kinship and in distance) settlements of Indian descendants. Intense social cohesion continues to characterize the social organization of the PACIT community at present. Members are related multiple times, based on the many marriages within the group. PACIT members presently view kin relationships with the residents of other Indian settlements in Terrebonne and Lafourche or Indian descendants from collateral lines of out-migrants as distant, although they do acknowledge their general relationship. The history of the highly cohesive community of intermarrying families at Pointe au Chien demonstrates over time a social process in which many family segments and individuals who married out moved out, making the settlement distinct from other settlements inhabited by distant kin. At the same time, this process retained specific families and their descendants in the community. This process is the foundation of the group's social cohesion because the group's families and members are multiply related, have lived in close proximity for 170 years, and share a continuous history. This social process, therefore, provides significant evidence of community since 1830 when the ancestral population coalesced in Terrebonne, through 1880 when the existence of separate communities became evident, and through 1940 to the present.

During the 20th century, kin groups descending from the children and grandchildren of PACIT's founders owned residential plots together in an area of almost exclusive Indian settlement where they were living between 1930 and 1950. Influential older persons within each kin group, then and today, determined which persons, among all of the possible heirs, could use or live on them. Peer group pressure among the various land-owning kin groups, especially among older people, has discouraged owners from selling lands to outsiders, as demonstrated by the continued Indian

ownership of all of the lots on Pointe au Chien bayou's east bank at present.¹⁵ These practices have had repercussions on PACIT membership, because the membership committee, mostly elderly people, approves applicants they personally know who either lived in the Pointe au Chien settlement in 1950, when the committee members were children and young adults, or have parents or grandparents who lived in the settlement in 1950 (Charles Verdin 7/26/2005). (It may also be that people without recent close kin-ties to the settlement's residents have not chosen to enroll in PACIT). In this way, the PACIT membership relates to the composition of the 1950 settlement. The residential patterns since the 1930's and their impact as reflected in the composition of the present membership provides evidence of community from 1940 to the present.

According to the petitioner's submitted genealogies, 82 percent of current PACIT members descend from individuals who appear in the 1930 census as residents of the Pointe au Chien settlement. Most members descend from several persons enumerated either on the Terrebonne Parish census schedules at "Point Au Chien Road" [*sic*] or on the Lafourche Parish census schedules at "Point O Chien" [*sic*]. The remainder mostly descends from a man who lived in Montegut, with no recent connection to Pointe au Chien, even though descended from the same Indian founders of Pointe au Chien before 1850. The petitioner should explain why it enrolled this family.¹⁶ Other evidence indicates that PACIT members also descend in large part from settlement residents in 1950, with the exception of this same family. That the petitioner's membership is comprised of families which have remained continuously over many generations at Pointe au Chien provides significant evidence under 83.7(b)(1) that the petitioner meets criterion 83.7(b) from 1940 to the present.

The petitioner's membership constitutes a social group defined by a dense kinship network, consisting of multiply related persons, and close residential proximity, providing additional evidence under 83.7(b)(1). The members display close ties to the Pointe au Chien settlement because they live there or they grew up there, and have parents, grandparents, and close relatives living there. Before 1960, the area used and lived in by the Houma population was more expansive, extending more than ten miles south along the bayous (Nash 1931; Speck 1941; Parenton and Pellegrin 1950). The viability of mixed agriculture, cattle herding, and sugar cane production, critical to Pointe au Chien's economy in the 19th century, had gradually declined as salt water rose and inundated agricultural plots and wells in the 20th century (Emary Billiot 8/1/2005; Sidney Gary Verdin 7/26/2005). As wetlands slipped into corporate ownership and trapping constricted, rising salt waters inundated lands below the location of the current settlement. Without open trapping, dry ridges for homes, and fresh water, Pointe au Chien residents gradually abandoned their homes in the bayou's lowest reaches (Emary and Laurencia Billiot 8/1/2005). By 1950, the population either clustered on the east bank of Pointe au Chien at its current location in extended family enclaves or relocated elsewhere. After 1950, some of these lower bayou residents moved to "high-water" neighborhoods within a fifteen-minute drive

¹⁵ A woman has also refused to sell a shrimp shed to outsiders since her husband's death ten years ago.

¹⁶ Although significant, this family's representation in the membership is not high enough to counter the other evidence that more than 80 percent represent descendants of the settlement in 1950. If more families of similar character are admitted to membership, however, the character of the community's composition would change, affecting the evidence for community, potentially causing a reversal of this amended finding under criterion 83.7(b).

of Pointe au Chien, but still used the settlement as a door to the wetlands and maintained continuing social ties to settlement residents and to each other (Charles Verdin 7/26/2005).

Common social practices and norms limited who could live in Pointe au Chien settlement and nearby areas.¹⁷ The settlement's growth since its founding in the 1800's depended on the first generation of residents born there marrying out and establishing new families, and subsequent generations increasingly marrying other settlement residents. They raised large families. Racial discrimination informed marriage and residence choices, as did certain cultural preferences, especially as Jim Crow segregation intensified in the 1900's (David Billiot 4/7/1938; Ledet 10/16/1979; Wenceslaus Billiot and Deme Naquin 7/27/2005; Marlene Foret 7/28/2005; Sidney Gary Verdin 7/26/2005). Marriages between second cousins were common, and brothers would often marry women who were sisters, trends that continued after 1940 and through the 1970's. These couples tended to remain in the settlement after marriage. Through these marriages, the large extended families residing in Pointe au Chien became multiply related to one another and the community at the settlement became highly cohesive, providing significant evidence of community from 1940 through the 1970's.

Sometimes family groups moved together to trapping camps in other parishes beginning in the 1920's through the 1960's (Anna Augustine Billiot 9/30/1979; Marie Dupre 8/6/1979; Eveline Verdin 7/26/2005). These out-migrant families who left after 1930 maintained social ties with Pointe au Chien at first through visiting Pointe au Chien, seasonally taking fish and shrimp, and attending funerals and other events. Today only a few elderly migrants visit surviving elderly relatives (Sidney Gary Verdin 7/26/2005). After only one or two decades, Pointe au Chien residents stopped treating out-migrants (defined here as those people born in Pointe au Chien who left before 1950 to live permanently outside of the settlement and its nearby environs, and their descendants) as part of their social group and *vice versa* (Emay and Laurencia Billiot 8/1/2005; Theresa Billiot 8/1/2005). By 2005, out-migrants' descendants are rarely PACIT members, unless they married a resident of the settlement and returned there to live, a rare occurrence.

Marriage to outsiders has increased since the 1970's for the membership as a whole, although the residents of the settlement tend to be married to other Indian descendants and those living outside the settlement are more likely to be married to non-Indians. Nevertheless, kinship and marriage ties made before 1980 are still a factor in maintaining cohesive social and political relationships and provide significant evidence for community from 1940 to 1980, and less significant evidence from 1981 to the present.

¹⁷ Although the Pointe au Chien settlement is compact at present, before 1960 families often lived dispersed throughout an area of exclusive use that extended south along the entire bayou and into neighboring lakes and islands on the coast. The use of "settlement" refers not to the larger area of settlement before 1960, but to the more compact settlement as it is at present after 1960.

Evidence of Institutionalized Segregation

The social context of the greater society, especially racial discrimination, influenced “Houma” social organization. The regulations provide at 83.7(b)(1)(v) that “evidence of strong patterns of discrimination or other social distinctions by non-members,” may be used in combination with other evidence to demonstrate a petitioner meets criterion 83.7(b). Because some of the “Houma” ancestors had African ancestry or because they were not legally “White” by local definition, government-supported racial segregation targeted them for unequal treatment (Henry Bourgeois 1938, 1942; Arline Naquin 8/1/2005). Their response to segregation and attempts to deal with its effects provides evidence relevant to demonstrating community and political authority.

The State and local parishes applied institutionalized discrimination to Pointe au Chien people from at least 1920, and probably earlier, through the mid-1960’s. The Terrebonne school superintendent around 1940 told visiting Federal Government officials and anthropologists, and wrote in documents, that members of the “Houma” population “call themselves Indian and claim social status equal to that of the white man.” He said their “disdain for contact with the [N]egroes,” had thrust them “into an imaginary racial zone standing midway between the whites and the blacks” (Henry Bourgeois 1938). The criteria local people, including Indians, used to determine who was part of the Indian population included residence in an Indian settlement, “Indian” elementary school attendance, last name,¹⁸ language, with whom they socialized, where they sat in Catholic churches and restaurants, and occupation (Charles and Amy Billiot 11/13/1979; *Billiot v. School Board* 2/3/1917; Fischer 3/28/1963; Arline Naquin 8/1/2005). Specific surnames were associated with populations on the different bayous (Swanton 1907, 1911). On this basis, a person traveling outside Pointe au Chien fell into a racial category and was treated differently than when he or she was at Pointe au Chien (Arline Naquin 8/1/2005; Elvira Molinere 7/26/1979). Racial categories and discriminatory treatment for the same person changed with location.

Association with certain settlements implied either Indian or non-White ancestry. Before 1964, school administrators operationalized segregation laws for Indian descendants by determining where a pupil lived to discern which pupils were Indians and which were White, when assigning them or blocking their entrance to schools. Students, who had not gone to an “all-White” elementary school, could not attend an “all-White” high school. Hospitals, draft boards, and other officials in the southern parishes pursued similar lines of inquiry to identify Pointe au Chien Indians (Fischer 1960). Residence in Pointe au Chien marked a person as non-White and trumped “White” designations on official documents. Anthropologist Ann Fischer, who interviewed people from Pointe au Chien in 1960, noted that some “Houma” individuals “do not want to be distinguished from the local Whites, while others are most happy to be called Indians” (Fischer 1960). A schoolteacher at the elementary school in Pointe Aux Chênes, the “Cajun”

¹⁸ The French ancestry of the original founders of Pointe au Chien only rarely was Acadian, or “Cajun.” Their ancestry more often derived from individuals who came to the Louisiana colony from France (and other places) before the Acadian migrations. Descendants of the founders married a “Cajun” named Naquin, however, who had brothers and other relatives who did not have children by Indian women. Thus, non-Indian “Cajuns” also have this Naquin name and other names from marriages to non-Indians before 1880, often associated with the Houma.

settlement north of Pointe au Chien, noted in 1979 that when she distributed forms, pupils she considered Indian entered “White” as their race (Ledet 10/16/1979).¹⁹ The same Pointe au Chien resident identified himself as “Indian” in one social venue and as “White” in another. Pointe au Chien people could often enter White bars, restaurants, movie theaters, and other facilities, but the State assigned them to non-White prisons or hospitals before 1964 (Fischer 1965, 1968). Pointe au Chien residents were subject to discrimination based on a calculation that included their residence in Pointe au Chien (Arline Naquin 8/1/2005; Ledet 10/16/1979). This pattern of discrimination, especially from White neighbors living in Pointe Aux Chênes who could identify Indians based on residence in Pointe au Chien settlement and personal knowledge, provides some evidence of community before 1964.

Evidence of the Effects of Segregation on the Internal Social Processes of the Petitioner

Segregation significantly influenced the petitioner’s internal social and political organization. Indian descendants took actions as individuals and families to deal with discrimination. Their actions tended to make not only the larger “Houma” separate from African Americans, but also the lower bayou Indian settlements separate from each other (Underhill 1938; Speck 1943; David Billiot 4/7/1938). Pointe au Chien people avoided significant interaction with anyone they believed had African American ancestry, and did not go to bars, restaurants, schools, or other facilities for African Americans. In some cases, they refused to enter similar places set aside for Indians if Whites did not also go to them (Henry Bourgeois 1938). Denying Black ancestry, they avoided marriages with people they believed were of African descent, including many Indian descendants who lived on other bayous (Underhill 1938; David Billiot 4/7/1938). They discouraged marriage, school attendance, and other social interactions with residents of these other bayous (Wenceslaus Billiot and Deme Naquin 7/27/2005; Marlene Foret 7/28/2005; Sidney Gary Verdin 7/26/2005). Strategies to avoid discrimination affected not only one’s choice of residential location and migration, but also choices involving where one socialized, mate selection and marriage, school or church attendance, taking a stepfather’s name, and where to give birth (Fischer 8/14/1960b; Parenton and Pellegrin 1950; Anna Augustine Billiot 9/30/1979). These behaviors contributed to the social separation of Pointe au Chien from the groups of other Indian descendants, as well as of other races (David Billiot 4/7/1938). Because an individual’s actions reflected on their community, their extended family, and nuclear family, group members exerted significant social pressure on other group members to maintain distinctions between Pointe au Chien and some other Indian settlements (Sidney Gary Verdin 7/26/2005; W. Hooper 10/25/1977).

Settlement residents preferred to marry only persons of very similar ancestry to conserve their family’s social status. Second cousins were preferred marriage partners by many (Speck 1943; Sidney Gary Verdin 7/26/2005). Pointe au Chien views of race encouraged cousin marriages and settlement endogamy or out-marriage. Moving into White society and raising one’s children

¹⁹ Pointe aux Chênes is a White, “Cajun,” settlement about 5 to 7 miles north of Pointe au Chien. They are geographically and socially separate settlements on the same bayou. A few Indians from Pointe au Chien and Isle Jean Charles now live in Pointe aux Chênes, but did not live there before the 1970’s. Since the late 1960’s, children from the three settlements have attended elementary school at Pointe aux Chênes.

as Whites, which happened, had consequences for the individual's or family's relationship with the settlement, especially if it involved marrying a White person (Fischer 1965; Mary Lee Billiot Wisnowski *in* Elvira Molinere 7/26/1979). Specifically, several anthropologists noted in mid-century that marrying out meant moving out of a settlement. Since the 1960's, the governmental supports of discrimination have more or less fallen away. However, it is still rare to find persons whose families are traditionally associated with one line settlement living in another line settlement, and it is relatively rare to find marriages between Pointe au Chien members and people from distant bayous.

In summary, prior to 1964, individuals and governments discriminated against the residents of Pointe au Chien. In the case of discrimination before the mid-1960's, the petitioner's members were a subset of a larger group of people who were targeted for discrimination, but within that group they also asserted a distinct status, which Indian residents from other settlements within the larger group acknowledged. The combined effect of outside discrimination against the Pointe au Chien people as part of a larger ethnic grouping combined with the internal distinctions members of this larger grouping directed at each other produced a socially separate social group at Pointe au Chien before the mid-1960's and provides supporting evidence to meet criterion 83.7(b). That non-members, including other Indian descendants, government institutions, and public facilities, applied patterns of social distinction to Pointe au Chien provides some evidence for community from 1940 to the mid-1960's, and probably before that period.

Evidence of a Settlement Predominantly Inhabited by PACIT Members at Present

Some 210 members live full or part-time at residences located in Pointe au Chien. They represent 31 percent—less than a predominant portion—of the membership (n=682).²⁰ The settlement does not include most members, but the settlement consists mostly of members. The traditional location of the Indian settlement “above the cutoff” canal cross-cutting this bayou at the southern end of the current settlement on the east bank is almost exclusively PACIT even at present (43 out of 47 houses are headed by a PACIT member). PACIT members head 61 of 113 households in the settlement and non-member parents of PACIT children head 2 other households, meaning that 63, or 56 percent, of the households in the entire settlement have household heads who are either PACIT members or their non-member parents, and some 70 percent of these PACIT households are located within an exclusive PACIT neighborhood. Thus, although two-thirds of the membership does not live in this settlement, it is nevertheless, an important geographical focus of the entire PACIT membership and provides significant evidence for community at present (Charles Verdin 7/26/2005).

Whites and non-PACIT Indians also live in the settlement. Other Indians, mostly members of BCCM (IJC), but also persons presumably belonging to UHN, head 24, or 21 percent, of the

²⁰ In July 2005, the OFA anthropologist, accompanied by PACIT Chairman Charles Verdin, informally surveyed the Pointe au Chien settlement, and OFA researchers have since validated the information from other sources.

households. Members of PACIT, BCCM, and presumably UHN²¹ comprise 77 percent of the households located in the Pointe au Chien settlement. Only three or four east-bank households represent families which have joined either UHN or BCCM. Isolating the 87 households headed by a member of PACIT, BCCM, and UHN reveals that a PACIT member heads 73 percent, and a BCCM or UHN member heads 27 percent. Moving to the settlement in recent decades to avoid flooding, members of Isle Jean Charles (IJC), a BCCM subgroup, head almost all of the BCCM households. Most of the non-PACIT Indian households are located on the west bank, near the causeway to IJC, not intermixed with PACIT households. Non-Indian people head the remaining 23 percent of the households, primarily fishing camps. While Whites and Indians live in the settlement, they cluster in specific areas, as do PACIT and BCCM (IJC) members.

Residence of non-PACIT members in the settlement does not appear to affect social cohesion and processes of PACIT members living in and very near the settlement, nor interfere with the function of the settlement as a geographical and social center for members living there or elsewhere. The IJC people do not consider themselves Pointe au Chien people, and PACIT members identify them as a separate group as well (Theresa Billiot 8/1/2005; Patty Ferguson 8/2/2005). In contrast, PACIT members believe that the relatively small number of UHN members living in the Pointe au Chien settlement have long histories and connections to Pointe au Chien, but they have not joined PACIT because they either are disgruntled with its leaders or are receiving benefits or jobs from UHN (Eveline Verdin 7/26/2005; Albert Naquin and Ernest Dardar 7/27/2005). Members of extended families tended to join PACIT together and withdraw from UHN together. Four generations of a major Pointe au Chien family and a few other individuals who reside in the settlement and who are siblings or first cousins of PACIT members, did not enroll in PACIT and belong to UHN or BCCM. Even though an important family residing in Pointe au Chien has not joined PACIT, its importance and size is not so great as to make PACIT's membership unrepresentative of the actual Pointe au Chien community or to interfere with the function that the settlement serves to that community.

Some close relatives of socially important members do not belong to PACIT. Some of these non-member relatives are brothers and sisters of a return migrant. Because they left the community as children and oral history indicates that neither they nor many other out-migrants maintained social relationships with Pointe au Chien people, they are not part of the social community and appropriately are not members of PACIT (Emary and Laurencia Billiot 8/1/2005). That they are not members is evidence that PACIT's membership defines its actual community. The one exception is the inclusion of the family that appears to have its roots in Montegut. That family's ties to the PACIT community should be explained. Nevertheless, the petitioner represents a significant portion of its actual community, and it meets criterion 83.7(b) from 1940 to the present.

The petitioner's members have historically interacted with some Indian residents of nearby Isle Jean Charles and married spouses from that settlement who then lived in Pointe au Chien; however, these relationships were not so significant, widespread, or dense as the relationships

²¹ For purposes of this analysis, Indian descendants who are not known to be members of PACIT or BCCM, many of whom have UHN roll numbers dating before the UHN proposed finding, are presumed to be members of the UHN petitioner that will submit its final roll for its final determination.

that Pointe au Chien people have had with each other since 1900. There is some evidence that since 1970, marriages to people from other “Houma” settlements have not separated the couple from PACIT’s social networks as has occurred in the past. PACIT kinship ties with nearby Isle Jean Charles, traditionally part of their social environment, are more numerous than with more distant “Houma” settlements. Only since 1970 have marriages to Indian descendants from other settlements occurred and descendants of such couples have remained part of Pointe au Chien’s social networks.

In summary, a PACIT member appears to head 63 households (56 percent) of the Pointe au Chien settlement households. PACIT households are primarily on the eastern bank of the bayou, showing that the east-bank neighborhood is almost exclusive to the petitioner. This evidence, combined with evidence that one-third of the membership resides in the settlement, provides supporting evidence of community under section 83.7(b)(1) at present. Pointe au Chien settlement is a geographical core area where the membership meets and socializes. Nevertheless, it does not rise to the high level required in section 83.7(b)(2) because the PACIT members actually living at Pointe au Chien, particularly in the exclusive PACIT neighborhood on the east bank, represent less than 50 percent of the total membership.

Interaction between Non-resident and Resident PACIT Members

Residents of a geographical settlement, such as Pointe au Chien, presumably keep close relatives, who are non-residents, informed of news. Past acknowledgment evaluations have presumed that parents, children, or siblings (“first degree relatives”) of residents of a geographical settlement are part of the social group anchored by the geographical residence core. Approximately 31 percent of the PACIT members live full or part-time in the Pointe au Chien settlement. An additional 22 percent of members are non-resident children, parents, or siblings of a resident. The combination of residence pattern and kinship provides supporting evidence that a significant number of members (54 percent) have social relations through kin ties to Pointe au Chien settlement itself.

Additional evidence shows that a number of members who do not live in Pointe au Chien live in locales very close to the settlement and visit it regularly. PACIT members live in enclaves near Pointe Aux Chênes (5 percent), on Highway 665 (3 percent), and in Bourg on Aragon Road (8 percent of members). These areas and Pointe au Chien (60 percent of membership) are in ZIP code 70377. Another 6 percent live in the same 70377 zip code but not in these enclaves. Virtually all of these people live on or very near the termination of a ten-mile-long road connecting Pointe au Chien settlement to the Louisiana highway system. Most adult members living in that ZIP code grew up in the settlement. Those members born before 1960 typically grew up in the lower extremities of Bayou Pointe au Chien. These facts demonstrate that 66 percent of the membership could easily maintain continuing connections as part of a cohesive social core, residing in a specific area on the boundary between Terrebonne and Lafouche Parishes.

Not only was interaction possible but oral interviews and observation demonstrated that actual interaction does occur. Visiting and informal interactions among PACIT members and the

widespread and significant knowledge individual members have of each other shows that actual social interaction among members in and near Pointe au Chien settlement is common. Members living in cities and other states also display significant knowledge of events and activities in Pointe au Chien, reportedly gained through visits and contacts by phone with kin living there (Michelle Mathurne 7/30/2005). They are well connected to the 66 percent of the members living in and near the Pointe au Chien settlement, who form a social core. Interviews and observation revealed frequent social interaction at present, particularly among families of siblings and their descendants, but also among the members of the large four-generation extended families that characterize the group's social organization (Charles Verdin 7/26/2005; Emary Billiot 8/1/2005). Some of these families have more than 100 members living in the settlement and elsewhere. For PACIT's members, the settlement area is not merely a symbol of a shared past. It provides a shared identity and locus of activity in the present and continues to provide a place to meet, live, work, and interact (Theresa Billiot 8/1/2005). A significant percentage of members grew up in the settlement or spent time there as children. Non-resident members demonstrate comprehensive knowledge of the place and the people living there, showing that members hold significant personal knowledge about each other, based on close and continuous social interactions.

Virtually the entire membership can trace kin to many different family segments, as individual families, and their cousins, aunts, uncles, and collateral relatives have kin and affinal ties that cross-cut the membership. Interviews and observations provide other supporting evidence that people living nearby and relatives living in cities and other states have significant knowledge of, and numerous interactions with, the settlement's residents. Non-residents of the settlement choose to wed there, and large numbers of members attend such events. Word of a death quickly circulates through the membership, and individuals attend funerals of members who are not from their own family (Michelle Mathurne 7/30/2005; Patty Ferguson 8/2/2005). Most individuals can name the godparent/godchild of other members, and use the French terms in conversation when referring to a person's godparent in front of that person. This position is more than symbolic. Godparents, most often a parents' sibling or first cousin, have loaned their godchild money, helped them start a business or fishing enterprise, counseled and cared for them when orphaned.

Pointe au Chien and nearby environs form a cohesive social core, which includes the 66 percent of the membership living in and near it. Connected to this highly cohesive social core are many other members, some first-degree relatives of those living in the lower bayou, who live outside the southern parishes and outside Louisiana and visit regularly or use the settlement seasonally. The close relationship of virtually all PACIT members to the residents of Pointe au Chien settlement, their use of the settlement area, many others' close residential proximity to it, and actual evidence of interaction encompassing the membership provide sufficient evidence that the petitioner meets criterion 83.7(b) at present. Members residing outside of the lower bayous maintain social ties to the residents of the settlement area, where their parents and grandparents lived in 1950. These types of dense patterns of interaction have also characterized the community since 1940, according to oral histories and outside observers.

Evidence of Actual Interaction: *Noncs* and *Tantes*

Throughout the 20th century, but particularly before 1960, Pointe au Chien residents trapped, fished, and shrimped in small groups of close kin. Trapping records, censuses of households, biographical histories in interviews, or other sources contained many descriptions of named individuals working or living together (Vinet 1/4/1932; Breaux 1/6/1932; Duet 1/23/1932; Naquin 5/28/1958; Verdin 7/13/1993).²² A preference for second cousin marriage produced kin-based groupings of brothers with wives (often sisters) and in-laws, who were cousins (Anna Augustine Billiot 9/30/1979; Marie Dupre 8/6/1979). These sibling/cousin groups could break up and act in smaller groups or join under an older man, usually the brothers' father or grandfather (and the in-laws' uncle). He was called "*nonc*," literally "uncle," in the local French dialect. An extended family is comprised of several of these cousin/sibling task and work groups in every generation (Eveline Verdin 7/26/2005).

Important extended family heads in the settlement are still called "*nonc*." The term "*tante*," or "aunt," is applied to women. Members describe the "*noncs* and *tantes*" as influential persons in the settlement, and extend the term to heads of families who may not live in the settlement, but usually have land there. People in interviews and anthropologists report generally that family heads, elders, or "leading men" monitor social, economic, and political events. They appear to be referring to *noncs*. They represent their extended families in disputes and decision-making with other families. These kin-defined positions are the only leadership titles the group had before 1990. After 1990, the *noncs* were leaders of the group that broke away from UHN, and they continue to exert influence within PACIT's formal organization of elected officers and council members. Because political organization in this petitioner is embedded in the informal social organization mediated by kinship, the evidence and analysis for criteria 83.7(b) and 83.7(c) are highly interrelated. Even though the evidence of informal social organization and process may be sufficient to demonstrate PACIT meets 83.7(b) from 1940 to the present, more descriptions of specific evidence of informal social interactions that support political activities are required to demonstrate PACIT political authority and influence. (See discussion under criterion 83.7(c).)

Evidence of a Shared Language, Culture, Indian Identity, and Oral History

The acknowledgment regulations provide at section 83.7(b)(vii) that "cultural patterns" such as "language, kinship organization, or religious beliefs and practices," and other cultural phenomena may provide evidence in cases where "a significant portion of the group share" these cultural attributes, which differ "from those of the non-Indian populations with whom" the group's members interact. The Louisiana French dialect, like fiddle music, shrimping, the "two-step," and certain foods, is central to members' cultural identity. They used French in social events and public meetings. Virtually every PACIT member older than 30 speaks a dialect of

²² The UHN proposed finding found that there was some evidence after 1940 "that some people in the separate UHN settlements (not the [UHN] petitioner) in the lower bayous met on a daily basis, often worked together in task groups for fishing and trapping, socialized, maintained order and supported distinct institutions such as churches, schools, or dance halls."

“Cajun” French, indicating that until about 1970 individuals of all ages spoke it and learned it, probably in Pointe au Chien or in the nearby environs. Even today, according to one informant, “almost all people from Pointe au Chien speak the French language.” Children still living in the settlement and nearby speak French, but young people raised away from the settlement often do not speak it. Merely speaking Louisiana French, widely spoken in the parishes by persons of all backgrounds, does not distinguish the petitioner. The evidence does not show that French, while an important component of shared identity, defines a distinct community. Nevertheless, a videotape of a 1994 UHN meeting, which persons from every bayou attended, shows French competency used as a test of cultural authenticity. A Pointe au Chien *nonc* persisted in asking questions and making statements in French, which illustrated to the audience who in the UHN leadership spoke local French fluently and who did not. The audience reactions clearly showed they understood the *nonc*’s intent to show how acculturated the UHN leaders were, and influence his own followers by galvanizing peer group pressure. French language, or any other cultural attribute or knowledge, provides some evidence of community when someone uses it as a social tool to influence others informally or to signify social solidarity within PACIT, as in this example, but its use, alone, does not distinguish the petitioner from other persons not in PACIT, such as “Cajuns” at Pointe Aux Chênes, with the same cultural knowledge.

PACIT members share their historical views of the past with each other. These stories have helped define their common group identity for decades, as anthropologist Ann Fischer’s report revealed in 1960. The documented history of these views since 1930 indicates that PACIT members share a body of oral history dependant on continuous and close interactions. Shared viewpoints about their history energized the organization of PACIT in the 1990’s when a group of people supported trappers and shrimpers, born before 1950, whom a land company sued in 1991. The supporters—more than 100 Pointe au Chien people—visited the lower bayou area where ancestors had lived to 1960, and young people became interested in their older relatives’ views. Older people, particularly men who shrimp and fish, rather than young activists, led the movement to organize. The shared experiences of their ancestors were effective in creating social solidarity and joint action in this case. Evidence of shared culture provides some supporting evidence for criterion 83.7(b) from 1990 to the present.

Conclusions:

This amended proposed finding concludes the PACIT petitioner has not demonstrated that it meets the requirements of this criterion before 1830 because there is insufficient evidence that its historical members constituted a community before 1830. This finding concludes the PACIT petitioner meets this criterion between 1830 and 1940 on the basis of conclusions contained in the 1994 proposed finding on the UHN petitioner.²³ The UHN proposed finding concluded that one community met criterion 83.7(b) from 1830 to 1880 and that at least six separate

²³ The UHN proposed finding also contained several statements that certain claims had not been demonstrated “conclusively,” which is not the regulatory standard of proof. Despite these statements, it appears that the evaluation of the evidence in the record for the UHN proposed finding properly applied the “reasonable likelihood of the validity of the facts” standard (§83.6(d)). The reasonable likelihood standard is used in this amended proposed finding.

communities met the criterion from 1880 to 1940. This petitioner is one of those communities and therefore meets criterion 83.7(b) from 1830 to 1940. In addition, this amended proposed finding concludes that there is sufficient evidence that the petitioner meets criterion 83.7(b) from 1940 to the present, based on a combination of evidence.

Federal censuses and oral histories, combined with data extracted from genealogical databases, indicate that the families in the current membership descend through families that have lived continuously on Bayou Pointe au Chien since at least 1850. Nearly all members probably trace descent from the same founding Indian ancestors. According to the petitioner's submitted genealogies, most members descend from someone on the 1930 Federal census of the settlement or on a list of residents in 1950, compiled from eyewitnesses who are PACIT members. Played out in the context of racial segregation, a set of social practices (including cousin marriage, residence after marriage, and migration) created a social process in which lineage segments, families, and individuals who married out permanently left the Pointe au Chien community, but simultaneously the process retained, in every generation, other lineage segments, families, and their descendants. This process maintained significant continuity of certain core families and social solidarity among them. In the context of the social and cultural processes, which historically have resulted in the loss of many members from the settlement when they no longer were part of the social and political entity and the retention of those families that maintained social relationships, Pointe au Chien has been evolving as a cohesive community in every generation by detaching individuals who are no longer part of the group. This pattern continued and provides supporting evidence to demonstrate criterion 83.7(b) from 1940 to 1980. This process created dense, cross-cutting kin and social networks to 1980, and these established kin and social ties have continued to provide significant corroborating evidence for this criterion from 1980 to the present.

In addition, a third of the current members lives in close proximity to each other in Pointe au Chien settlement, comprised largely of PACIT members. Another third of the members lives nearby and regularly visits or uses the settlement, where they or their parents grew up. The geographical residential proximity of PACIT members and their extremely intertwined kinship connections support high levels of actual informal social interaction among members living in the lower bayous and elsewhere at present, as demonstrated by interviews, observations, and documentation.

Oral histories and outside observers have reported the existence of a closely knit community associated with Pointe au Chien settlement since before 1940. Evidence of distinct territorial areas occupied by the group have demonstrated that the petitioner meets criterion 83.7(b) from 1830 to 1940, and that evidence is corroborated by strong patterns of intermarriage within the group. Similar types of evidence of some marriage within the group through the 1970's and maintenance of an exclusive settlement area provides corroborating evidence to demonstrate the petitioner meets criterion 83.7(b) from 1940 to the present.

Documentation and oral history demonstrate that segregation by governments, schools, and churches applied to Pointe au Chien from before 1920 through 1963. The regulations require that for discrimination to provide evidence under 83.7(b), it must demonstrate "strong patterns of discrimination or other social distinctions by non-members." Institutionalized segregation

coming from outside the group directed at a larger ethnic grouping of “Houma” combined with internal discrimination the Indian descendants directed at each other created a socio-racial hierarchy, which separated Pointe au Chien from other Indian settlements and other races. Pointe au Chien maintained boundaries with certain other settlements primarily by avoiding interaction with them. Marriage and residence patterns demonstrate these avoidance practices maintained by the separate settlements and regions and seem to show that avoidance may have begun even before 1850. Segregation, as practiced in the lower bayous, provides corroborating evidence under criterion 83.7(b) from 1940 to 1970 because it discerns patterns of social distinctions directed toward PACIT by outsiders, including other Indian descendants, and also maintained by PACIT members and their ancestors.

The cultural practices of the group, including cuisine, long-term history, music, oral history, identity, and knowledge of a semi-subsistence lifestyle, although widely shared among the petitioner’s members, are not different from the culture of the local French-speaking population in general. Cultural knowledge, however, and various informal and kin based interactions, such as peer group pressure, gossip, shared systems of belief, and marriage and residence preferences were used to influence other PACIT members and to create social solidarity, which provides evidence under criterion 83.7(b) from 1940 to the present. These practices are discussed in relation to criterion 83.7(c). Symbolic expressions of identity, beliefs about their shared history and cultural authenticity were instrumental during the formation of PACIT in the 1990’s.

From 1940 to the present, proximity and multiple kin ties combined to make the settlement socially cohesive. Customary sharing, mutual aid, community-wide socializing, and other informal social activities supported close relationships that families developed over generations. Information quickly dispersed among members and families, indicating that conversation was common. Written reports of researchers and missionaries described generally the residents’ close relationships, but available documentary information only sometimes describes specific situations, which are sometimes discussed in interviews. Nevertheless, the combined evidence of an exclusive settlement area, segregation and discrimination, multiple ties of kinship and marriage, the process of losing and retaining specific families, and general descriptions of informal social interaction provide sufficient evidence that the petitioner meets criterion 83.7(b) from 1940 to the present.

There is sufficient evidence that PACIT meets community from 1830 to 1940 on the basis of the UHN proposed finding, first as part of “Houma” and then as a separate settlement. This amended proposed finding concludes that there is sufficient evidence of community from 1940 to the present. There is insufficient evidence of community before 1830. Therefore, based on the evidence in the record at this time, the petitioner does not meet the requirements of criterion 83.7(b).

Criterion 83.7(c)

83.7(c) The petitioner has maintained political influence or authority over its members as an autonomous entity from historical times until the present.

83.1 *Political influence or authority* means a tribal council, leadership, internal process or other mechanism which the group has used as a means of influencing or controlling the behavior of its members in significant respects, and/or making decisions for the group which substantially affect its members, and/or representing the group in dealing with outsiders in matters of consequence. This process is to be understood in the context of the history, culture and social organization of the group.

This amended proposed finding concludes the PACIT petitioner has not demonstrated that it meets the requirements of this criterion because there is insufficient evidence that it maintained political influence over its historical ancestors before 1830. This finding concludes the PACIT petitioner meets this criterion between 1830 and 1940 on the basis of the conclusions contained in the 1994 proposed finding on the UHN petitioner. For the period since 1940, the evidence available for this amended proposed finding is sufficient to demonstrate that the petitioner meets this criterion only since 1988. Because the evidence in the record is insufficient to show that the petitioning group has maintained political influence over group members from historical times to the present, the petitioner has not demonstrated that it meets the requirements of this criterion.

A review of the previous UHN proposed finding reveals that this amended proposed finding must consider this criterion for the PACIT petitioner for the chronological periods before 1830 and after 1940. Because the proposed finding on the UHN petitioner reached conclusions that separate settlements met this criterion during certain periods, and such a settlement is associated with the current PACIT petitioner, this amended proposed finding does not need to reconsider those conclusions.

The UHN proposed finding concluded that the UHN petitioner did not meet this criterion because there was insufficient evidence that the petitioning group exercised political influence over the members of a group prior to 1830. Therefore, the PACIT petitioner needed to demonstrate that it maintained political influence over its historical members before 1830. The evidence in the record is insufficient to demonstrate political influence or authority before 1830.

The UHN proposed finding concluded that separate settlements met this criterion between 1830 and 1940, originally as part of a single ancestral community between 1830 and 1880 and then between 1880 and 1940 as separate settlements that evolved out of the earlier community. The UHN proposed finding concluded that both the single group between 1830 and 1880 and the separate settlements between 1880 and 1940 met the provisions of section 83.7(b)(2)(i). Because

this petitioner is one of those settlements, those conclusions provide sufficient evidence for this petitioner to meet this criterion for the same time period.²⁴

The UHN proposed finding did not reach conclusions for this criterion for the separate settlements during the period after 1940. Therefore, the PACIT petitioner needed to demonstrate that it maintains political influence over its members, and maintained political influence over its previous members, during that period. The evidence in the record is sufficient to demonstrate the PACIT petitioner meets the requirements of this criterion during this period only since the late 1980's.

Before 1830

The PACIT petitioner identifies no leaders of its group or a predecessor entity prior to 1850, and does not explicitly identify an antecedent group that exercised political influence over its ancestors prior to their settlement at Pointe au Chien. By naming historical leaders only after 1830 and beginning the "timeline" of its settlement after 1830, the PACIT petitioner does not address the issue of its political influence or the political influence of an antecedent group before 1830 (PACIT 4/15/2005, Leaders; PACIT 4/15/2005, Timeline).

Assertions of political leadership among the ancestral "Houma" population or Indians of Terrebonne Parish prior to the mid-19th century are found only in recollections of informants and oral history interviews, not in contemporaneous accounts. Ethnologist John Swanton reported that one of his informants referred to her grandfather, likely Houma Courteau who died by 1844, as a "Biloxi medal chief" (Swanton 1911, 292; Swanton n.d., MS 4201). Ruth Underhill and Frank Speck also acquired statements from informants who named historical "chiefs" (Underhill 10/22/1938; Speck 1941a, 11). The evidence in the record relating to political influence or authority among the petitioner's ancestors for this period is limited mostly to oral history attributions of leadership to historical individuals who were not known by the interviewees.²⁵ These informants and oral histories exhibited no consensus among individuals claiming Indian descent as to who may have been their historical "chiefs" or leaders. These accounts provided no examples before 1830 of the exercise of political influence by any historical leaders over any group of the petitioner's ancestors. Although some interviewees considered Rosalie Courteau to have been an important historical figure during the 19th century, the evidence is insufficient to show that she was a group leader rather than the head of a family

²⁴ This amended proposed finding considers the Pointe au Chien settlement to be one of "at least six component settlements" of the "Houma" mentioned in the UHN proposed finding that met this criterion from 1880 to 1940 although it was not one of the six settlements explicitly listed in that finding's statement of that conclusion (*UHN PF*, 17). The UHN proposed finding elsewhere referred to the six settlements mentioned by Swanton and his list included "Lower Point au Chien" (*UHN PF*, 13). In addition, that finding's supporting Anthropological Report provided a list of six settlements that included "Bayou au Chien" (*UHN PF*, AR, 7).

²⁵ Cy. Billiot 7/26/1978, 1, and 1/23/1981, 1; L. Dardar 12/17/1978, 2; Ch. Billiot 1/5/1979, 1, 2, and 9/5/1927; A.E. Billiot 4/24/1979, 1.

with presumed influence over her family members or to have exercised any political influence prior to 1830.²⁶

The UHN proposed finding noted that no community had been shown to exist before 1830 within which political influence could be exercised, and that deficiency remains for this amended proposed finding. The petitioner's submission is insufficient to show that before 1830 it maintained political influence as a group over its historical members, and the evidence in the record is insufficient to demonstrate that any group composed of historical members of the petitioning group maintained political influence over such members in Terrebonne Parish or elsewhere prior to 1830. Thus, there is an absence of evidence to demonstrate political influence over the members of a group prior to 1830.

1830-1940

The PACIT petitioner submitted a list of its claimed historical leaders since the 1850's (PACIT 4/15/2005, Leaders). For the 1850's and 1860's, the petitioner lists only Alexandre and Celestin Billiot as its leaders. It lists at least four men as leaders in the 1880's and every subsequent decade. The petitioner indicates, with this list of its claimed leaders, that it has had a form of informal collective leadership, at least from about 1880 until the adoption of a formal governing body in 1993. The petitioner states that "[k]inship relations have traditionally governed the Pointe-au-Chien Indian Community" (PACIT 4/15/2005, Community, 5).

The bases of the conclusions of the UHN proposed finding provide the PACIT petitioner with evidence sufficient to meet this criterion between 1830 and 1940 under the provisions of section 83.7(c)(3). Under that section, a finding that a petitioner meets the requirements of section 83.7(b)(2) is considered to provide sufficient evidence the petitioner meets criterion 83.7(c) for the same time period. The UHN proposed finding concluded that an exclusive settlement on Bayou Terrebonne met the requirements of section 83.7(b)(2)(i) between 1830 and 1880 and that at least six exclusive settlements that evolved out of the earlier community individually met the requirements of section 83.7(b)(2)(i) between 1880 and 1940. The petitioner's narrative of the origins of its settlement, however, does not adopt the explanation of the UHN proposed finding that its settlement evolved out of an earlier community that maintained political influence over its members between 1830 and 1880.²⁷ This amended proposed finding concludes on the basis of the UHN proposed finding and the provisions of section 83.7(c)(3) that the PACIT petitioner, which is one of the separate settlements and a successor to the antecedent settlement, meets the requirements of this criterion from 1830 to 1940.

²⁶ The UHN proposed finding discussed her political influence after 1840 and concluded that it did not extend beyond Bayou Terrebonne (*UHN PF*, 18-19).

²⁷ The petitioner has the option of presenting an alternative explanation to the UHN finding adopted here of how it maintained the political influence of a predecessor community.

Evidence of Informal Political Influence: 1940 to the Present

No observers or eyewitness accounts from members of the group or outsiders report that Pointe au Chien maintained a formal political organization with named leaders, a council, or other central leadership before 1996. Instead, close social relationships supported informal, kin-based political influence and authority as the group dealt with important issues. Local government processes available to Whites were not available to Pointe au Chien Indians, thereby limiting the opportunity for more visible and documentable leaders and political activities. The local parishes, the jurisdictional equivalent to counties in other states, and Louisiana subjected them to racial segregation, which was especially intense between 1920 and 1963. By the 1930's, ancestors of PACIT had lost free use of State lands, because the State sold large portions of the wetlands PACIT used to corporate owners. In later decades, individuals, groups of heirs, and families lost ownership of lower bayou lands through tax sales. General trends affected the entire group, not just individual or family landowners. Attempts to alleviate problems generally directly involved the informal influence and authority of family heads and others within their large extended families,²⁸ but indirectly encompassed the entire community, as the family responses of out-migration, out-marriage, and actions to preserve a family's racial status affected the community's composition and patterns of interaction. Within this social context, the political authority of the group rested on informal kinship and social relationships.

The regulations do not require petitioners to have a formal political organization in the past or at present. However, demonstrating the existence of informal political activity during historical periods in the absence of formal organization may be more difficult than demonstrating formal organization, especially in the case of a group with low literacy rates. Recent oral histories may be unreliable for periods before 1940, as individuals report what they have heard from others and not what they themselves witnessed. Between 1940 and the present, however, living individuals can provide oral histories, which documentation can sometimes support. Oral history and documentation available from 1940 to the present, taken in context, demonstrate that the petitioner has submitted sufficient evidence to demonstrate it meets criterion 83.7(b) during this period, but it is not sufficient to show it meets criterion 83.7(c) during part (1940–1988) of the same period. There is a possibility that an intense program of oral history collection aimed at describing internal community affairs, supported by documentation such as newspapers and land documents, court depositions, and police reports drawn primarily from the local parish and state records, could likely demonstrate the petitioner meets criterion 83.7(c) since 1940. The petitioner did not, however, submit these materials and the available oral history and documentary information is too thin at this time to find sufficient evidence to demonstrate it meets criterion 83.7(c) between 1940 and 1988. After 1988, both oral histories and documentation are sufficient to demonstrate the petitioner meets criterion 83.7(c).

Section 83.6 of the 1994 amendments to the regulations clarified that evaluations should take into consideration the nature and limitations of the historical record. Historical informal political

²⁸ Four or five generations of related families, descending from an influential and respected man, or after his death, from influential brothers or cousins, whose authority the family members accepted comprised some extended family groupings. These extended families sometimes had more than 100 members from related nuclear families, who had many diverse kin and affinal relationships to other extended families within the PACIT membership.

organization is often difficult to document. It is likely that records of activities were not maintained. The evaluation acknowledges that the lack of a formal organization and lack of membership and other lists, high rates of illiteracy, isolation, segregation, racism, and a hostile political environment from the late 1880's to 1963 may affect the kinds of documentary records available. Frank Speck acknowledged that the population statistics reported by Ruth Underhill in 1938 and obtained from the local authorities were wrong, and "the discrepancy between" the estimates could be traced to "the circumstances that the county authorities, not being interested in the Indian population, and manifestly adverse to their recognition, have enumerated them only by casual estimate. My impression is that the number has been arbitrarily belittled."

Political activities dealing with outside institutions were sometimes hidden from view of authorities who were hostile to it. In the 1940's David Billiot wrote that Indian men in jails were "beaten like dogs." In 1963, a civil rights worker was told that Pointe au Chien did not participate in a meeting because they were "afraid" and a sheriff's deputy had scared one of the Indian civil rights organizers. A priest said that Indians were attacked when they attended a church social event in the 1940's at his invitation. Underhill reported that the superintendent of schools in Terrebonne Parish warned her not to attempt to "make a change," in the segregated system, because "[p]eople here felt so strongly that it could lead to bloodshed."

Nevertheless, researchers should continue to try to locate records, without regard to potentially embarrassing or derogatory statements in them, which may reveal important facts that could strengthen evidence demonstrating the Pointe au Chien community's political authority.²⁹ The petitioner should consider making these records, should they locate them, available during the evaluation for the final determination. Nevertheless, detailed oral histories with individuals, whether group members or others, including other Indians, "Cajun" neighbors in Pointe Aux Chênes, cattlemen, oilmen, traders, and fur buyers, about what they witnessed concerning Pointe au Chien people should provide evidence on the informal political organization of the petitioner.

The available record for PACIT rarely documents directly, but often implies, political authority and influence among the families residing in Pointe au Chien settlement. Anthropologists and others have reported, but only generally, that the heads, or "*noncs*," of two or three extended families or of a larger group of families sometimes met or consulted among themselves on an ad hoc basis to deal with a specific issue or dispute that involved their families directly. The *noncs* of other families did not participate in consultations that only indirectly involved their own families, even though it was in the interest of the entire group to maintain order and resolve conflicts or make important decisions. In other acknowledgment cases, such implied evidence has been accepted for the 19th and early 20th century when oral history is unavailable and the written record is thin. However, petitioners are expected to provide available evidence when possible. In this case, living individuals can provide eyewitness accounts of internal political activities for the period between 1940 and 1988. Therefore, the lack of such evidence is a

²⁹ It is important that researchers maintain a record of where they looked for information, whether they found relevant documents or not. For example, considering the problems the school system encountered in applying segregation to the Indian population, there were references in other records to meetings between Federal and local school officials, and one would assume the topic was sometimes discussed or written about by board members and employees.

critical deficiency. A council-style government is not required by the regulations. However, more specific details and descriptions of actual events, disagreements, disputes, and actions drawing together groups of named *noncs*, between 1940 and 1988, and the effect of such consultations on the behavior of community members, would most likely strengthen the petitioner's evidence under criterion 83.7(c).

Political processes in Pointe au Chien settlement were informal and kin based even before 1940.³⁰ Evidence implies that elders, the *noncs*, decided who could live in the settlements, marry, and use resources nearby. They organized task groups. Informal social controls, such as peer pressure and gossip, enforced their decisions (Theresa Billiot 8/1/2005; Wickliffe Verdin 3/5/2005). Within the hostile social climate of the segregated parishes, the Pointe au Chien Indians, on occasion, acted as a unified group, as most residents of the settlement took the same action to deal with an issue affecting the larger group (Bourgeois 1938; Theresa Billiot 8/1/2005; Sidney Gary Verdin 7/26/2005). For example, the group members persistently refused to attend non-White public schools until they were admitted to the Lafourche Parish schools around 1960. These actions appeared to occur without named leaders or council, public discussions, and transparent decision-making. However, that many families took similar action implies that the settlement's residents acted together.

Before government-sponsored segregation ended about 1963, parish society was racially stratified. A White racial elite controlled public and religious institutions and the economy. Political mechanisms available to White citizens were generally not available to Pointe au Chien Indians. Discrimination, isolation, lack of education, and poverty blocked non-Whites' participation in parish decision-making. Before 1970, Pointe au Chien residents sought to improve their own status either by protecting their relative position in the stratified social order or by moving as an individual from a lower status group to a higher status group through out-marriage or migration to areas where they did not encounter discrimination. The available evidence provides no indication that named leaders confronted segregation on behalf of the group. They used informal social organization and control to induce family and community members not to take any action that would jeopardize others who wanted to advance their own families' prospects (Wickliffe Verdin 3/5/2005). Social pressures maintained compliance to customs of marriage, residence, and behavior within settlements and ensured that no residents lowered the group's reputation by interacting with persons believed to have Black ancestry, some of whom were Indian descendants living in other settlement areas. Prior to 1963, Pointe au Chien people refused to attend public schools with African Americans and persistently sought admittance to "all-White" schools (Arline Naquin 8/1/2005; Ledet 10/16/1979). Some evidence indicates that some Pointe au Chien Indians refused to attend Indian schools, usually missionary run, which did not also enroll White pupils. Little evidence in the record discussed specific

³⁰ The UHN proposed finding stated that "from 1930 to 1940, there is some evidence for the exercise of leadership within the satellite settlements on a limited number of issues, such as refusing to attend segregated schools established for Black children, as required by Louisiana laws, and lobbying the Federal and State Governments to establish separate Indian schools for UHN children. This is some evidence for the existence of ad hoc leaders between 1930 and 1940. Studies performed by the Federal Office of Indian Affairs in the 1930's indicated that at that time, such leadership as existed was exerted by heads of extended families, but no examples were provided" (UHN PF, 21).

actions of residents of Pointe au Chien and described specific acts of compliance to the expectations of the group.

Between 1940 and 1963, Pointe au Chien residents who were parents of children in schools met to discuss taking community action to support integration, usually organized by outsiders. In 1948, Pointe au Chien may have compelled Lafourche Bayou to pay to run a separate Indian school on the west bank in Terrebonne Parish. Children from both sides of the bayou (both parishes) attended it. Yet, the record contains little specific information about political activities in Pointe au Chien involving segregation, even though witnesses are still alive. The petitioner did not submit evidence to show how the group decided which schools to attend, if and when to boycott schools, how to arrange for transportation to the high school in Lafourche Parish when it opened to them in the 1950's, and how the group ensured compliance to group expectations. The group does not need to demonstrate they had centralized authority to act together as a group to meet criterion 83.7(c). Informal political influence, involving discussions among family heads, combined with pressures within families and other informal pressures can result in group decision-making and action. The petitioner needs to submit specific information about the informal political activities of Pointe au Chien people to deal with segregation, including informal discussions, elders and others exerting influence, or treatment of individuals who strayed from the informal expectations of the group.

The existence of a Pointe au Chien settlement, with exclusive neighborhoods and areas inhabited by Indians who were closely related to one another, provides context in weighing evidence of informal and kin-based political activity. Outside the lower bayous, Indian descendants who moved away in family groups or individuals who married outsiders and moved on their own from Pointe au Chien settlement found other parishes treated them as Whites. Unless an out-migrant's child and a lower bayou resident married, the out-migrant family soon separated permanently from the lower bayous. Residential proximity and dense networks of kin facilitated political influence and authority. The settlement's sphere of social and political influence no longer included these out-migrants within a generation of their leaving. Between 1920 and 1965, when segregation was most intense, the out-migrants stopped visiting the lower bayous as soon as seven or ten years after leaving, according to oral histories. These out-migrants and their descendants are rarely enrolled in PACIT, and the lack of social and political connection between them and PACIT members is not an issue because they are generally not part of the petitioner's membership. Taking into consideration the evolving nature of the Pointe au Chien community, it is not necessary to account for the individuals who left historically and cut ties to Pointe au Chien.

The only political title or position before PACIT organized in 1996 was *nonc*, an extended family head (Patty Ferguson 8/2/2005; Michelle Matherne 8/2/2005). An interviewee maintained that leadership was associated with control of property and wealth. A man acquired authority if he was prosperous, influenced decisions about property use, and was old. An example from an interview of the *nonc*'s role concerned the steps a young person took to establish a household. He would ask permission from the most esteemed household head, the *nonc*, among the heirs of the property. The *nonc* then talked to the lesser household heads in the family and decided whether to give or withhold permission (Theresa Billiot 7/19/2005). This description of a *nonc*'s actions, like most other descriptions, pertains to a large extended family.

Such a process is acceptable evidence under 83.7(c) but needs to be documented with specific examples.

Tulane anthropologist Ann Fischer did field work at Pointe au Chien. In the 1960's she noted a council-like grouping of men communicating with one another to influence the community's responses to segregation and land loss, to resolve inter-family disputes, and to maintain order (Fischer 1960; 1965). Sometimes, a priest, civil rights worker, school official, or a missionary described convening groups in other "Houma" settlements, apparently *noncs*, but other times parents, to discuss community issues, especially education (Louis Trosclair 6/20/1978; Bourgeois 1938; Bezou 8/20/1979). The petitioner needs to submit more evidence of actual situations showing *noncs* exercising informal authority and leading consultations within families and settlements.³¹ One undated example of dispute resolution concerns a man attempting to build on Pointe au Chien property without first obtaining permission from the *nonc* controlling the land, probably in the 1970's or early 1980's. The *nonc* felt the young man's action violated his family's rights. The *nonc* visited the young man's father, also described as a *nonc*, and they cooperated to resolve the problem (Theresa Billiot 7/29/2005). Seemingly, only *noncs* with a direct interest in the decision met. The record contains very little other evidence from specific situations showing how *noncs* cooperated. No descriptions exist for Pointe au Chien as found for another bayou, where two oral histories describe in detail the anger of *noncs* at a man who circumvented their authority to deal directly with younger household heads concerning school integration in the 1960's (Reginald Billiot 7/31/2005; Marlene Foret 7/28/2005). Even though people claimed the *noncs*' influence shaped behavior of all the families so that Pointe au Chien acted together, little specific direct evidence demonstrates those claims before 1988.

Fisher wrote in the early 1960's that no single person or council represented the group (Fischer 1965). She described fluctuating groupings of "elders," who coalesced around specific issues as they arose—schooling, trapping, land tenure—and then separated as the issue lost importance or people gave up. She observed that outside organizations preferred to deal with a single named leader, rather than an amorphous and changing assemblage of "elders" and "family heads." The informal and family-based character of *nonc* influence and authority, which made it difficult for outsiders to identify responsible leaders, may have been a response to the intimidating racial environment, a conclusion supported in part by the almost immediate public assertion of leadership and centralized organization on other bayous after segregation ended in 1965. In 1988, evidence in the record begins to reveal concerted action by a relatively large group of ten *noncs* for Pointe au Chien (U.S. District Court 7/27/1994; U.S. District Court 4/17/1995). Their joint participation in a land trespass case, their countersuit and non-intercourse claim, and their simultaneous criticism of the United Houma Nation (UHN)'s handling of funds and governance

³¹ The UHN proposed finding noted "no examples were provided" of actual political influence by elders. Although there is some evidence in the record concerning the *noncs*' activities at PACIT, the petitioner needs to submit more interviews and corroborating documents to explain how the *noncs* cooperated in dealing with specific disputes (detailing dates, places, names of persons, and processes of communication). The UHN proposed finding discussed the evidence for *noncs* and *tantes* organizing work crews and dealing with issues of order and punishment, but this evidence was drawn from oral histories and unsupported by corroborating documentation. Generally, anthropologists doing research in the lower bayou communities between the 1930's and 1960's discussed the *noncs*, calling them "family heads," or "leading men," as did priests and missionaries before and during that period, but their discussions were very general (Fischer 1965; Speck 1943; Parenton and Pellegrin 1950).

eventually led to the separation of approximately 400 people from UHN to form the PACIT petitioner in 1996.

Women's responsibilities in traditional trapping camps and their purported role in mediating educational choices in the past demonstrate that women furthered their own families' interests and imply that they may have advanced, or hindered, common group goals, particularly actions that maintained order and encouraged cooperation. The French term "*tante*," literally "aunt," applies to women. Although women, or *tantes*, were sometimes mentioned as if they were female *noncs*, their role is ambiguous. Recently, an older woman, who purportedly disagreed with the *noncs*, convinced her family to enroll in the BCCM petitioner (Isle de Jean Charles subgroup) rather than PACIT (Charles Verdin 7/26/2005). This woman influenced her extended family, but she was not able to convince other families to join her, especially in bucking the authority of at least ten *noncs*, who strongly supported the establishment of PACIT. The petitioner, while stressing the importance of *noncs*, seems not to have analyzed the political role of women, even though interviews reveal women influenced extended family members making the decision to leave the settlement permanently, dealt with education, and maintained peace and stability within extended families. Between 1948 and 1963, a woman and current councilwoman, Arline Naquin, was prominent in dealing with parish governments to enhance the education of the settlement's children. Her actions and contacts within the petitioner should be documented and analyzed.

Before 1930, trappers from Pointe au Chien and neighboring settlements respected the customary rights of other families to trap on specific pieces of State lands, according to oral history taken in the late 1970's (Anna Augustine Billiot 9/30/1979; Marie Dupre 8/6/1979). Customary informal rules became moot, however, when oil and gas companies bought large areas of wetlands, created a survey that left the Indians their homes in "the front," and then methodically paid Pointe au Chien people to sign quitclaims for the wetlands in "the back" (Carlton 1/26/1932; Fischer 1960; Voisin 1/27/1994; Underhill 10/25/1938). In one 1930's case, family members burned the camp of a person who had signed a quitclaim (Wickcliffe Verdin 2005). Documents describe individual family *noncs* reaching out on behalf of their extended families to enlist the aid of attorneys, anthropologists, and government officials between 1930 and 1960 (Fischer 1960; David Billiot 10/6/1938, 4/7/1938, 5/24/1948). The families seemed to act alone and there is little evidence of collaboration among *noncs* or extended families to deal with the problem of all their lands together. Nevertheless, during several periods in the 1920's, 1930's, 1950's, and 1990's many trappers took many small actions, which seemed to protest blocked access to wetlands and are now presented by PACIT *noncs* and members as if they were protests; however, the petitioner needs to submit evidence to show a group representing Pointe au Chien working collaboratively on behalf of an entity larger than individual extended families before the 1990's (Vinet 1/14/1932; U.S. District Court 11/23/1933; LL&E 12/15/1932; Fischer 1960; Theresa Billiot 8/1/2005; Voisin 6/21/1995).

During the Great Depression, the Pointe au Chien family and in-laws of Joseph Verdin and his son Sidney Arceline Verdin continued to run trap lines in their customary places, which had become private. When officials sued them in 1931, alleging a "conspiracy," they hired an attorney and denied allegations of a conspiracy. Since at least 1932, current PACIT members, their parents, and their grandparents have trespassed persistently on corporately owned wetlands

(Voisin 6/21/1995). Individuals and extended families, like the Verdin family, objected repeatedly to private owners building fences and canals, entered lands owned by others, and sabotaged them by blocking canals or springing traps (Sidney Gary Verdin 7/26/2005; Voisin 6/21/1995; Theresa Billiot 8/1/2005). Evidence does not show an entity larger than a family sponsoring these activities until 1988, when Sidney Arceline Verdin's son, Gary Verdin, was sued for trespassing (Sidney Gary Verdin 7/26/2005). Since that suit was brought, a cohesive group of Pointe au Chien *noncs* have presented the trappers' actions beginning in the early 1930's as political resistance or civil disobedience to unite PACIT members under a common ideology, but more specific evidence to demonstrate group action is needed (Sidney Gary Verdin 1995; Emary Billiot 8/1/2005; Wickliffe Verdin 2005).

In the 1930's at Bayou Lafourche, anthropologist Frank Speck interviewed David Billiot who reportedly lived at Pointe au Chien during his youth, and noted that the "Houma" were without "headman or council." Speck believed the lack of a council hindered the group's dealings with outside organizations. But Speck posited that "local band affinity and cooperation among the families who trap and fish on the same bayous," and the "bond of kinship" provided a way to deal with the group as "a unit" (Speck 1943). Ann Fischer, concerned with finding a way for the Indian descendants to deal with outsiders, also viewed kinship as an organizing principle in the 1950's and 1960's. "Even the Houma themselves," she wrote, "do not behave in a manner in accord with some group ideal, for Houma group cohesiveness is based on ramifying kinship ties [ties which branch and extend to include close and distant kin] rather than on central group ties" (Fischer 1968). Like Speck, she found allegiance to a central leadership, "chief," or council was absent. Nevertheless, kin ties, Fischer noted, organized interactions within communities, maintained peaceful relationships among families, and provided structure within large extended families, but they did not organize people or settlements to deal with the problems of the larger group of "Houma." Such organization had limitations. For example, sometime in the 1980's or 1990's, a man blocked a canal and interfered with the order in which boats could leave Pointe au Chien settlement. After several days of argument and negotiation, men began shooting guns across the bayou (Eveline Verdin 7/26/2005; Arline Naquin 8/1/2005). This case seems to indicate that influence of *noncs* was sometimes limited.³² Law enforcement was called in. Specific descriptions of this and similar disputes are not in the record but may provide evidence to demonstrate political influence or authority.

Informal modes of social control probably worked to bring about political action because the residents of Pointe au Chien knew each other well, were kin and close neighbors, and felt obligated to one another, but the petitioner has not yet submitted sufficient evidence to demonstrate informal political actions. The actual political process involved many separate pressures and influences circulating throughout the settlement's population before action occurred. Usually, only the result of the political processes is in evidence. Shared beliefs, about the obligations of kin, in-laws, and neighbors, shaped behavior. Interviews refer to informal social and political controls such as gossip, manipulation of information, peer-group pressure, snubbing, economic pressure (such as raising rents or making a rental property unavailable),

³² The men involved may have been brothers, whose father, an influential *nonc*, had recently died. The current members of PACIT generally supported a man who is central in its leadership because the other man "tried to be the boss of everyone." The other man is apparently not a PACIT member.

withholding services, and joking. These modes of social control work when people know each other well and interact often, as in the kin-based and almost exclusively Indian settlement at Pointe au Chien.

Despite shared ancestry, Pointe au Chien residents tended to avoid interaction with many Indian descendants living on other bayous. Evidence reveals that Indian residents living in the same lower bayou settlement sometimes came together on an ad hoc basis, but very rarely joined with residents of other settlements in political activities before the creation of formal inter-bayou organizations in the mid-1970's. Some evidence shows that residents of separate bayous denied each other's claims of Indian identity and leadership of the larger "Houma" group. The strength of political ties reflected geographical and social distances defined by kinship and residence, so that those most closely related and living in the same settlement were most likely to take concerted action, and those most distantly related and living dispersed among settlements were least likely to take joint action.

Oral histories indicate that *noncs* and others objected when some men tried to establish organizations larger than extended families and claim leadership of inter-bayou organizations from the 1950's to the present (Tom Dion 1/23/1981; Griggs 7/29/1993). These denials of others' claims to leadership appear to have hamstrung attempts to take inter-bayou political action but provide some evidence of political authority at the settlement level. The record contains the correspondence to Federal officials and anthropologists of David Billiot and Charles Billiot (only distantly related) in the 1930's and 1940's (David Billiot 5/24/1938; Charles Billiot 1939b; 8/14/1940; 12/3/1941). The record lacks evidence that shows on whose behalf either man worked and how they interacted with Pointe au Chien (Elvira Molinere 7/26/1979; Marie Dupre 8/6/1979). The available evidence, although thin, focused primarily on these men's interactions with outsiders, rather than their consultations with individual settlements. There is little evidence in the record that Pointe au Chien approved or disapproved of their activities.

Evidence sometimes demonstrated that in the 1950's and 1960's a few purported leaders from communities other than Pointe au Chien, especially Tom Dion in the western bayous (Grand Caillou and perhaps other locations) and Frank Naquin in the eastern bayous (Isle Jean Charles and Bayou Lafourche), consulted with people they claimed to represent, and, in turn, the group influenced the leaders' actions. The record contains no evidence that either man consulted people in Pointe au Chien or that they were involved in these activities. Pointe au Chien did not participate in the Margie Naquin integration case in 1962-63, even though the organizers attempted to bring them into it. The petitioner needs to clarify whether anyone in PACIT worked with Frank Naquin on claims and why no Pointe au Chien person became involved in integration litigation. If decisions were made not to participate on these or other issues, the petitioner needs to discuss the decision-making processes as even a decision against participation is evidence of political influence or authority.

The lower bayous had no tradition of formal political organization before 1974. Only after 1974 is there evidence that Pointe au Chien people were involved in inter-bayou political organizations. Long-term inter-bayou conflicts led to the formation of two organizations, the Houma Indian Tribe, serving the eastern bayous, and the Houma Alliance catering to the western bayous, in the mid-1970's. These organizations introduced formal meetings, incorporation, and

elections of leaders and council members. PACIT members did not appear on the membership list of the Houma Alliance. After the initial controversial start-up period, members of these organizations did not attend meetings in significant numbers and little evidence shows members' participating in events sponsored by these organizations. In addition to the east-west division of the larger "Houma" population, other conflicts were articulated, including the urban migrants versus the lower bayou residents, the better educated versus the lesser educated, and the "haves" versus the "have-nots." These two regionally based organizations united as UHN in 1980 ostensibly for the sake of Federal acknowledgment. From 1980 to 1994, most PACIT members were members of UHN, a current acknowledgment petitioner originally claiming more than 17,000 members, but oral histories maintain that PACIT members rarely participated in that organization and the petitioner did not submit documentation showing participation as a group. Although UHN maintained regional representation on its board and held meetings in the various locations where members lived, including Pointe au Chien, most PACIT members and their close kin now claim they did not benefit directly from UHN activities (Sidney Gary Verdin 7/26/2005; Emary Billiot 8/1/2005). They also claim that a small group controlled UHN, a topic the UHN proposed finding also discussed.

Evidence of the Development of Formal Political Organizations after 1988

Between 1988 and 1992 a group of PACIT's *noncs* became demonstrably politicized over two major issues. In 1988, a corporate landowner sued Sidney Arceline Verdin's son Gary Verdin for trespassing. This trespass case led to a later non-intercourse claim. In 1992, allegations of misuse of Hurricane Andrew funds by UHN caught their attention and eventually led to the founding of PACIT. Although Steve Cheramie, a man from suburban New Orleans, provided encouragement, this movement was not led by young activists. The elders, the Pointe au Chien *noncs*, galvanized the younger population. More than 400 people from UHN formed the PACIT petitioner in 1996. The acknowledged leader of the breakup was Gary Verdin, whose family had a long record since 1931 of dealings with corporate land owners. Gary Verdin's father, uncles, and grandfather were defendants in the Louisiana Land and Exploration (LL&E) case in 1931-1933. His father enlisted Ann Fischer in 1960 to help him reclaim his own grandmother's property. Interviews describe Gary's father trying to stop "oil companies and crews coming and trying to take the land," and two older women said that he had enlisted their non-Verdin husbands in his efforts (Theresa Billiot 7/29/2005). Between 1965 and 1990, LL&E confronted Pointe au Chien residents in a string of small skirmishes (Wallace Verdin 3/5/2005). LL&E would stop, but rarely prosecute, poachers, apparently intent on defending against adverse possession (Wickliffe Verdin 2005; Voisin 6/21/1995). Thus, Gary Verdin and some of the other trappers were the third generation of their families to take up the land issue.

In 1992, the *noncs* heard that the Federal Government was investigating how UHN handled a multi-million dollar grant for Hurricane Andrew recovery (*Houma Courier* 7/27/1993a, 7/28/1993). At this time, Gary Verdin and other *noncs* were already angry that UHN did not actively support them when a land company expanded the trespassing case by suing three PACIT trappers over poaching. Then seven other *noncs* of Pointe au Chien joined the original three *noncs* to countersue. These same PACIT *noncs* led PACIT residents in an attempt to depose the leadership and change the UHN organization's priorities to focus on the lower bayou settlements

after Hurricane Andrew (Videotape 4/23/1993; Sidney Gary Verdin 7/26/2005; Emary Billiot 8/1/2005; Theresa Billiot 7/29/2005). Lower bayou residents established an organization called “the Documented Houmas” shortly after the Department issued the UHN proposed finding in 1994 (Sidney Gary Verdin 7/26/2005), but it was not until 1996 that PACIT submitted its own letter of intent. PACIT paid primary attention to its lower bayou settlement and the community closely related to it. Priorities expressed by Gary Verdin and the *noncs* in 1994 were very similar to priorities noted in earlier generations, because the PACIT membership represents families who stayed in the settlement and who placed great value on maintaining their community (Sidney Gary Verdin 7/26/2005; Emary Billiot 8/1/2005; Fischer 1960). On April 17, 1993, as many as 100 Pointe au Chien people went to Golden Meadow for a UHN council meeting about Hurricane Andrew relief, led by Gary Verdin and the other LL&E defendants. PACIT members acted as UHN members. Speakers threatened to unseat that organization’s leaders. Pointe au Chien did not appear to be working alone. Individuals found today on the membership lists of BCCM groups at Bayou Lafourche, Isle Jean Charles, and Bayou Grand Caillou attended the meeting (Videotape 4/23/1993).

Throughout related trespass cases after 1988, both the local “Cajun” LL&E land manager and the Indian defendants talked as if the suit continued earlier events that began in 1931, and referred to earlier conflicts and events they had witnessed in the 1950’s and 1960’s (Voisin 6/21/1995; Theresa Billiot 7/29/2005; Arline Naquin 8/1/2005). Gary Verdin and the *noncs* wanted to stop LL&E from threatening graves, some only 50 years old, of close relatives of living people (Jean Naquin Billiot and Georgia Billiot Verdin 1/14/1994). Defendants in the case posted signs reading “Indian Land Keep Out” on the contested lands, and set up camp, built a building, barricades and two butterfly net structures on a canal, and cut through two earthen plugs in the canal (Sidney Gary Verdin 7/26/2005). The LL&E attorneys during interrogatories followed a line of questioning to show that Pointe au Chien did not have formal political organization, officers or council, a membership list, or non-profit status (Coulon 6/21/1995). The defendant’s attorney asserted that since historical times, the Pointe au Chien people had performed communal acts showing possession. The defense claimed that Gary Verdin did not act alone, and that the actions against LL&E were of a Pointe au Chien entity (Waitz 1/18/1994). The Pointe au Chien *noncs* appeared as witnesses.

From April 1993 through 1995, Pointe au Chien people and disaffected UHN members from other areas attempted to set up a new organization, representing six bayous (*Houma Courier* 3/5/1995). In the summer of 1993, a large group of Pointe au Chien people took a flotilla of boats to visit the old cemetery, abandoned homes, and other sites used by Pointe au Chien people before 1960, which demonstrated community support of the *noncs* (Videotape n.d., Sidney Gary Verdin 7/26/2005). They hoped to publicize their position. PACIT established a formal organization, probably about October 1994. The *noncs* at Pointe au Chien became especially active in 1996 after they discovered that UHN supported proposed U.S. legislation to recognize UHN as a Federal tribe in exchange for dropping all land claims. Gary Verdin said in a 2005 interview that he felt that UHN had undermined the Pointe au Chien *nonc*’s four-year effort in court (Sidney Gary Verdin 7/26/2005). Verdin said he contacted Pointe au Chien people one by one and told them “to come to my house [in Pointe au Chien settlement] ... to talk about it.” According to Verdin, 12 or more people, mostly the *noncs* from the various families, and their attorney gathered that evening, and they “all voted on it saying we didn’t want that bill,” and

they faxed a resolution to their congressman's office in Washington (Patty Ferguson 8/2/2005; Sidney Gary Verdin 7/26/2005). These events and activities demonstrate significant political influence existed within the PACIT group.

The group submitted a letter of intent to petition for acknowledgment which the Department received on July 22, 1996. About the same time, the Houma newspaper mentioned the "Pointe-aux-Chenes" [*sic*] as one of two "new Indian tribes" (*Houma Courier* 7/10/1996a). Through the rest of 1996 and 1997, family members filled out and submitted numerous "Family Declarations of Resignation" from UHN. Analysis of these documents shows that people were withdrawing from UHN and enrolling in PACIT by family groupings (Mandy Verdin 7/26/2005; Eveline Verdin 7/26/2005). Those families and individuals joining PACIT lived in or regularly used the Pointe au Chien settlement, or were their close relatives. In October 1996, PACIT began submitting acknowledgment materials to the BIA, with a letter signed by two individuals involved in the land claims suit and the current PACIT chair, a man from the younger generation of post-segregation high school graduates (Verdin *et al.* 10/30/1996). These activities demonstrate that behind the small but representative group of named *nonc* defendants in the LL&E land case and people active in organizing the pullout of PACIT from UHN stood a larger, yet undefined, group of people who supported the *noncs*' activities. The petitioner submitted little evidence of actual political process showing the *noncs* organizing the larger group, leading them, or influencing them to act. Nevertheless, the willingness of almost all of the various Pointe au Chien extended families to leave UHN together demonstrates significant political agreement.

In 1999, BCCM contacted PACIT concerning "going for State recognition" (Marlene Foret 7/28/2005). Parents had heard that PACIT children not enrolled in UHN would lose State funding and services their schools had been receiving, based on their membership in UHN, a state-recognized tribe. Between 2000 and 2004, BCCM met with PACIT and attempted repeatedly to gain State recognition (PACIT 4/15/2005; Patty Ferguson 8/2/2005; Marlene Foret 7/28/2005). The State made per capita payments to Pointe Aux Chênes School for a handful of UHN students and almost 100 PACIT and BCCM members, 105 in all. PACIT meetings at Pointe Aux Chênes Catholic Church, Pointe Aux Chênes School, and at a PACIT member's home discussed the topic (PACIT 12/14/2002; Patty Ferguson 8/2/2005; Arline Naquin 8/1/2005; Theresa Billiot 3/6/2005). A large attendance at the PACIT council meeting on May 29, 2004, reflected wide interest in the issue. The State passed a bill recognizing PACIT and three subgroups of the BCCM petitioner in 2004.

The period between 1999 and 2005 marks a transition in leadership. The aging *noncs*, very active and influential before 1996, were sharing their leadership with the next generation, who are educated and financially better off, but still bilingual lower bayou natives. Formal political structures are supplementing traditional informal styles of leadership defined by kinship and residence. Although the group has created an elected council and officers, representing the various PACIT families, the *noncs* who were the LL&E defendants in 1992 and who coalesced around specific issues as the need arose, continued to influence group members, and the direction of the formal organization. Although not officers, they serve on committees and are sometimes on the council, as are some *tantes*. The PACIT formal government is clearly a continuation of

the earlier informal political organization because it has encompassed the informal leadership and modes of influence within its more formal organization.

UHN's former members believed that formally organizing as PACIT would help invigorate and encourage the participation of PACIT members in governing affairs. The high level of knowledge members have about PACIT activities, such as State recognition and Federal acknowledgment, requires active and effective informal networks of information sharing which reaches most, if not all, members. Communications are so effective that it was difficult in 2005 for an OFA researcher to define a periphery of the group's membership, as most members are closely and multiply connected to both the core geographical area and the network of its large and encompassing social core. Such networks have characterized PACIT's socially cohesive settlement for decades. Informal and elected leaders also were well aware of the opinions of members, including those who did not necessarily attend meetings. The current chairman and other members knew well the opinions and priorities of individual members, and discussed them at length with an OFA researcher in 2005.

In 2004, young people, born in the 1960's and 1970's, were becoming more active in setting the priorities of the organization without displacing their elders' concerns. Meetings then dealt with the group's children's schools, social concerns, roads, levees, and State and Federal recognition, and less often focused on land claims or old conflicts. Since 1988, evidence has shown that the *noncs* have been able to interest the younger generation in their issues, but women and young people, some well educated, have become increasingly important as group leaders of the formal organization. Although land and access to the wetlands remain important, the group spends increasing amounts of time on issues involving education, Federal recognition, and ways to sustain social cohesion of members through social events, communications, and by meeting the needs of members.

PACIT has organized the families continuously residing in and near Pointe au Chien settlement since 1950 and their close relatives living elsewhere, who are the actual social and political community.³³ Informal social controls applied by kin and residents in the PACIT settlement influence the residents of the settlement but are less likely to influence younger members who are becoming educated, moving away, and marrying non-Indians. In addition, parts of families or whole families belong to other petitioners and may even be active in UHN or IJC, while also influencing PACIT members within their extended family and personal social network on significant issues, including elections or internal politics. The current evidence does not indicate that non-members influence PACIT political organization at present. Additionally, because a very high percentage of Pointe au Chien residents and individuals who were raised there or live nearby have joined PACIT, it appears that the group's membership encompasses most people who exercise informal political influence within the petitioner's community.

³³ The UHN proposed finding concluded that UHN had provided little if any evidence concerning the political connections and influence of individuals in New Orleans with each other or with people residing in the lower bayou areas, other than their close kin in their home communities. PACIT did not provide any new data on this topic.

Conclusions

Because of the lack of evidence of the political influence or authority before 1830, there is insufficient evidence that it has maintained political influence or authority over its members from historical times to the present. This amended proposed finding concludes that the PACIT petitioner meets criterion 83.7(c) between 1830 and 1940 on the basis of conclusions contained in the 1994 proposed finding on the UHN petitioner. The UHN proposed finding concluded that there was sufficient evidence for the petitioner to meet section 83.7(b)(2) and, through “cross-over” evidence, to meet criterion 83.7(c) as one Houma group from 1830 to 1880 and as at least six separate groups from 1880 to 1940. This petitioner is one of those groups and, therefore, meets criterion 83.7(c) from 1830 to 1940.

There is insufficient evidence for this amended proposed finding to demonstrate that PACIT meets criterion 83.7(c) from 1940 to 1988. Although evidence from oral histories and documentary sources generally describes a decentralized kin-based system of political authority, group action is generally implied and not demonstrated. The petitioner should submit more oral histories and supporting local records to describe specific examples of this kin-based political system working within the Pointe au Chien community.

After 1988, the record contains specific examples of both informal and formal political activities that encompass the group’s membership and demonstrates the existence of widespread and significant political activity during this period at a level to meet section 83.7(c). Based on the current record, the actual political influence of a PACIT entity encompasses some people who are members of other petitioners, but their numbers are insignificant, and their interaction with PACIT members is not so frequent and significant as PACIT members’ interaction with each other. Thus, PACIT meets criterion 83.7(c) since 1988. If new evidence submitted for the final determination demonstrates that more non-member Indians, including influential persons, are important political actors in the informal Pointe au Chien political organization, then the PACIT membership should encompass those persons who are important in linking families, making decisions, and performing other political functions, or risk reversal of the finding that PACIT meets criterion 83.7(c) between 1988 and the present. At this point, however, non-member Pointe au Chien residents are peripheral to the political organization, and their interaction with PACIT members does not influence the essential political functions or character of the PACIT group at present. Therefore, PACIT submitted sufficient evidence of political influence from 1988 to the present.

The PACIT petitioner therefore meets criterion 83.7(c) from 1830 to 1940 and from 1988 to the present, but does not meet criterion 83.7(c) before 1830 and between 1941 and 1987.

Therefore, based on the evidence in the record at this time, the petitioner does not meet the requirements of criterion 83.7(c) from historical times to the present.

Criterion 83.7(d)

- 83.7(d) A copy of the group’s present governing document including its membership criteria. In the absence of a written document, the petitioner must provide a statement describing in full its membership criteria and current governing procedures.**

The “Pointe-au-Chien Indian Tribe” (PACIT) petitioner submitted current and former governing documents describing its governing procedures and membership criteria. The current governing documents take the form of a “Charter and Constitution” and an ordinance (PACIT 4/2/2005, PACIT 2/19/2005 EO). The governing body includes four officers (chairman, second chairman, secretary, and treasurer), seven elders, and as many as nine council representatives.

The membership criteria in the group’s current April 2005 governing document require an applicant, or his or her parent, to reside in Terrebonne Parish or Lafourche Parish and to possess “PACIT blood lineage” (PACIT 4/2/2005, Article XII, Section 1). A February 2005 enrollment resolution defines eligible members as those who descend “from an Indian living in the Pointe-au-Chien Indian Community in 1900,” although those historical individuals are not identified and the geographical settlement is not defined (PACIT 2/19/2005 EO, 2). Maintenance of contact with the group is also required of members living beyond Terrebonne and Lafourche Parishes (PACIT 2/19/2005 EO, 2).

The PACIT petitioner provided these governing documents that describe the group’s governing procedures and membership criteria. Therefore, the petitioner meets the requirements of criterion 83.7(d).

Criterion 83.7(e)

- 83.7(e) The petitioner’s membership consists of individuals who descend from a historical Indian tribe or from historical Indian tribes which combined and functioned as a single autonomous political entity.**
- 83.7(e)(2) The petitioner must provide an official membership list, separately certified by the group’s governing body, of all known current members of the group.**

In order to meet criterion (e) under section 83.7, a petitioner must demonstrate that its current members descend from a historical Indian tribe or band, or tribes or bands that combined and functioned as an autonomous political entity. Thus, the petitioner must (1) identify its current

members, (2) document the historical Indian tribe or band and the individuals in that historical tribe or band from whom its current members descend, and (3) document that descent. The petitioner identified its 682 current members. Most PACIT members were part of the United Houma Nation (UHN) petitioner and the UHN proposed finding stated that most UHN members had Indian ancestry. However, the petitioner did not document descent of its members from a historical Indian tribe. Therefore, the evidence in the record does not demonstrate that the PACIT petitioner meets the requirements of criterion 83.7(e).

All members claim descent from at least one of two individuals identified in the 1820's as "Indian"—Houma Courteau ("Beloxy") and Marie Gregoire ("*femme sauvage*"). At that time they held, individually or with a spouse, adjoining tracts of land on Bayou Terrebonne, but the petitioner has not demonstrated, nor has the Department found, the existence or continuation of a historical Indian tribe, or tribes that combined and functioned as a single autonomous political entity, from which these historical Indian individuals descend. (For a detailed discussion of other claimed historical Indians, see Appendix B.) The petitioner's genealogical claims of descent from these two verified Indians differ in some cases from that of the UHN proposed finding. Where they differ, the petitioner's genealogical claims do not replace Indian with non-Indian ancestors. Therefore, these conflicting claims of specific lines of descent should not lead to different conclusions about Indian ancestry.

Identification of Current Members

The PACIT petitioner submitted a certified, current membership list identifying 682 members, 9 of whom also appear on the membership list of the Isle de Jean Charles subgroup of the BCCM petitioner (PACIT 4/3/2005). The categories of information on the list included the full name (including maiden name), date of birth, and current residential address, as required by section 83.7(e)(2), with minimal omissions of full birth dates and a few inclusions of post office box addresses instead of residential addresses.

The regulations require a petitioner to submit copies of all previous membership lists, but these were not found in the record and may not exist. The regulations also require a petitioner to submit statements describing the circumstances surrounding the preparation of each list, but these were not found in the record. The petitioner's current governing document requires the maintenance of three membership lists—residential, non-residential/active, and non-residential/inactive—yet only one list was submitted, identifying residential and non-residential members without active/inactive annotations (PACIT 4/2/2005(a), 9; Article XII, Section 9).

Analysis of the current membership list shows that 422 PACIT members appeared on the 1992 membership list of the UHN petitioner's 17,616 members, and therefore constituted 2 percent of that group. PACIT-designed UHN resignation forms were submitted for 91 percent of them (385 of 422 former UHN members). The evidence demonstrates that 84 percent of all current PACIT members (572 of 682) consented in writing to being listed as members of the PACIT petitioner.

Historical Indian Tribe

The petitioner did not document a historical Indian tribe, or tribes that combined and functioned as a single autonomous political entity, from which its members descend. The UHN proposed finding concluded that three historical individuals (Houma Courteau, Marie Gregoire, and “Jeanet”) were identified contemporaneously as “Indian” (and claimed as ancestors by UHN members) but “could not be reliably identified as descending from a specific historical Indian tribe, nor from historical tribes which combined and have continued to function as a tribal entity” (*UHN PF*, 25). Deeds involving land on Bayou Terrebonne in 1822 and 1829 identify Houma Courteau as “of the Beloxy nation” (Billot to Courteau 8/29/1822; Courteau to Verdun 6/1/1829) but the tribal ancestry of “*femme sauvage*” Marie Gregoire and of “Jeanet an Indian woman” remains undocumented.³⁴

This amended PACIT proposed finding concurs that 19th century contemporary evidence identified these three historical individuals as “Indian.” The two documented Indians claimed as ancestors by PACIT members are Houma Courteau and Marie (Gregoire) Verdin. A detailed discussion of other claimed historical Indians appears in Appendix B. This amended proposed finding, as did the UHN proposed finding, does not find evidence of the existence or continuation of a historical Indian tribe, or tribes that combined and functioned as a single autonomous political entity, from which these historical Indian individuals descend.

Evidence Documenting Descent from the Historical Indian Tribe

The PACIT petitioner has its own genealogical database, which was prepared by the genealogist also assisting the BCCM petitioner. The petitioner submitted ancestry charts and reports printed from this database rather than a copy of the database itself. The BCCM petitioner provided a copy of its own electronic genealogical database, which, in addition to data on BCCM members, also contained the names and claimed ancestry of 552 of PACIT’s 682 members. Therefore, OFA made a copy of the BCCM database, and added to it the names, claimed ancestry, and membership numbers of the additional 130 PACIT members on the PACIT petitioner’s membership list so that one database could be used to analyze both the PACIT and BCCM petitions (OFA n.d.(a)). The Department relied upon a compiled genealogy created by the Department for the 1994 UHN proposed finding which it entitled “Who’s Who Houma” (BIA 8/28/1994), and a genealogical database created from “Who’s Who Houma” (OFA n.d.(b)) for

³⁴ The UHN proposed finding (*UHN PF*, GR, 53-54) and BAR’s “Who’s Who Houma” (BIA 8/28/1994, 29-30) expressed BAR’s genealogical conclusion that “Jeanet, an Indian woman” had one known daughter Modeste Billiot/Bellhomme who married Joseph Prevost/Provost. No UHN members claimed descent from this couple, based on information from UHN ancestry charts as entered into a genealogical database for this amended proposed finding (OFA n.d.(c)). BAR also stated that evidence did not demonstrate UHN members’ claims that Jeanet’s daughter Modeste also married Antoine Courteau (*UHN PF*, GR, 54; BIA 8/28/1994, 30), or that Jeanet had another daughter Margaret/Marguerite/Rose Marguerite Bellome who married a Fitch (*UHN PF*, GR, 61-62; BIA 8/28/1994, 254). UHN members claimed descent from Jeanet through both the Courteau and Fitch wives. Although no known UHN members claimed descent from Jeanet through her only documented daughter Modeste Billiot/Bellhomme who married Joseph Prevost, the UHN proposed finding nevertheless referred to Jeanet as being an Indian ancestor or progenitor of UHN members (*UHN PF*, 25; GR, 35).

the petitioner's pre-1922 genealogy. (See Figure 7 for the three founding families, and the three historical Indians, as presented by "Who's Who Houma.")

The petitioner's submission did not include descent documentation for all members. About half of the membership files submitted by the PACIT petitioner contain photocopies of birth certificates or baptismal records that document the parentage of those members. The files lack documentary evidence, such as vital records, demonstrating each link of a member's ancestry, generation by generation, back to a founding Indian ancestor.

The Department's practice has been to review descent documentation for all members of petitioners whose relative size makes that feasible. The size of the UHN petitioner precluded the Department from reviewing descent documentation for each of the 17,616 UHN members, so two sampling methods were used instead.³⁵ PACIT's membership, at 682 members, is much smaller than the UHN membership. The random sample of 176 UHN members analyzed for the UHN proposed finding included 6 individuals who are now PACIT members, all of whom were verified as descendants of Houma Courteau and/or Marie Gregoire. Therefore, the Indian descent of these six PACIT members has been verified by the UHN proposed finding.³⁶ However, PACIT's membership folders, as submitted, did not include complete descent documentation for all other members. In this unique situation, the Department adopted another approach for this amended proposed finding to test whether OFA could verify the genealogical claims of at least some of the petitioner's members using available evidence.

OFA evaluated a genealogical selection consisting of the 12 PACIT members born before 1930, because their parentage could be verified by records in the public domain.³⁷ Evidence submitted on these 12 members, and other evidence found and compiled by OFA for them and their ancestors, supported descent from an Indian individual for 10 of the 12 members (the other 2

³⁵ The two methods included a preliminary non-random sample of 25 UHN members, and a systematic random sample of 176 UHN members. Of the 25 UHN members analyzed in the non-random sample, one is a current PACIT member. The estimate or projection of UHN Indian descent was based on the results of the random sample only (*UHN PF*, 25; GR, 64-65).

³⁶ The UHN proposed finding concluded that about 84 percent of the members "have some Indian ancestry" (*UHN PF*, 25). The genealogical technical report estimated from the Department's random sample that the percent of members "who can be expected to have some 'Indian' ancestry is between 78.6% and 89.4%" (*UHN PF*, GR, 64). However, 20 of the 176 members of UHN's sampled members have since joined either the PACIT or BCCM petitioner. Indian ancestry was verified for 19 of those 20 members. The changes in UHN's membership since its 1992 membership list may raise questions for its final determination about whether the sampling done for the proposed finding continues to be representative of the group 16 years later. The UHN petitioner should be prepared to provide ancestry documentation, such as birth and death certificates, baptismal records, and marriage records, for its new members.

³⁷ Many of the ancestry charts for those 12 current members, and others, as presented by PACIT included conflicting information, more direct ancestors, or fewer direct ancestors as compared to the information entered on handwritten ancestry charts by their members, documented for them in "Who's Who Houma," or submitted by the UHN petitioner for its proposed finding. These discrepancies occur within the four most recent generations of each current member studied. Without the evidence relied upon by the PACIT petitioner for each member's ancestry, OFA could not resolve all the conflicts.

members lacked enough evidence to demonstrate their claimed Indian ancestry).³⁸ The petitioner has the opportunity to raise the percentage of members in the genealogical selection who can document Indian ancestry.³⁹ This can be done by providing the generation-by-generation documentation demonstrating the Indian ancestry of the other two members in OFA's evaluation who could not be verified as descendants of Houma Courteau or Marie Gregoire as they claimed. Due to historical intermarriage, members generally have more than one line of descent from Houma Courteau and/or Marie Gregoire, and, thus, more than one option for demonstrating their Indian ancestry by supplying the additional documentation.

This amended proposed finding relied upon the pre-1922 data in the Department's "Who's Who Houma" narrative and genealogical database for verifying the ancestry of the petitioner's members in the genealogical selection (BIA 8/28/1994; OFA n.d.(b)). The petitioner, or its genealogist, should have documentation that supports its pre-1922 genealogical claims, and such evidence could help update, expand, or correct entries within "Who's Who Houma." Such documentation could demonstrate more Indian ancestry for its members. This evidence would allow the Department to resolve the conflicts noted among genealogical claims made by the PACIT petitioner, the UHN petitioner, and the Department's "Who's Who Houma" narrative.⁴⁰ Such evidence would be helpful because the membership files are incomplete.

The amended proposed finding also analyzed the petitioner's genealogical claims.⁴¹ Although the petitioner has not documented a historical Indian tribe, the PACIT petitioner claims to descend from two historical individuals identified contemporaneously as "Indian": Houma Courteau and Marie Gregoire. All of the 682 total PACIT members descend, according to the

³⁸ One of the 10 PACIT members verified back to an Indian ancestor also served as a successful subject in the random sample analyzed for the UHN proposed finding, and neither of the two PACIT members who could not be verified back to an Indian ancestor were part of the UHN random sample.

³⁹ If the petitioner chooses to submit its complete membership documentation, the Department will evaluate it for the final determination. Relying on the findings in the UHN random sample and on the parentage evidence PACIT submitted for about half of its members, OFA verified that 24 percent (164 of 682) of the PACIT members included in, or related to an ancestor included in, this genealogical selection demonstrated descent from Indian ancestors.

⁴⁰ For example, the Laurence Verdin who married Eveline Crepelle on February 9, 1900, appears in the BCCM genealogical database as the son of Charles Delmas Verdin and Julie Lorine Honorine Naquin (a couple from whom both BCCM and PACIT members claim descent). However, this family's 1900 Federal census household shows Laurence as 10 years of age—obviously not the same Laurence who married four months earlier (U.S. Census 1900, LA, Terrebonne Parish, Sixth Ward, ED 74, p. 19-B, dwelling and family #337). UHN petition evidence indicates that the 1900 groom was Laurence Desire Verdin (b. 1878), son of George Henri Joshua Verdin and Rosalie Mathilde Billiot (another couple from whom both BCCM and PACIT members claim descent), but "Who's Who Houma" does not include Laurence Desire Verdin as a child of this, or any other, couple. Since the UHN petitioner's ancestry charts, individual history charts, and other genealogical materials depict ancestry claims that conflict in some cases with ancestry claims made by both the PACIT and BCCM petitioners and with the conclusions appearing in OFA-compiled evidence, the UHN petitioner should be prepared to provide genealogical evidence to clarify these apparent descent discrepancies as identified by OFA, if a historical Indian tribe is demonstrated.

⁴¹ The petitioner requires its members to demonstrate descent from the "Pointe-au-Chien Indian Community in 1900." However, the petition submission did not include evidence relied upon for these membership decisions, so OFA was unable to determine the extent to which PACIT members meet the group's own membership criteria.

petitioner's submitted genealogies, from at least one of these two, and all but 2 members descend from both (OFA n.d.(a)). Further, more than 99 percent (677 of 682) of the PACIT petitioner's members claim descent from two of Houma Courteau's grandsons—Alexandre and Celestin Billiot—who married daughters of Marie (Gregoire) Verdin (OFA n.d.(a)).

The genealogical selection analysis conducted for this amended proposed finding showed that 83 percent of members (10 of 12) born before 1930 could be documented as Indian descendants. The petitioner will want to consider providing or making available the documentation demonstrating, generation by generation, that either or both of the two remaining members in the genealogical selection also descend from Houma Courteau and/or Marie Gregoire.⁴² However, the petitioner has not demonstrated that these two Indians, or any other of the petitioner's ancestors, were a part of a historical Indian tribe. Criterion 83.7(e) requires the petitioner to demonstrate descent from a historical Indian tribe.

Conclusion

The petitioner provided a membership list of 682 members. As required by section 83.7(e)(2), the petitioner separately certified this membership list which contained all of the categories of information, although not universally completed.

The petitioner has not documented, nor has OFA identified, a historical Indian tribe, or tribes that combined, from which its claimed ancestors descend. An analysis of selected members demonstrates that most of them descend from at least one of two individual historical "Indians," but those historical individuals have not been shown to be a part of a historical Indian tribe, or of historical Indian tribes which combined and functioned as a single tribal entity. The evidence in the record has not demonstrated that the PACIT petitioner's members descend from a historical Indian tribe. Therefore, the petitioner does not meet the requirements of criterion 83.7(e).

Criterion 83.7(f)

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

The names of current PACIT members do not appear on rolls of federally recognized Indian tribes reviewed for this amended proposed finding. Additionally, the PACIT petitioner requires its members to disavow membership in any other Indian group, and its submission included disavowals for 84 percent of the 682 PACIT members. No evidence in the record indicates that any of the petitioner's members are enrolled in any acknowledged North American Indian tribes.

⁴² The lowest percentage of descent from a historical Indian tribe demonstrated by a petitioner acknowledged through the 25 CFR Part 83 process is 80 percent.

For the UHN proposed finding, the Department checked the names of all UHN members against available rolls of the Chitimacha Tribe of Louisiana and the Mississippi Band of Choctaw Indians federally recognized tribes, and found no matches. Rolls of the Chitimacha Tribe were available only for 1920, 1926, and 1959. Therefore, for the PACIT amended proposed finding, OFA checked the names of only the 9 PACIT members living prior to 1959 who were not members of the UHN petitioner (and therefore not checked at that time) against those rolls. No matches were found. The Mississippi Band of Choctaw Indians rolls consulted for the UHN proposed finding were not available. OFA also compared the PACIT membership list to the membership lists prepared by two Louisiana tribes when they were federally acknowledged through the 25 CFR Part 83 process: the Tunica-Biloxi Indian Tribe of Louisiana (Tunica-Biloxi 1979) and the Jena Band of Choctaw Indians (Jena Band 1993). None of the current PACIT members' names appeared on those rolls.

Evidence in the record indicates that the petitioning group is composed principally of persons who are not members of any acknowledged North American Indian tribe. Therefore, the petitioner meets the requirements of criterion 83.7(f).

Criterion 83.7(g)

83.7(g) Neither the petitioner nor its members are the subject of congressional legislation that has expressly terminated or forbidden the Federal relationship.

No evidence has been submitted or located that indicates the petitioner, its members, or their ancestors have been the subject of congressional legislation that has expressly terminated or forbidden a relationship with the Federal Government as Indians or as an Indian tribe.

Therefore, the petitioner meets the requirements of criterion 83.7(g).

FIGURES

BCCM / PACIT: Proposed Finding

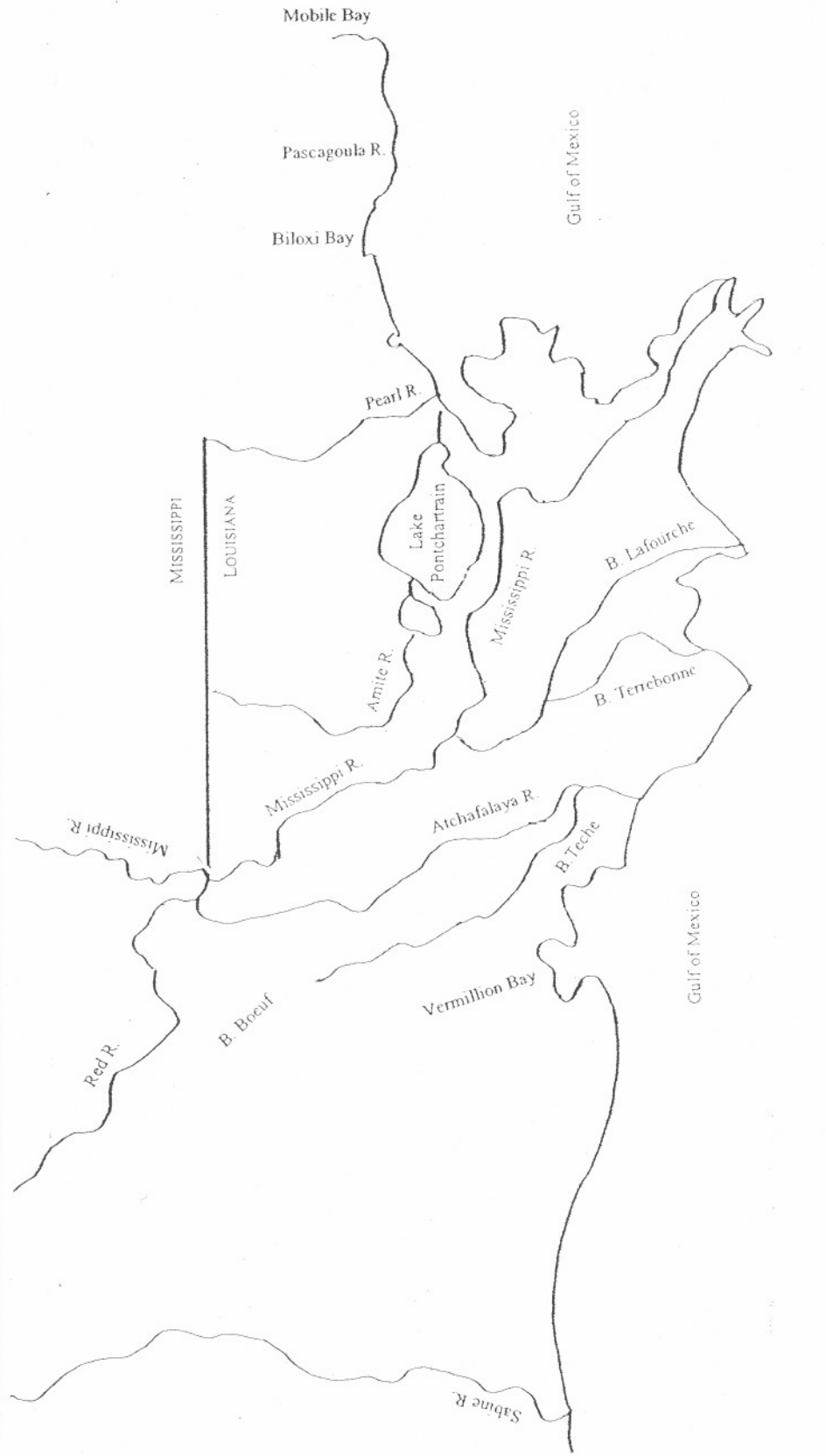


FIGURE 1: AREA MAP

Source: Office of Federal Acknowledgment.

BCCM / PACIT: Proposed Finding

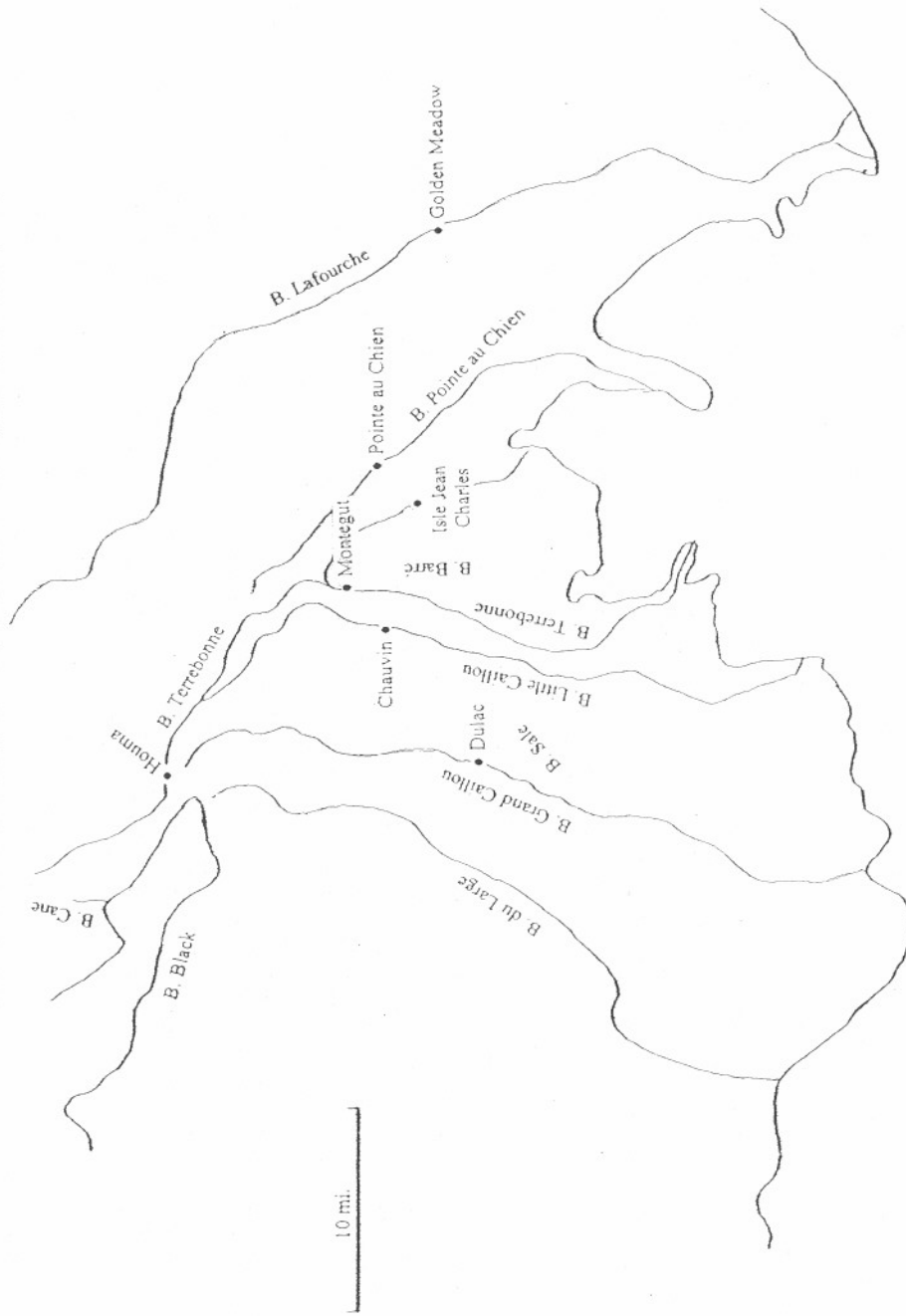


FIGURE 2: LOCAL MAP

Source: Office of Federal Acknowledgment

BCCM/PACIT: Proposed Finding

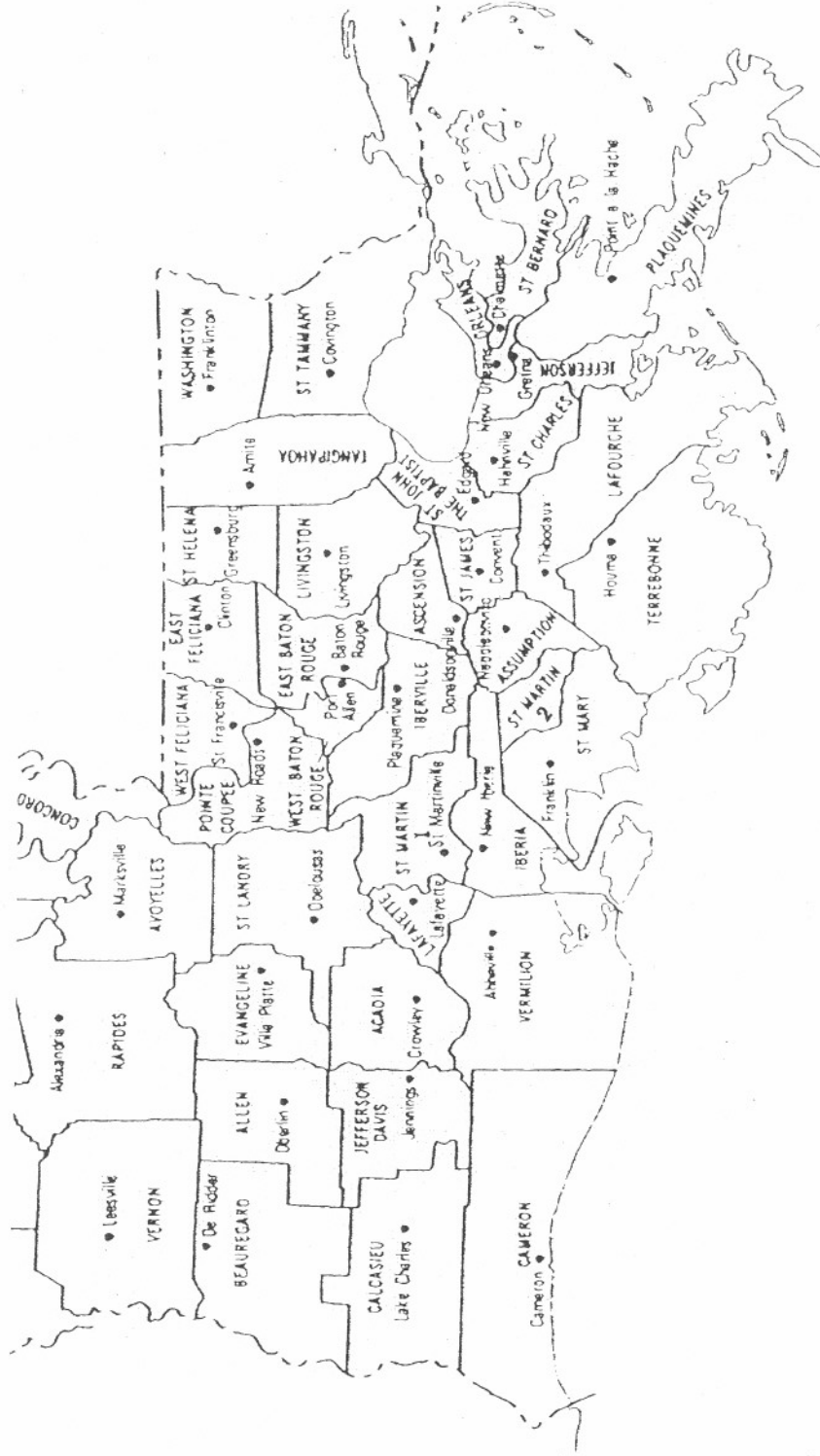


FIGURE 3: LOUISIANA PARISHES

Source: U.S. Geological Survey, *Louisiana: Index to Topographic and Other Map Coverage* (n.d.).

BCCM / PACIT: Proposed Finding

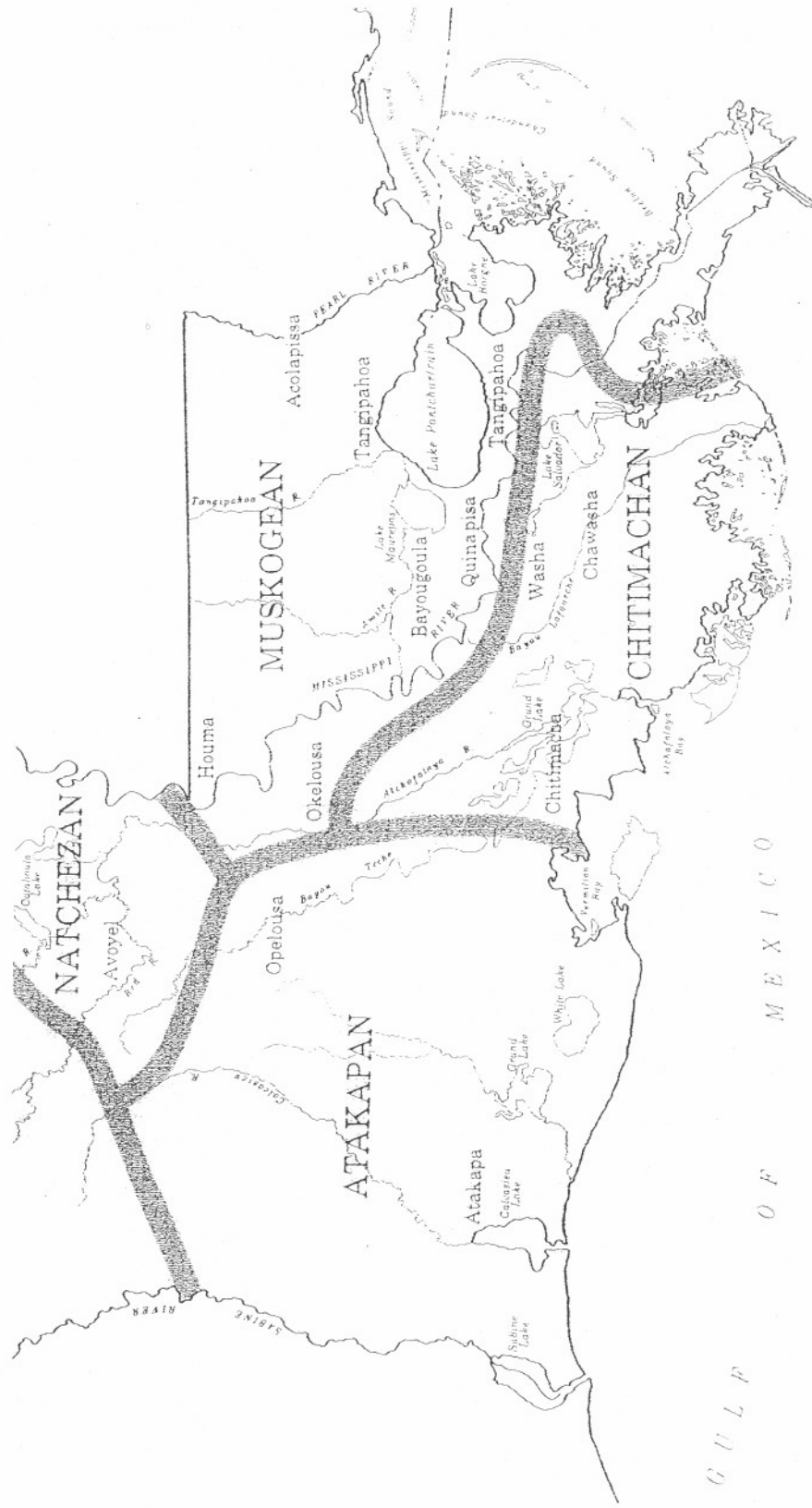


FIGURE 4: INDIAN LINGUISTIC GROUPS, circa 1700

Source: Charles R. Goins and John M. Caldwell, *Historical Atlas of Louisiana* (1995), #17.

BCCM / PACIT: Proposed Finding

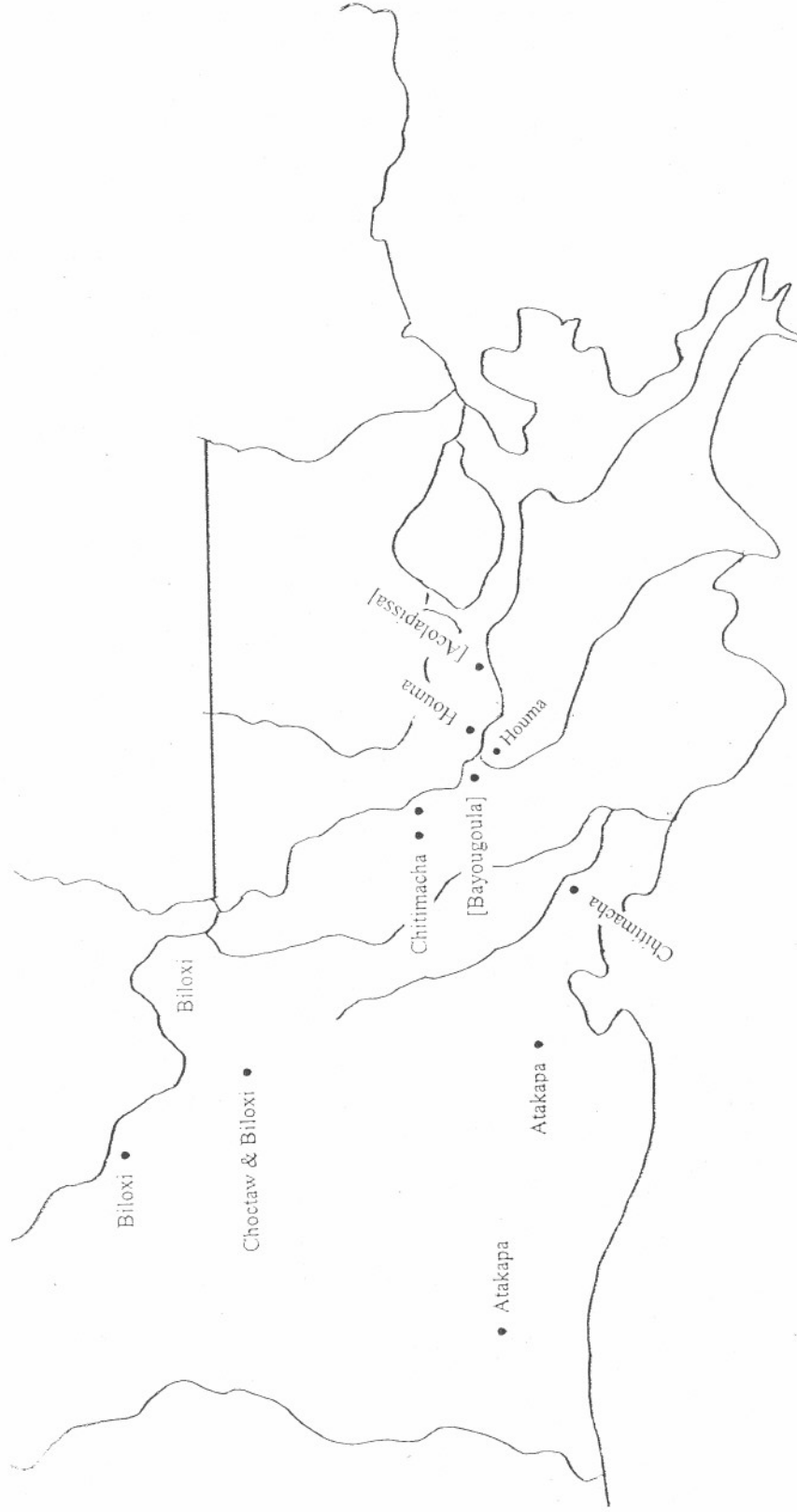


FIGURE 5: INDIAN SETTLEMENTS, circa 1763-1803

Source: Office of Federal Acknowledgment.

BCCM/PACIT: Proposed Finding

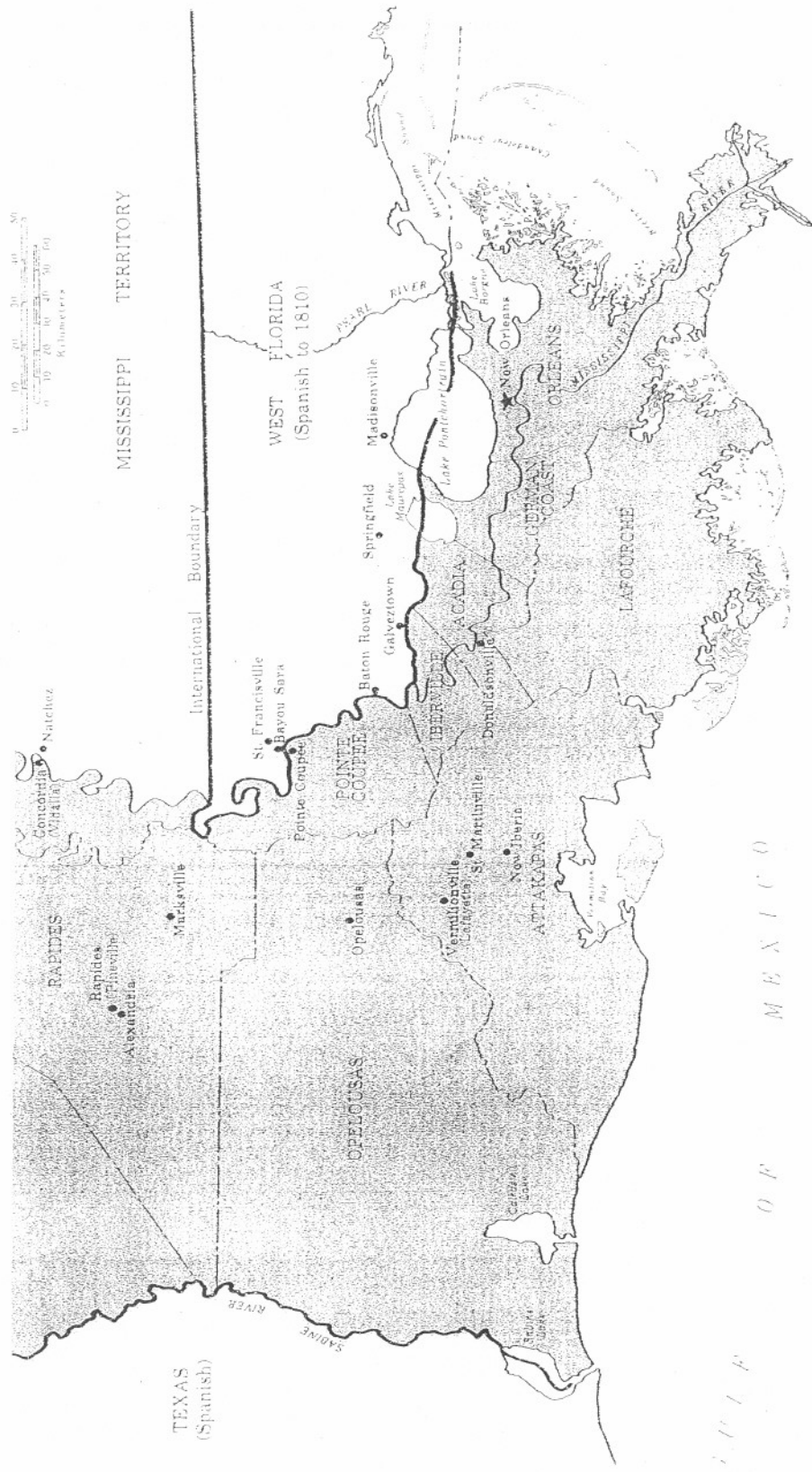


FIGURE 6: COUNTIES OF THE TERRITORY OF ORLEANS, 1805

Source: Charles R. Goins and John M. Caldwell, *Historical Atlas of Louisiana* (1995), #41.

BCCM (#56a) / PACIT (#56b): Proposed Finding

	(Touh-la-Bay/Abbe) (Nuyu'n/Marion)	
JP/B Billiot = Marianne Iris	Houma Courteau = Marie Anne Pierre [←siblings→] Louis Sauvage / le Sauvage	
(d. bef. 1809) (b. ca. 1750)	[b. bef. 1771] [b. ca. 1771]	[b. bef. 1782]
		Alexandre Verdin = Marie Gregoire
Jean/John	(m. ca. 1809) ----- Marguerite (b. bef. 1795)	(b. 1770) [b. ca. 1790?]
		(m. bef. 1806)
		none
Jacques (d. ca. 1858)-----	(m. 1808)----- Rosalie (b. 1787-d. 1883)	Eulalie (b. ca. 1806)
Charles		Pauline
Etienne (b. bef. 1786)	Antoine (b. ca. 1800)	
		Jean Bte. (b. ca. 1820)
Michel (b. ca. 1780)	Francois (b. bef. 1809) = Marie Mingoloi	
Pierre (b. ca. 1794)		Victor
Joseph m.1 Jeanet		
m.2 Magdelaine Gregoire		
Adelaide	Arthemise ----- (ca. 1839) -----	Ursin (b. ca. 1808)
Rosalia	Rosette	
Agnes/Francoise?	Alexandre -----m.2 } (ca. 1836)-----	Felicite Marg. (b. ca. 1818)
	m.1 } (ca. 1833) {m.1	
	----- (ca. 1839) {m.2-----	Melanie (b. ca. 1819)
Celestin	-----	
Jacques Const./Bartholemy?	-----	
Felicite (b. ca. 1829)	-----	
Jean Marcellus	-----	
Severin?	-----	

FIGURE 7: BCCM's and PACIT's Three Founding Families (earliest documented Indian individuals in **bold**)

Source: BIA 12/15/1994 ["Who's Who Houma"]

APPENDICES

Appendix A: Report on Historical Tribes

Historical Tribes: Locations and Migrations¹

The historical tribes mentioned as possibly ancestral to Indians of Terrebonne Parish were located, at the time of contact with non-Indians, along the coast of the Gulf of Mexico and the lower Mississippi River in modern Louisiana or Mississippi (see Figure 4). The available evidence about the existence, location, and migrations of historical Indian tribes, for the most part, was produced by officials of colonial governments. For south central Louisiana, colonial jurisdiction changed several times prior to the acquisition of this territory by the United States through the Louisiana Purchase of 1803. The area of the lower Mississippi River valley and adjacent Gulf coast was administered by colonial French officials from 1699 until they transferred control in 1766 following the 1763 treaty which ended the French and Indian War. By that treaty, Spain acquired Louisiana west of the Mississippi River as well as an area east of the river south of Bayou Manchac, which is below modern Baton Rouge. Spain administered that colonial territory from 1766 until the Louisiana Purchase of 1803, even after Louisiana was secretly sold back to France and then soon sold by France to the United States. Although these historical circumstances of shifting jurisdiction complicated the creation of a complete and consistent record of the identification of tribes and their locations, various historical writers generally provided similar accounts of the historical tribes they encountered.

Historical Ouacha and Chaouacha Tribes

Scholars are in agreement that the tribes residing in south central Louisiana at the time of first contact with non-Indians in 1699 were the Ouacha (or Washa), the Chaouacha (or Chawasha), and the Chitimacha. This consensus derives from reliance both on early French accounts of contacts with Indians and the conclusions of previous scholars, especially John R. Swanton of the Bureau of American Ethnology. In a 1911 publication, Swanton concluded, on the basis of his review of early French documents, that the tribes first encountered along Bayou Lafourche were the Ouacha and Chaouacha. He cited an account of a French expedition in July 1699 in support of his conclusion that a Ouacha village was located on Bayou Lafourche in the area of modern Labadieville, and noted that an Indian guide referred to the bayou as the “river of the Washas” (Swanton 1911, 297-298). He concluded that it was probable the Chaouacha also were located on the bayou at that time (Swanton 1911, 300; see also map). In addition to written accounts, several historical maps place the Ouacha on Bayou Lafourche and the Chaouacha west of the Mississippi along the Gulf coast during the early 1700’s (Delisle 1702 and 1718, Moll 1720, Chambon 1750). Other scholars have agreed with Swanton’s assessment of the French sources and found that the Ouacha and Chaouacha occupied the area along Bayou Lafourche or between Bayou Lafourche and the Mississippi River in the early 1700’s (Kniffen 1935, 10; D. Hebert 1978, 1:xiv; Pearson *et al.* 1989, 21; Foret 1996, 14).

There also is scholarly agreement that the Ouacha and Chaouacha moved or were removed from the area of Bayou Lafourche to the lower Mississippi River. A memoir of French official Bienville records that he made the Chaouacha settle on the Mississippi River in 1712, below New Orleans, and the Ouacha settle

¹ See also an Appendix to the United Houma Nation proposed finding entitled, “Historical Indian Tribes in Louisiana: Background Paper,” by BAR (BIA 1994), which also considers other historical tribes.

on the Mississippi in 1715, above New Orleans, and that they still were there about 1725, with reduced populations (Bienville 1726, 527). Some scholars noted accounts that placed both the Ouacha and Chaouacha on the Mississippi, in the vicinity of New Orleans, in the years after 1718 and before 1758 (Swanton 1911, 298-301; Pearson *et al.* 1989, 22; Usner 1992, 63, 73). Evidence of a 1744 sale by the Ouacha and Chaouacha of land along Lake Salvador, east of Bayou Lafourche, was cited by a U.S. Senate committee in 1854 (U.S. Senate 1/9/1854; see also Pearson *et al.* 1989, 22, 28), suggesting at least a reduced presence in that traditional location after 1744. Although a French official dispatched a group of armed slaves in late 1729 to destroy the Chaouacha village on the Mississippi downriver from New Orleans (Usner 1992, 73), the existence of a such a village in that location was noted by a French official as late as 1758 (Kerlérec 12/12/1758, 213; see also Swanton 1911, 301). The new Spanish colonial government invited Indian delegations to visit New Orleans in the fall of 1769, and there is evidence that these meetings included Ouacha and Chaouacha delegations (Usner 1992, 131).

After 1769, there are almost no historical references to the Ouacha and Chaouacha. Swanton concluded that a remnant of the Chaouacha “lasted into the latter half of the eighteenth century, when it must have declined slowly and disappeared” (Swanton 1911, 301). Although one scholarly report noted that an 1803 Spanish map showed the principal villages of the Ouacha and Chaouacha on the southern shore of Lake Salvador, the report also suggested that the map represented information from an earlier period (Pearson *et al.* 1989, 22-23). Soon after the United States acquired Louisiana, Indian Agent John Sibley reported in 1805 that the Ouacha had been “reduced to five persons only ... in French families,” and concluded that they had “been many years extinct as a nation” (Sibley 4/5/1805). The available evidence contains no references to Ouacha or Chaouacha tribes or group settlements later than 1803. There is no evidence in the record that suggests that any petitioning groups from Terrebonne or Lafourche Parishes are derived from these aboriginal tribes of the area.

Historical Chitimacha Tribe

The Chitimacha were the third tribe living in the area of south central Louisiana at the time of first European contact. A map of 1718 placed the “Sitimachas” south of the “lacs des Sitimachas” [Grand Lake] and along the Gulf Coast east of a major river or bayou [Atchafalaya?] (Delisle 1718; see also Moll 1720). The Louisiana Supreme Court, in 1849, found that the Chitimacha tribe in 1699 had been located on Bayou Jacob near the Mississippi River, on Bayou Plaquemine, and on Bayou Teche (Louisiana Supreme Court 1849, 141-142), areas north and west of modern Terrebonne Parish. Albert Gatschet, the first ethnologist to study the Chitimacha, concluded in 1883 that the original territory of the “Shetimasha” was the banks of Grand Lake and Bayou Atchafalaya, and also suggested that they held all of Bayou Lafourche (Gatschet 1883, 1, 4). The *Handbook of American Indians*, published in 1907, stated that the known habitat” of the Chitimacha was the shores of Grand Lake and the banks of Grand River, and that at some time they had a village at the head of Bayou Lafourche (Hodge 1907, 286; see also Kniffen 1935, 10). John Swanton wrote in 1919 that the Chitimacha “lived about Grand Lake and on the lower parts of Bayou Teche and the Atchafalaya” (Swanton 1919, 8; see also Swanton 1911, 343-344 and map). A study by Hiram Gregory, in 1979, described the Chitimacha (or Chitmachan linguistic group) as having had a triangular territory between Bayou Lafourche, Bayou Teche, and the lower Atchafalaya Basin (Gregory 1979, 380-386; see also Davis 1975, 6).

Gatschet listed 15 aboriginal Chitimacha settlements (Gatschet 1883, 4). Swanton accepted 13 of Gatschet’s 15 village locations, with slight revisions of some of the locations and descriptions, but disagreed with two other locations which he concluded had not been identified by native sources and were not supported by other evidence (Swanton 1911, 343-344). The locations on which Gatschet and Swanton agreed were those on Bayou Teche, at and near modern Charenton; on Grand Lake, and in its vicinity; at the junction of Bayou Atchafalaya and Bayou Teche, below Grand Lake; on Grand River; on Bayou Chene about 18 miles north of Charenton, and in its vicinity; and on Bayou Plaquemine near

Grand River about 42 miles north of Charenton (Gatschet 1883, 4; Swanton 1911, 343-344). They disagreed about Bayou Lafourche, which Gatschet suggested the Chitimacha held at the time of contact and Swanton contended they reached by expansion after contact. Except for lower Bayou Lafourche, these locations are not in the modern parishes of Terrebonne or Lafourche.

A variety of historical evidence confirms a historical Chitimacha presence on Bayou Teche and Grand Lake, west of modern Terrebonne Parish. The Spanish governor in 1777 issued an order directing local officials, as translated by a local historian, to protect “the Chitimacha of Grand Terre” from settlers and to preserve their land ownership (Taylor 1981, 68; see also Swanton 1911, 343). One or two Chitimacha villages on Bayou Teche were identified in 1784 accounts (Swanton 1911, 343), an 1803 report (Clark 9/29/1803), an 1814 lease (Conrad 1992, 2:363), two 1819 travel accounts (Cathcart 1819, 837; Taylor 1981, 67-68), and an 1892 history (Anonymous 1892, 21). The location was described, in the 1803 report and 1892 history, as 11 to 12 leagues or 36 miles north of the Gulf. A map by the General Land Office in 1827 noted the existence of an “Indian V[illage]” on Bayou Teche (T.13S., R.9E.), which is reasonable to consider a Chitimacha village (GLO 1827). An 1819 travel journal also referred to an Indian settlement on an island, which the editors of the journal identified as modern Berwick Island below Grand Lake (Cathcart 1819, 780-781). The Chitimacha filed a tribal land claim, about 1807, for lands (T.12S., R.9E.) running from Grand Lake across Bayou Teche (Taylor 1981, 64). In 1852, the Supreme Court of the United States confirmed the title of the Chitimacha Tribe to a 1,093-acre parcel of land, and in 1855 the tribe was issued a fee patent for that land, in St. Mary’s Parish (Interior 7/14/1982; see also 131 U.S. *lxx*). The Chitimacha Tribe of Charenton, Louisiana, is a federally recognized tribe today.

Historical sources also place Chitimacha Indians on Bayou Plaquemine, well north of Terrebonne Parish. The aboriginal Chitimacha, Gatschet and Swanton agreed, had a Plaquemine village, whether on Bayou Plaquemine or near it on Grand River (Gatschet 1883, 4; Swanton 1911, 344). A more recent anthropological review concluded the Chitimacha had a village on Bayou Plaquemine in 1769 (Gregory 1979, 382). A scholar, relying upon English sources, placed an Indian group consisting of Chitimacha, Atakapa, and Opelousas Indians on Bayou Plaquemine and another band of Chitimacha near Point Coupee in 1771 (Rea 1970, 13). A historian, using a 1773 list of Indian tribes on the Mississippi, concluded that some Chitimachas and Atakapas were moving down Bayou Plaquemine at that time (Usner 1992, 169). Swanton suggested that the Chitimacha village on Bayou Lafourche in 1784 probably later removed to Plaquemine (Swanton 1911, 343). In 1803, according to an 1892 history, there were two Chitimacha villages on Bayou Plaquemine, 12 miles west of the Mississippi (Anonymous 1892, 21). An 1819 travel journal mentioned stopping at an Indian village on Bayou Plaquemine, which it did not call Chitimacha (Cathcart 1819, 760), while another 1819 travel account attributed a Bayou Plaquemine residence to the Chitimacha (Nuttall 1819, 264). The BCCM petitioner has noted that a series of land claims were filed with the U.S. Government based on the purchase or lease of land from the Chitimacha Indians on Bayou Plaquemine and Bayou Jacques in Iberville County (BCCM 2005, 221-224).

Scholars have disagreed about the extent and timing of a Chitimacha presence on Bayou Lafourche. Gatschet placed the Chitimacha along the entire bayou at the time of contact, while Swanton contended they occupied the upper bayou after first contact with the French and after the Ouacha and Chaouacha moved eastward (Swanton 1911, 297-298). Gatschet and some other researchers placed a Chitimacha village at the junction of Bayou Lafourche and the Mississippi River (Gatschet 1883, 4; Hodge 1907, 286; Molaison in Robichaux 1980, viii). A village on upper Bayou Lafourche, labeled on some early maps as “Yagenechitos,” has been considered by some scholars to have been a Chitimacha village (e.g., Foret 1996, 13-14; see also Delisle 1702). Several 18th century maps appear to label Bayou Lafourche as the river of the Chitimachas (D’Annville 1732; Charlevoix 1747; Ross 1765; Roman 1790; see also Swanton 1911, 338). The 1732 map, however, showed only ancient villages along its banks (D’Annville 1732). Scholars have noted that the French made a military expedition against the Chitimacha on Bayou Lafourche about 1706 (Usner 1992, 24; Swanton 1911, 338), and Swanton concluded that historical

documents noted a Chitimacha village on Bayou Lafourche in 1784 (Swanton 1911, 343). While Gatschet listed an aboriginal Chitimacha village at the mouth of Bayou Lafourche on the Gulf (Gatschet 1883, 4), Swanton disagreed, saying that Gatschet had not obtained this information from Chitimacha informants and that it was not authenticated by any other evidence (Swanton 1911, 344).

A Chitimacha village on the banks of the Mississippi River, after 1718, was mentioned in historical sources. In a memoir, former French official Bienville said that at the end of a war with the Chitimacha in 1718 he made them settle on the Mississippi, and noted that about 1725 they were located on the west side of the river about 31 leagues [81 miles] north of New Orleans and 20 leagues [52 miles] south of the Red River (Bienville 1726, 528-529).² A 1732 French map noted a “Chetimachas” location on the west bank of the Mississippi, above Bayou Lafourche and just below a “Plakemines” river (D’Annville 1732). Such a location also appears to be indicated on a 1750 French map (Chambon 1750). A Chitimacha village on the Mississippi was noted by a French census of the inhabitants of the river in 1731 (Maduell 1972, 119), a travel account in 1738 (Louboey 11/28/1738), a French military officer in 1739 (Swanton 1911, 342-343), a French governor in 1758 (Kerlérec 12/12/1758, 213), and a Spanish list of Indian tribes on the river in 1773 (Usner 1992, 169). The 1739 account of this village observed that most of the Chitimacha resided at that time with the Atakapa, while the 1758 account commented that this village contained the “remnants of a numerous nation” (Swanton 1911, 343; Kerlérec 12/12/1758, 213). Historians have noted the existence of a Chitimacha village on the Mississippi, at least between 1718 and 1773 (Swanton 1911, 342; Usner 1992, 62-63, 130, 169; and possibly Kinnaird 1949, 2:154; Brasseaux 2003, 37).

Historical observers, therefore, noted a Chitimacha presence at Bayou Teche, Grand Lake, and the Atchafalya River basin, west of modern Terrebonne Parish, in a location where a federally recognized Chitimacha Indian tribe still resides. There also were historical accounts of the Chitimacha extending to upper Bayou Lafourche and the Mississippi River in the vicinity of Bayou Lafourche, areas north of modern Terrebonne Parish. It is possible, especially after the removal of the Ouacha and Chaouacha from the Bayou Lafourche area, that some Chitimacha used the coastal marshes and bayous later associated with “Houma” Indians and were present in the area at the time of the first Spanish land grants along Bayou Terrebonne. The available evidence, however, does not contain observations of historical Chitimacha settlements or any group of Chitimacha Indians in the vicinity of later historical settlements of the petitioner’s claimed ancestors.

Historical Biloxi Tribe

There is a scholarly consensus that the Biloxi Indians lived along the Gulf coast, in modern Mississippi and Alabama, during the early years of contact with Europeans. Ethnologists and historians, relying upon French documents for the period after the first contact between the French and the Biloxi in 1699, have located the Biloxi on Biloxi Bay and the Gulf coast (Drake 1841, vi; Mooney 1894, 15; Hodge 1907, 147) or, more specifically, in a village on the Pascagoula River 4 to 6 leagues [10-16 miles] inland from the Gulf (Swanton 1912, 5-6; Usner 1992, 13, 17; Hunter 1994, 18; see also Gatschet 1884, 111). Other Gulf coast locations of the Biloxi between 1700 and 1760, noted by scholars, include the Pearl River and Mobile Bay (Swanton 1912, 6; Ellis 1981, 29; Usner 1992, 60, 199, 232; Hunter 1994, 19). One local historian claimed that some Biloxi were at Lake Pontchartrain on Bayou St. Jean by 1700 (Freiberg 1980, 26). Historian Daniel Usner concluded that the Biloxi lived, both on the Pascagoula River and Mobile Bay, in villages in the vicinity of the villages of other small tribes (Usner 1992, 17, 60). A close association with other groups also was noted by ethnologist John Swanton, who grouped the Biloxi with Pascagoula Indians in reporting their population between 1699 and 1758 (Swanton 1911, 41).

² A standard conversion is that 1 league equals 2.6 miles.

Historians have suggested that, after France lost this territory to England in 1763, many of the Biloxi and neighboring tribes began migrating to the west to Spanish territory. The Biloxi were listed in a 1764 Spanish report, but without specifying their location (Moore 1976, 85). An archaeological study suggested that the Biloxi may have migrated between 1766 and 1769, noting that the Biloxi did not appear on a 1766 census of Indians in Louisiana, but were mentioned in Spanish records in 1769 (Hunter 1994, 19). That the Biloxi were recorded as receiving gifts from the Spanish government in 1769 implied that some of them had by then moved into Spanish territory (Kinnaird 1949, 2:154; see also Usner 1992, 131). Scholars have suggested that the Biloxi first located on the lower Mississippi River (Usner 1992, 130, 199-200), the Amite River west of Lake Pontchartrain, and then the Pointe Coupee district northwest of modern Baton Rouge (Hunter 1994, 19 and fig.1). A British official in 1771 referred to a village of Biloxi, Pascagoula, and Choctaw on the Spanish side of the Mississippi (Thomas 12/12/1771). There was a Spanish report, about 1780, that some Biloxi had “fled into the marshes of south Louisiana” (Hunter 1994, 22). A 1784 account mentioned a Biloxi village, below the Pascagoula, on the west side of the Mississippi (Hodge 1907, 147).

Historical accounts placed the Biloxi in the Avoyelles district, west of the junction of the Red River and Mississippi River, by the late 18th century. U.S. Indian Agent John Sibley suggested, in 1805, that the Biloxi had first settled there about 1763 (Sibley 4/5/1805; see also Mooney 1894, 15; Hodge 1907, 147). Swanton found that a 1784 account described the Biloxi as being west of the Mississippi near the mouth of the Red River (Swanton 1912, 8). In 1803, a report to Secretary of State James Madison by Daniel Clark noted a village of Biloxi on the Red River at Avoyelles, 19 leagues [49 miles] from the Mississippi, and another village on the Lake of the Avoyelles (Clark 9/29/1803, 63). This information was repeated in an 1806 account (Mooney 1894, 15; Hodge 1907, 147; see also Gatschet 1884, 111). Historical accounts indicated that some Biloxi continued to move farther northwest, up the Red River, and then south of that river. Agent Sibley’s 1805 report implied that the Biloxi had left Avoyelles (Sibley 4/5/1805). His 1809 report, however, suggested that some of those Biloxi had returned from the west to the Avoyelles district, but did not have a fixed location there (Sibley 5/8/1809). An amalgamated Tunica-Biloxi group at Marksville, Louisiana, in the Avoyelles district, was acknowledged as a tribe in 1981.

The Spanish commandant at “Rapide” noted, in 1773, that some Biloxi were living in the vicinity of his post, near modern Alexandria (Hunter 1994, 19; see also 21). The 1803 report of Daniel Clark to the Secretary of State said that there was a Biloxi village “at the Rapide,” perhaps 28 leagues [73 miles] from the Mississippi (Clark 9/29/1803, 63). Indian Agent Sibley’s 1805 report appeared to place the Biloxi (“Boluscas”) at Rapide Bayou, about 40 miles from Natchitoches, at that time. He indicated that this settlement consisted of about 30 people (Sibley 4/5/1805). Swanton’s population estimate for 1805 again grouped the Biloxi and Pascagoula together (Swanton 1911, 41). Sibley’s reference to the Biloxi having moved “higher up” from Avoyelles implied that he placed their 1805 location on the Red River 40 miles downstream of Natchitoches. Swanton interpreted Sibley as having said that the Biloxi moved from Avoyelles up the Red River (Swanton 1912, 8). Frederick Hodge, in his 1907 *Handbook of American Indians*, added language to Sibley’s published report to indicate that in 1805 the Biloxi had moved from Rapide Bayou to “the mouth of Rigula de Bondieu,” which he defined as a division of the Red River (Hodge 1907, 147). A more recent survey simply cites Sibley as having reported that the Biloxi were living on Bayou Rapides in 1805 (Hunter 1994, 24).

About 1795 or 1796, according to a congressional committee report in 1817, the Biloxi and Pascagoula settled with the approval of the Spanish government on Choctaw land along Bayou Boeuf, which flows into Bayou Teche south of the Red River (U.S. House 1/29/1817, 276; see also Swanton 1912, 8; Hunter 1994, 23). A Spanish official in the Red River Valley in 1796 referred to Biloxi being located on the “Bayou de los Bueyes” in his territory (Kinnaird and Kinnaird 1983, 192). A GLO map, dated 1827 but revising an earlier map, indicated an Indian settlement (T.3S., R.3E.) on Bayou Boeuf (GLO 1827). A

Spanish plat map of Bayou Boeuf in 1803 showed a Biloxi village separate from neighboring Pascagoula and Choctaw villages (Trudeau 1803; Hunter 1994, fig.2; see also Anonymous 1892, 21). A GLO report on land claims in 1813 noted this map as relating to a claim in the County of Rapides (GLO 6/9/1813). In 1802, the congressional committee found, the Spanish government had approved a sale by the Biloxi and Pascagoula tribes of their land on Bayou Boeuf in order to satisfy debts they had incurred (U.S. House 1/29/1817, 276; see also Swanton 1912, 8; Hunter 1994, 23). Agent Sibley said in 1809 that the Biloxi who lived on Bayou “Beauf” in the County of Rapides in 1805 had been removed by those who claimed to have purchased their lands, and that many returned to Avoyelles (Sibley 5/8/1809). There also were reports, in 1803 and 1806, of some “wandering” Biloxi and Choctaw on Bayou Crocodrie, which flowed into Bayou Teche (Clark 9/29/1803, 63; Gatschet 1884, 111).

The available historical evidence indicates the Biloxi were not located in southern Louisiana at the time of contact with Europeans, but later migrated from an area along the Gulf Coast to various locations west of the Mississippi River and along and south of the Red River. All of these small historical Biloxi settlements were well north of modern Terrebonne Parish. Some of the historical descriptions placed some Biloxi in an area which currently contains a federally recognized Tunica-Biloxi tribe. A 1780 Spanish report that some Biloxi had gone south to the marshes, in an unspecified area, was the only reference to a possible account of migration by some Biloxi to the area of modern Terrebonne Parish. The available historical evidence contains no descriptions of historical Biloxi settlements or any group of Biloxi Indians in the vicinity of later historical settlements of the petitioner’s claimed ancestors.

Historical Atakapa Tribe

Atakapa territory at the time of contact has been described as southwestern Louisiana and southeastern Texas, west of the Chitimacha. Frederick Hodge’s *Handbook of American Indians* described Atakapa territory as bounded by the Gulf of Mexico and the Vermillion, Red, and Sabine Rivers (Hodge 1907, 114). Ethnologist John Swanton said that the Indians called Atakapa lived between Vermillion Bay on the Louisiana coast and Galveston Bay on the Texas coast. Until the late 18th century, according to Swanton, there were three main bands of Atakapa in Louisiana, each occupying a principal river valley. He said that the easternmost Atakapa band, in the late 1700’s, was located on Vermillion River and Vermillion Bay, with a principal village above modern Abbeville (Swanton 1911, 360; see also Butler 1970, 169). Swanton also said that some Atakapa were on the Sabine River, the modern border between Louisiana and Texas (Swanton 1911, 362). Anthropologist Fred Kniffen described the Atakapa, about 1700, as having occupied “the prairies of southwestern Louisiana, from Bayou Teche to the Sabine, and from Opelousas to the coastal marshes” (Kniffen 1935, 10; see also Usner 1992, 100).

Several historical accounts indicated there were connections between the Atakapa and the Chitimacha. The memoir of former French official Bienville, written about 1726, referred to the Atakapa as allies of the Opelousas, and to the Opelousas as allied with the Chitimacha (Bienville 1726, 528-529). In 1739, a French military officer claimed that most of the Chitimacha were residing with the Atakapa at that time (Swanton 1911, 342-343). From historical sources, one historian has identified a group on Plaquemine Bayou in 1771 consisting of Chitimacha, Atakapa, and Opelousa Indians (Rea 1970, 13), and another historian has referred to “some Atakapas” with the Chitimacha on that bayou in 1773 (Usner 1992, 169). A historical account also indicated ties connecting the Atakapa with the Houma. In 1805, Indian Agent John Sibley wrote that Tunica and Houma Indians had married into the Atakapa tribe, and his estimate of their numbers revealed that those married into the group constituted more than a third of the group’s population (Sibley 4/5/1805).

By the beginning of the 19th century, references to Atakapa territory and population were more limited than before. According to Hodge’s *Handbook*, a tribe representing a remnant of the original Atakapa linguistic group had its chief habitat in Calcasieu Parish, Louisiana, in the early 1800’s (Hodge 1907,

114). A report by Daniel Clark to Secretary of State James Madison in 1803 referred to the “Atacapas” as located chiefly on Bayou Vermillion, with a population of about 100 (Clark 9/29/1803; see also Anonymous 1892, 21). In 1805, Agent Sibley estimated the Atakapa group, with its intermarried Tunica and Houma, as numbering about 80, which others have interpreted as referring to 80 men (Sibley 4/5/1805; see also Drake 1841, vi; Swanton 1911, 43, 362). This represented a decline from an estimated Atakapa population of 180 men in 1779 (Swanton 1911, 43). Sibley made the point, however, that the Atakapa remained at or near the locations they had occupied at the time the French arrived (Sibley 4/5/1805). Thus, the available evidence contains no historical account of any Atakapa presence in the area of modern Terrebonne Parish.

Historical Choctaw Tribe

The Choctaw at the time of contact were described, in Frederick Hodge’s *Handbook of American Indians*, as occupying middle Mississippi, with their territory extending into Alabama, and as having a population of 15,000 to 20,000 (Hodge 1907, 288-289). There is evidence that “Houma” or “ouma” was used as a Choctaw title or name, which complicates any interpretation that a historical individual named or called “Houma” must have been a member of the historical Houma tribe.³ During the late 18th century, some Choctaw migrated across the Mississippi River, into Spanish Louisiana (Hodge 1907, 288). About 1777, a committee of the House of Representatives concluded, some Choctaw received an allotment of land from the Spanish government on Bayou Boeuf, south of Red River (U.S. House 1/29/1817). Later, groups of Biloxi and Pascagoula settled on that bayou near the Choctaw. A “Chocto” village on Bayou Boeuf was shown on an 1803 Spanish plat (Trudeau 1803). In 1805, Indian Agent John Sibley referred to “Chactos” who lived on Bayou Boeuf, 10 miles south of Bayou Rapide on Red River, apparently distinguishing them from Choctaw (Sibley 4/5/1805). In 1809, however, Sibley referred to “Huani Choctaws” as having settled on “Bayou Beauf” with the Biloxi, and he distinguished them from “Chactos” (Sibley 5/8/1809).

Choctaw also settled, at least temporarily, in a variety of other locations in central and northern Louisiana. A Choctaw group at Jena, Louisiana, was acknowledged as an Indian tribe in 1995. Daniel Clark, in his report to Secretary of State Madison in 1803, referred to Choctaw on Red River at “the Rapide,” possibly referring to the village on Bayou Boeuf in the County of Rapide; Choctaw “wanderers” on Bayou Crocodile which flowed into Bayou Teche; and perhaps as many as 500 Choctaw families “dispersed on the West side of the Mississippi” (Clark 9/29/1803). Agent Sibley, in his report to the Secretary of War in 1805, said that there were “a considerable number” of Choctaw west of the Mississippi. He referred specifically to a village on “Bayou Chico” in the northern part of the district of Opelousas, south of Red River, and a small village on the Ouachita River, north of Red River (Sibley 4/5/1805). Hodge’s *Handbook* also referred to a Choctaw village on “Bayou Chicot” in Opelousas Parish in 1809 (Hodge 1907, 288). In 1809, Agent Sibley referred to a settlement of Choctaw at Cooks Prairie, 40 miles south of Natchitoches (Sibley 5/8/1809), a description similar to other reports of Choctaw at “the rapide.” Sibley also referred vaguely, in reports in 1805, 1809, and 1810, to “rambling hunting parties,” “rambling tribes,” and “Vagabond parties” of Choctaw west of the Mississippi River in Louisiana (Sibley 4/5/1805, 5/8/1809, 11/30/1810). None of these historical accounts placed any group of Choctaw in the vicinity of modern Terrebonne Parish.

³ Historian Patricia Galloway has argued that “mingo ouma (red chief)” was a Choctaw title of office, although the French mistook it for a personal name (Galloway 1985, 123). A British treaty with the Chickasaws and Choctaws in 1765 at Mobile was signed by eight individuals with a name ending in “Houma” (Rowland 1911, 253, 254). “Homma” appeared as a family name on the Choctaw portion of the Dawes Roll of 1903 (see *Final Rolls* 1903, notes).

Historical Acolapissa and Bayougoula Tribes

A Bayougoula Indian village on the Mississippi River was noted by historical sources and later scholars. A memoir by former French official Bienville mentioned the “Bayagoula” as the first tribe the French encountered in 1699 (Bienville 1726, 528). A 1702 map showed a village of “Bayougoula” on the west bank of the Mississippi north of “la Fourche,” the river’s fork with Bayou Lafourche (Delisle 1702; see also Delisle 1718). Historian Daniel Usner noted that the French visited a Bayougoula village in 1699. Usner placed the village on the west bank of the Mississippi River, just above the junction with Bayou Lafourche (Usner 1992, 21-22, 244; see also Kniffen 1935, 10). Noting a French account from 1700 that the Bayougoulas had recently accepted members of a neighboring tribe into their village, Usner concluded that the Bayougoulas at that time already were assimilating refugees from other villages (Usner 1992, 22). Bienville’s memoir, however, said that the Taensa “massacred” the Bayougoula, an event which ethnologist John Swanton concluded occurred in 1706 (Bienville 1726, 528; Swanton 1911, 270, 278). Bienville placed the Bayougoula population, *circa* 1726, at about one-fourth of what it had been in 1699 (Bienville 1726, 528). A continuing Bayougoula village on the Mississippi River in 1718 has been noted by historian Usner (Usner 1992, 63), about 1726 by Bienville’s memoir (Bienville 1726, 527-528), in 1731 by a census of the population along the river (Maduell 1972, 119), and in 1732 by a map of that date (D’Annville 1732).

Scholars have referred to the Acolapissa (or Colapissa) as living along Lake Pontchartrain and the Pearl River at the time of first contact with Europeans. They have not all agreed, however, that the Acolapissa were a distinct historical tribe. Ethnologist Albert Gatschet was of the opinion that the name Acolapissa or Colapissa was used for several tribes or villages rather than for a specific tribe (Gatschet 1884, 112). Frederick Hodge’s *Handbook of American Indians* referred to the Acolapissa as an “indefinite group, of Choctaw lineage,” and ethnologist David Bushnell contended that the Acolapissa could not be distinguished from the Choctaw (Hodge 1907, 9; Bushnell 1909, 1). Gatschet, Hodge, and Bushnell agreed that the Acolapissa were found along Lake Pontchartrain at the time of contact (Gatschet 1884, 112; Hodge 1907, 9; Bushnell 1909, 3). Swanton, however, said the Acolapissa were living on the Pearl River when first visited by Europeans (Swanton 1911, 281), and anthropologist Fred Kniffen said they had six villages in the vicinity of that river (Kniffen 1935, 10). A local historian, relying upon French documents, noted that French colonial officials found an Acolapissa village in 1699 in the vicinity of Lake Pontchartrain, 8 leagues [21 miles] inland from the Gulf, and in 1700 the relocated village 7 miles from the Pearl River and 40 miles upriver from the Gulf (Ellis 1981, 20-21). Relying upon early French accounts, Gatschet said the French found an Acolapissa village in 1699 or 1700 on the Mississippi River 25 leagues [65 miles] from its mouth (Gatschet 1884, 112; see also Hodge 1907, 9).

Bushnell and Swanton cited a French account that indicated that the Acolapissa moved from the Pearl River to a bayou on the north side of Lake Pontchartrain in 1705, although Swanton believed the correct date to be 1702 (Bushnell 1909, 2; Swanton 1911, 281; see also Ellis 1981, 20-21; Usner 1992, 151). A local historian says that Biloxi occupied the abandoned Acolapissa village on the Pearl River about 1722 (Ellis 1981, 29). A French account also stated that the Acolapissa moved from their Lake Pontchartrain location to the Mississippi River in 1718, 13 leagues [34 miles] above New Orleans, although a local historian contended they returned in 1725 (Hodge 1907, 9; Ellis 1981, 27). Other scholars noted continuing settlement on the Mississippi River. Historian Daniel Usner placed the Acolapissa on the Mississippi in 1718, saying that they were on the east bank about 30 miles above New Orleans (Usner 1992, 63). An 1841 history placed the Acolapissa on the east bank of the Mississippi opposite Lake Pontchartrain in 1720 (Drake 1841, *vii*). Swanton, citing a French source, placed them on the Mississippi in 1722 (Swanton 1911, 283, see also 41). An Acolapissa village on the Mississippi was noted on a colonial census of 1726 (Maduell 1972, 52), and a 1732 map indicated two “Colapissa” locations on the east bank of the Mississippi (D’Annville 1732).

There is evidence that the Bayougoula and Acolapissa tribes historically amalgamated with the Houma. In 1739, a French military officer wrote, as translated, that “the Houmas, Bayagoulas, and Colapissa are but one and the same nation in different settlements” (Swanton 1911, 278). Relying upon this account, Swanton concluded that the Bayougoula and Acolapissa had been “fused” with the Houma by 1739 (Swanton 1911, 44, 279, see also 41). An 1892 history of Louisiana also concluded that these three groups “were a united people in 1739” (Anonymous 1892, 23). In 1758, French governor Kerlérec referred to the Bayougoulas and Acolapissa in the past tense, and implied that they were two of several historical tribes that no longer remained in existence (Kerlérec 12/12/1758). Swanton concluded that the history of the Bayougoula was “that of the Houma” after 1739, and that the Acolapissa had “united with the Houma” before 1758 (Swanton 1911, 279, 284; see also Ellis 1981, 27).

Although the Acolapissa were mentioned on a 1764 list of tribes, that list identified the tribes that had received presents from the French colonial government in the past (Moore 1976, 85). The Bayougoula, however, were mentioned as one of the tribes visiting the new Spanish colonial governor in 1769 (Usner 1992, 131, citing Kinnaird 1949, 2:101-2, 154). The evidence available does not include references to the Acolapissa after the 1760’s. The last reference to the Bayougoula is from 1774, when the appointed “chief” of the “Bayou Goula and Houma” Indians sold land on the east bank of the Mississippi River to non-Indian purchasers with Spanish approval (Calazare 10/5/1774; U.S. Senate 3/23/1860, 1; GLO 10/10/1882; U.S. Supreme Court 4/21/1884, 322). Although ethnologist David Bushnell in 1909 speculated that the “Choctaw” on the north shore of Lake Pontchartrain might actually be Acolapissa (Bushnell 1909, 3), there appears to be a scholarly consensus that the Bayougoula and Acolapissa no longer existed as distinct Indian tribes at the time the United States acquired the Louisiana territory in 1803.

Historical Houma Tribe

When the Houma Indians were first visited by French colonial officials, in 1699, they were living in the vicinity of the junction of the Mississippi and Red Rivers. Early French accounts described a Houma village as being located east of the Mississippi River, north of the junction with Red River, and about 2½ leagues [6 miles] from the river on a hill or high bluff (Gatschet 1884, 113; Hodge 1907, 577; Swanton 1911, 285-286; Kinffen 1935, 10; Curry 1979a, 11; see also Montigny 1699 *in* Calder 1935, 207; La Harpe 1971, 19). A 1702 map noted a “village des Ouma” in this location (Delisle 1702). Scholars have described this location as near the modern border between Louisiana and Mississippi. French officials again visited this village in 1700 (Swanton 1911, 287-288; Giraud 1974, 38; see also Du Ru 1934, 26, 32; La Harpe 1971, 33). They found, according to ethnologist John Swanton, “that half of the tribe had been destroyed” by disease (Swanton 1911, 287-288). In November 1700, Father Gravier visited a Houma village that he described as located on the south, or west, side of the Mississippi, and on the crest of a steep mountain at least 1½ leagues [4 miles] from the river (Swanton 1911, 288; see also Curry 1979a, 11). This implied the existence of two Houma villages at that time. Frederick Hodge’s *Handbook of American Indians* classified the “Huma” as “[a] Choctaw tribe,” and they have been considered part of the same Muskogean language group as the Choctaw (Hodge 1907, 577; Harrington 1908, 657; Swanton 1911, table of contents and map; Kniffen 1935, 9; Underhill 10/25/1938, 1; Davis 1975, 5).

Some scholars have agreed with Swanton that the Houma moved from this location after 1706. One explanation for this relocation is that the Houma were attacked by the Tunica, having more than half of their number killed, and were forced to move (Hodge 1907, 577; Swanton 1911, 289). An alternative explanation is that the Houma merely moved farther downriver, after which the Tunica occupied their previous location (Swanton 1911, 289). Hodge’s *Handbook* said that after 1706 the surviving “Huma” settled near the site that would become New Orleans (Hodge 1907, 577). Swanton said that the surviving Houma settled on Bayou St. John, which ran to Lake Pontchartrain (Swanton 1911, 289-290). This location may be indicated on a 1718 map which showed “Oumas” south of Lake Ponchartrain (Delisle

1718; see also Moll 1720). Swanton concluded that the Houma remained at Bayou St. John only for a few years before moving again (Swanton 1911, 290). A French official in 1803, however, while referring to the Houma as having “formerly lived” at the site of the Canterelle plantation in St. James Parish, said that ten or twelve families had remained until “a few years ago” and that he saw two of the four families still on the plantation (Laussat 1978, 68).

Swanton concluded that the Houma moved to a new location on the Mississippi River below the junction with Bayou Lafourche (Swanton 1911, 290). This location is in modern Ascension Parish. It has been described as near the modern town of Burnside (e.g., *Houma Courier* 4/12/1981). Swanton noted that the Houma were established in this location by 1718, because of a French account of a visit there in that year. Citing French sources, Swanton concluded that there were two Houma villages, the smaller village on the Mississippi 2 leagues [5 miles] below the junction with Bayou Lafourche, and the larger village ½ league [1 mile] inland from that point (Swanton 1911, 290). A 1722 travel account also has been cited as revealing that the Houma, or “Oumas,” had two villages on the east bank of the Mississippi near Bayou Lafourche, ½ league [1 mile] apart, but with eight French settlements between them (Drake 1841, x; Curry 1979a, 13, and 1979b, 7). The memoir of former French official Bienville put the village of the “Humas,” about 1726, on the east side of the river about 25 leagues [65 miles] north of New Orleans and 26 leagues [68 miles] south of the Red River (Bienville 1726, 528). A French census in 1726 noted a “Villages les Oumas” on the Mississippi (Maduell 1972, 52). Some historians, therefore, have concluded that the Houma were settled on the Mississippi, several miles below Bayou Lafourche, in the 1720’s (e.g., Usner 1992, 62).

A French map of 1732 appears to show three Houma locations on the east bank of the Mississippi, two villages downstream from Bayou Lafourche and one “Petits Houmas” village just north of Bayou Lafourche (D’Annville 1732). The 1732 map also showed Houma, Bayougoula, and Acolapissa villages in the vicinity of each other. A 1739 account by a French military officer suggested that these three locations, rather than villages of distinct groups, were just different settlements of one nation (Swanton 1911, 278, and 41, 44; Anonymous 1892, 23). The Houma, however, continued to be identified with a location on the Mississippi. Governor Kerlérec’s 1758 report placed the Houma 22 leagues [57 miles] above New Orleans and stated that their population had been “greatly reduced” to about 60 men (Kerlérec 12/12/1758, 212). The Houma were included in a 1764 list of tribes that had been dealt with by the French colonial government, although their location was not stated (Moore 1976, 85). A 1765 map noted a Houma location on the east bank of the Mississippi near Bayou Lafourche (Ross 1765). Thus, there is evidence that the Houma inhabited a village on the Mississippi at the end of the French colonial period in 1763 (see also Usner 1992, 130).

Some scholars have noted evidence of a continued Houma presence in Ascension Parish and on upper Bayou Lafourche during the Spanish colonial period from 1766 to 1803 (e.g., Brasseaux 1987, 182-184; Foret 1996, 17). A Spanish census listed two villages of “Humas” on the Mississippi in 1766, one on the east bank and one on the west bank (Voorhies n.d., 164). This evidence revealed that some Houma had moved across the river and established a new location. The larger village, on the “left” [east] bank, was listed on the 1766 census with a population of 58, while the smaller village, on the “right” [west] bank and 2 leagues [5 miles] closer to New Orleans, had a population of 14 (Voorhies n.d., 164; see also Curry 1979a, 13).⁴ Historian Daniel Usner cited a 1773 list of Indian tribes which put the main village of the

⁴ The usual convention is that the left and right banks are determined while descending a river. Some colonial accounts, however, specified the left and right banks while ascending the river from New Orleans. The conventional understanding based on directions while descending the river makes the left bank of the Mississippi the east bank and would mean that the larger Houma village remained on the east bank of the river. This convention appears to have been followed in 1766, for Plaquemine River and False River, west of the Mississippi, were on the “right” bank, while the “left” bank appeared to be described as the “same bank” as New Orleans, east of the river.

Houmas, consisting of about 40 men, on the east bank of the Mississippi, with another Houma village on the opposite bank (Usner 1992, 168). A historian, citing a British source, described the Houmas as being located on the Mississippi in 1771 (Rea 1970, 13; see also Thomas 12/12/1771), while another historian, citing a Spanish letter, referred to “the Houmas of the upper Lafourche Valley” in 1772 (Brasseaux 1987, 182). In 1773, Spanish commandant Louis Judice reported that he expected the Houmas to settle on Bayou Lafourche, three-quarters of a league [2 miles] from the Mississippi (Judice 3/2/1773 *in* PPC 1772-1797).

In 1774, the appointed “chief” of the “Bayou Goula and Houma” Indians sold land on the east bank of the Mississippi River to non-Indians. Land claims by non-Indians based on this purchase, which became known as the “Houmas Grant,” were the subject of extensive litigation during the 19th century. Those claims were not made on behalf of a tribe or Indian descendants. The U.S. Supreme Court stated that the two tribes making the sale in 1774 had settled on that land by permission of the Spanish governor, and the sale agreement indicated it had Spanish approval. The tract was described as being 22 leagues or 75 miles north of New Orleans (Calazare 10/5/1774; U.S. Senate 3/23/1860, 1; GLO 10/10/1882; U.S. Supreme Court 4/21/1884, 322; Swanton 1911, 290).⁵ According to a GLO map of 1830 and a map in a U.S. Treasury report of 1845, the tract was located on a bend in the Mississippi below the junction with Bayou Lafourche and extended (from T10S, R3E) to the east and north of the river (GLO 1830; Treasury 1/8/1845, at 132/133). This tract was in Ascension Parish (GLO 10/10/1882, 11). These descriptions match the historical accounts of the location of the main Houma village prior to 1774. Janel Curry, a researcher for the UHN petitioner, asserted that the Houma already had vacated the land at the time of this sale (Curry 1979a, 15). The sale agreement itself, however, referred to “huts” at or adjacent to the site as the place in which “the said two nations of Indians now live” (Calazare 10/5/1774). After this 1774 sale, observers continued to describe Houma Indians at this location.

Spanish commandant Louis Judice reported in 1775 that after the Houma tribe “sold its village site” it “divided to the point that it currently consists of three villages.” He identified a group that remained on the land that had been sold; a group that had moved 2½ leagues [6 miles] upriver; and a group that had “withdrawn to the Lafourche” (Judice 10/1/1775). He said the group that moved to the Lafourche contained eight families. A 1784 travel account by Thomas Hutchins referred to a village of “Humas,” which he described as “reduced” to about 25 men, about 60 miles from New Orleans, a location consistent with the village site prior to the 1774 sale. He referred to another village, of about 27 men, “near” the fork (the “Fourche”) of the Mississippi and Bayou Lafourche. He also said the “chief” of the “Humas tribe” inhabited the banks of a creek known as the “Chetimachas fork,” which appears to refer to Bayou Lafourche (Hutchins 1784, 39-40; see also Swanton 1911, 290-291; Curry 1979a, 15). Thus, both Judice and Hutchins identified three Houma settlements in the vicinity of the junction of the Mississippi River and Bayou Lafourche between 1775 and 1784. Ethnologist Albert Gatschet cited a French source to conclude that the Houma lived on Bayou Lafourche “after the Revolution” (Gatschet 1884, 114). The Spanish commandant reported conflict between Houma Indians and Acadian settlers between 1778 and 1788 (Brasseaux 1987, 183, and 2003, 37), indicating a continued Houma presence on the upper Lafourche.

In 1803, Daniel Clark reported to Secretary of State James Madison that the “remains” of the “Houmas,” not exceeding 60 persons, were located on the eastern bank of the Mississippi River about 25 leagues [65 miles] above New Orleans. He said there were no other Indian settlements on the east side of the river (Clark 9/29/1803, 62). This information was repeated by President Jefferson in a message to Congress (Jefferson 11/14/1803), and cited by Swanton (Swanton 1911, 291; see also Anonymous 1892,

⁵ Although a standard conversion is that 1 league equals 2.6 miles, in this instance this historical document used a conversion of 3.4 miles per league. By these alternate measures, 22 leagues were 57 or 75 miles.

21). In 1805, Indian Agent John Sibley reported to the Secretary of War that “a few of the Humas [are] still living on the east side of the Mississippi . . . below Manchac, but scarcely exist as a nation” (Sibley 4/5/1805). This report also was cited by Swanton (Swanton 1911, 291; see also Curry 1979a, 9, who mistakenly dates this report as 1803). Territorial Governor Claiborne noted in an 1806 report that a tribe “called the Hamos . . . reside on the waters of the Mississippi in the County of Acadia” (Claiborne 4/4/1806 in Rowland 1917, 3:347). That county spanned the Mississippi River at Donaldsonville and included the junction with Bayou Lafourche. Thus, several historical observers noted that some portion of the historical Houma tribe remained on the Mississippi River, near Bayou Lafourche, as late as the first decade of the 19th century.

Since the early 20th century, when ethnologist John Swanton of the Bureau of American Ethnology postulated a link between contemporary Indian residents of Terrebonne Parish and the historical Houma tribe, these people have been known as “Houma” Indians. This identification has been repeated, and thus has persisted, despite the limitations and qualifications Swanton noted to this identification. Swanton did his field work among the “Houma” Indians in the spring of 1907. At that time, the *Handbook of American Indians*, prepared by the Bureau of American Ethnology in 1905 and first published in 1907, contained only a brief paragraph on the “Huma” Indians. Although the *Handbook* suggested that the “Huma” surviving after 1706 had “lived along Bayou La Fourche and in the neighborhood of the present Houma, La., which bears their name,” it concluded that, “[t]hey are now supposed to be extinct” (Hodge 1907, 577).

Swanton found that his Indian informants in Terrebonne Parish in 1907 “call themselves ‘Houmas’” or “Hômas” (Swanton 1911, 292). He concluded, however, that his informants were “the descendants of only a part of the ancient Houma” and, further, that the “remains of several other tribes . . . have been incorporated with them,” noting ancestry claimed from at least ten other historical tribes (Swanton 1911, 292). Perhaps it was because he found that “remnants of all sorts of tribes joined the Houma” (Swanton 1911, 292) and that Houma descendants had intermarried with non-Indians, of both European and African descent (Swanton 1911, 291), making the contemporary “Houma” population different from the historical population, that Swanton wrote that the Houma “at the present time are almost a new race” (Swanton 1911, 45). He concluded, without explanation, that “the Houma was always the dominating element” in “this tribal complexity” (Swanton 1911, 292). Swanton stated that he had visited “the remnant of the tribe” (Swanton 1911, 291). He was interested in the question of how these Houma had arrived on the bayous along the coast, but had no clear explanation for such a population movement. Swanton wrote in 1911 that he was “in doubt when the bulk of the [Houma] tribe moved from Ascension into Terre Bonne parish,” and suggested that “possibly it was drift rather than a regular migration” (Swanton 1911, 291).

Many writers after Swanton repeated the possibility he suggested that a portion of the historical Houma tribe had drifted to the south, but without Swanton’s doubts and qualifications about them having joined or intermarried with descendants of many other ethnic populations. Later writers also did not perceive that the “drift” mentioned by Swanton could have referred to individual migrations, rather than a collective or tribal migration. Anthropologist Frank Speck contended in 1943 that the historical Houma “drifted to the bayous of La Fourche and Terrebonne” parishes, a distance he described as 130 to 150 miles (Speck 1943, 137). Despite asserting that this migration was “well established historically,” Speck cited no historical documentation to support his contention. Indeed, Speck claimed that “little . . . has been recorded concerning the [Houma] tribe” by historians and ethnologists (Speck 1943, 136). A variety of writers in the 20th century, accepting that the contemporary Indian residents of Terrebonne and Lafourche Parishes were “Houma,” assumed that they had gradually “drifted” towards the seacoast of Terrebonne and Lafourche Parishes after the land sale of 1774 (Albrecht 1945, 57; L.C. Bourgeois 1957, 3; see also WPA 1941, xxvii; L.T. Bourgeois n.d., 3; Gregory 1985, 106).

Carl Brasseaux, a historian of Acadian settlement rather than Indian migration in Louisiana, concluded that “a smallpox epidemic forced the [Houma] tribe to migrate to the lower Lafourche Valley” (Brasseaux 1987, 184). He also referred to “the departure of the Houma from the upper Lafourche Valley in 1788,” citing a report of the Spanish commandant in 1788 (Brasseaux 2003, 37).⁶ The report he cited, however, mentioned a move by Indians back to their former village (“*leurs encien village*”), and described them locating on the land of an individual landowner, not moving beyond Acadian settlement to lower Lafourche (Judice 5/4/1788).⁷ Noting that after 1789 official correspondence rarely dealt with Indian problems, Brasseaux argued that there was an immediate lessening of Acadian-Indian conflict. He assumed that this situation followed “closely the Houma migration from the primary areas of Acadian settlement” in the Lafourche Valley (Brasseaux 1987, 185). Alternatively, this situation might have been a result of the effect of a smallpox epidemic on the Indian population. Brasseaux relied upon contemporary Spanish accounts for the timing and rationale for a move by the Indians, but not for their destination, which he assumed from Swanton’s 1911 publication. A migration down the Lafourche valley, or to the bayous of modern Terrebonne Parish, was not the only possible direction, or distance, of a move away from the primary areas of Acadian settlement, and the cited report implied a different pattern of Indian migration.

Researchers in the 20th century have noted that modern “Houma” informants claim that their ancestors once occupied the site of the modern town of Houma and received an extensive Spanish land grant for that location. In 1938, BIA researcher Ruth Underhill noted that informants claimed that a Spanish land grant extended for a hundred miles from Barataria [Lake Salvador] below New Orleans on the east to the Atchafalaya River on the west, and consisted of all the land in Terrebonne and Lafourche Parishes (Underhill 10/22/1938, and 10/25/1938, 8). Since she could find no evidence of such a grant, Underhill stated, “I fear the grant is a myth” (Underhill 10/22/1938). Janel Curry, a researcher for the UHN petitioner, contended, citing four oral history interviews, that a settlement at or near the current town of Houma was made with Spanish approval and constituted a Spanish land grant of all the land between the Atchafalaya and Barataria (Curry 1979a, 15). Only one of the four cited interviews, however, mentioned a land grant, and that was a claim that the father of Rosalie Courteau had a Spanish grant (Ch. Billiot 2/21/1978; see also 9/5/1927). Curry admitted there is no documentary evidence of a tribal land grant. She asserted that the historical Houma tribe filed a claim for this land with the United States Government, but she identified no claim that remotely matches such an expansive grant of land and no claim based on the receipt of a Spanish land grant.

Citing the “oral tradition” of the “Houma,” researchers for the UHN petitioner contended that, at some indefinite time after 1766, “at least one of the Houma villages moved” (Campisi 1990, 3) or that “the village” moved (Curry 1979a, 15)⁸ south from a location at the fork of the Mississippi River and Bayou Lafourche to the present site of the town named Houma. Curry cited four oral histories to support this contention. The notes or excerpts from these oral histories in the available record, however, do not support this claimed tribal migration. All four of these oral histories referred in some way to Indians historically having lived in the vicinity of the site of the town of Houma (F. Gallet 1/-/1978; Ch. Billiot 2/21/1978; J. Courteaux 7/20/1978; Cy. Billiot 7/26/1978). Two of these oral histories appeared to refer to “Houma” Indians as having lived at this location, but one oral history explicitly denied that these

⁶ His account, however, appeared to date such a departure after an event in early 1789 (Brasseaux 2003, 37; compare the dates in n.37 and n.39).

⁷ Another possible source for his conclusion, a letter from Theriot to Miró, January 2, 1789, is not in the record.

⁸ It is unclear whether it is Curry’s contention that only the “petite” Houma village moved. She has cited evidence of a Houma settlement on near the Mississippi in 1784, apparently after her dating of an alleged migration.

Indians were “Houma,” saying that the Indians were named for the town after they arrived there (F. Gallet 1/-/1978). One interviewee referred to a move “down” to Houma, but the context left unclear whether this was a reference to a move by the Courteau family or a tribal group (J. Courteaux 7/20/1978). Another interviewee described the individual migration of Rosalie Courteau from the State of Mississippi to Louisiana, referring to a move across the lake [Pontchartrain] to Metairie rather than a move south from the fork of the Mississippi River and Bayou Lafourche (F. Gallet 1/-/1978). None of these oral histories mentioned a “village” or any migration by a village.

Some historical accounts referred to migrations of portions of a historical Houma tribe, but none of those descriptions referred to any move to Bayou Terrebonne or locations in modern Terrebonne Parish. The latest accounts by colonial officials placed Houma settlements on the Mississippi River and on upper Bayou Lafourche, and the earliest reports to the American government in 1803 indicated that some Houma remained on the Mississippi. They were there when claimed Indian founding ancestors of the petitioner were at Bayou Terrebonne. Available examples of Spanish reports which may have referred to further migrations did not describe moves to the vicinity of actual or claimed historical settlements of the petitioner’s claimed Indian ancestors.

The “Homas” Claim (ca. 1813-1816)

A claim of the “Homas” tribe of Indians to 12 sections of land was submitted to the U.S. General Land Office (GLO) sometime between 1813 and 1816. The register and receiver of the land district for the Eastern District of Louisiana in New Orleans recommended against confirmation of such a claim in a report prepared in November 1816. These officials submitted this report to the Commissioner of the General Land Office who, in turn, forwarded it to Congress in January 1817 (GLO 1/16/1817, claim #625 at p.265). This report was prepared and submitted to Congress in accordance with the Act of February 27, 1813 (2 Stat. 807), which extended the time period for the submission of land claims in the State of Louisiana, a process which originally had been authorized for the Territory of Orleans by the Act of March 2, 1805 (2 Stat. 324).

The Federal land office officials categorized the “Homas” claim as one “not embraced by existing laws” (GLO 1/16/1817, 264). They explained that, “[w]e know of no law of the United States by which a tribe of Indians have a right to claim lands as a donation” (GLO 1/16/1817, 265). By describing the claim as one for a “donation” of land, they distinguished this claim from one based on a “grant” of land from a previous government. This distinction appears to be based on the Act of 1805, which referred to a “grant” from a colonial government in section 1 and a “donation” by the United States Government in section 2 (United States 3/2/1805). Because the Act referred to a donation of land to a “person” who had made an actual settlement with Spanish permission, it is not clear whether this language precluded an Indian tribe from receiving a donation of land. Because the Act provided that a “donation shall not be made to any person who claims any other tract of land ... by virtue of any French or Spanish grant” (United States 3/2/1805, 326), Federal officials revealed, by characterizing the “Homas” as having claimed a “donation” of land, that the “Homas” had not claimed land based on their receipt of a Spanish land grant.

The “Homas” claim was described only as “a tract of land lying on bayou Boeuf, or Black bayou” (GLO 1/16/1817, 265). The GLO report indicated that claims in this class of those “unsupported by evidence” were claims that “in many instances, exhibit no description of the land claimed” (GLO 1/16/1817, 268). A GLO ledger of these private land claims contains no legal description of the “Homas” claim (GLO 1885). Historical maps reveal that there were several bayous known as bayou Boeuf or bayou Black. The map evidence which best matches the description in the GLO report, because of possible confusion over the bayou’s name as either Boeuf or Black, appears to be a “Bayou Boeuf” located just south and east of the Lake of the “Attackappas” [Grand Lake]. This Bayou Boeuf was shown on several early maps (GLO n.d., maps 1, 2; GLO 1827; Anonymous 1806, 1824, 1839). In the earliest GLO map, this “Bayou Beau”

[sic] ran only between Berwick's Bay and "Lake Pollourd" (GLO n.d., map 1; see also Anonymous 1824). A second GLO map showed "Bayou Boeuf" in the same location (T.16S., R.12E. and 13E.), but also connected it with a bayou further to the east (T.16S., R.14E.) labeled "Bayou Black" (GLO n.d., map 2). A linkage of bayous Boeuf and Black also was shown on an 1827 GLO map (GLO 1827; see also Anonymous 1826), although it was unclear on some other maps. In 1941, anthropologist Frank Speck reported that a few "Houma" families were living on "Bayou Boeuf" east of Atchafalaya Bay or River (Speck 1941a, 14), which was this possible location of the "Homas" claim.

Another "Bayou Boeuf" existed north of Opelousas (see Figure 1). An 1803 map by a Spanish surveyor reveals that this location contained four Indian villages (Trudeau 1803). An 1827 map by the GLO also showed a location of "Indians" (T.3S., R.3E.) on this bayou (GLO 1827). This is the only available evidence that Indians were located on a Bayou Boeuf or Bayou Black about the time of the "Homas" claim. This evidence of Indian settlement on Bayou Boeuf prior to acquisition of the Louisiana Purchase by the United States would have provided a basis for claiming a land donation because of existing settlement with Spanish permission. This location, however, would have been in the Opelousas rather than the New Orleans land district, and should not then have been included in a report by the New Orleans officials. Researcher Janel Curry, though, for reasons she did not explain, described the "Homas" claim as having been filed at the Opelousas land office (Curry 1979a, 16).

An 1817 map shows both a "Bayou Black" west of Bayou Terrebonne that passed near the location of the future town of Houma and a "Bayou Black" east of and parallel to Bayou Terrebonne (Ludlow 1817). It is not clear, however, that either of these bayous matches the description of a bayou known by two names, as "bayou Boeuf, or Black bayou." An early GLO map shows the eastern Bayou Black running between "Solet Lake" and "Tembelie Bay" (GLO n.d., map 2). On an 1827 GLO map, however, this bayou was named "B[ayou] Blue" (GLO 1827; see also Anonymous 1826, 1839), a name which appears to have persisted to the present. A modern map representing historical locations included a "B[ayou] Boeuf" northeast of Thibodaux, and thus east of Bayou Lafourche (West 1986, fig.3). The western Bayou Black may have given its name to the earlier Bayou Boeuf near the Atchafalaya River, but the available map evidence does not show that this Bayou Black was known as Bayou Boeuf in the vicinity of the town of Houma at the time of the "Homas" claim.⁹

A possible "Homas" claim for land on the Bayou Black west of Bayou Terrebonne would be consistent with some oral history statements by contemporary "Houma" individuals that a previous Indian settlement existed in the vicinity of the town of Houma and the belief of some non-Indian amateur historians that an Indian settlement had once been located at the junction of Bayou Cane and Bayou Black at Ouiski [Whiskey] Point before or at the time of the founding of the town of Houma in 1834. Randolph Bazet, parish clerk of court and amateur historian, identified the Ouiski Point site as a location where Indians had "camped" (Bazet 1934, 15). Bazet apparently relied upon his discovery at this site of Indian artifacts and community opinion. One informant who specifically referred to Ouiski Point and 22 sections of land (T. Dion 6/27/1980, 1/23/1981) may have acquired this detail from historical research about the "Homas" claim rather than from oral tradition. Although many oral histories of individuals identifying themselves as Indian descendants reflected their belief in the previous existence of a Spanish land grant and a settlement of their ancestors in the vicinity of the modern town of Houma, they did not specify a Bayou Black or Bayou Boeuf location.

⁹ In a 1979 oral history interview, however, a woman referred to the residences of her grandfather as Bayou la Carpe and "Bayou Boeuf, near the Intercoastal" (J. Wilson 7/30/1979). On the southern edge of the town of Houma, Bayou la Carpe crosses and Bayou Black turns near the modern Intercoastal Waterway (see GLO 1974, "Houma Quadrangle"). Thus, Bayou Black may have been popularly known as Bayou Boeuf at some time in the 20th century.

Summary

A review of the available primary historical documentation and secondary historical literature finds no identification of a historical Indian tribe existing in present Terrebonne or Lafourche Parishes about the time of United States acquisition of this territory in 1803 (see Figure 5). The Ouacha and Chaouacha tribes, described as residing in this area at the time of first contact with non-Indians, also have been described as migrating east to the Mississippi River and then disappearing from the historical record. The Chitimacha tribe, sometimes described as having a presence on upper Bayou Lafourche during the 18th century, was described about 1803 as having settlements on Bayou Teche to the west and Bayou Plaquemine and the Mississippi River to the north of Terrebonne Parish. The Atakapa retained several settlements in their traditional territory west of the Chitimacha. Groups of Biloxi and Choctaw have been described as migrating into Louisiana from the east, with villages of each existing on Bayou Boeuf until at least 1802 and a group of Biloxi residing even later in the Avoyelles district, and being located, therefore, well to the north of Terrebonne Parish. Bayougoulas of the Mississippi River and Acolapissa from north of Lake Pontchartrain have been described as losing their tribal distinctiveness, perhaps by merging with Houma survivors who moved down the Mississippi to a location near the junction with Bayou Lafourche. The Houma were mentioned there by Spanish officials as late as 1788 and noted, as remnants of an earlier tribe, on the Mississippi by American officials in the early 1800's.

No satisfactory explanation of the migration of a tribal group or portion of an Indian tribe into Terrebonne Parish exists in the available record. Ethnologist John Swanton speculated that some Houma Indians, intermarried with people from other Indian tribes, must have migrated to the lower bayous of south central Louisiana, but he could offer no evidence or explanation of how or when this migration occurred. While the available evidence provides possible scenarios for possible migrations to Terrebonne Parish—the Houma sold their village site in 1774, a Spanish official in 1780 mentioned Biloxi fleeing south into the marshes, another official described Indians leaving the upper Lafourche about 1788, and the Biloxi sold their village site on Bayou Boeuf in 1802—they do not demonstrate that a tribal migration to Bayou Terrebonne actually occurred.

Appendix B: Individuals Claimed as “Indians” in the BCCM Genealogical Database

The BCCM petitioner’s genealogical database tagged 33 historical individuals’ names with the description “Indian,” sometimes ascribing tribal affiliations to them. This total includes Houma Courteau (and two of his children, Rosalie and Marguerite Courteau), Marie Gregoire, and Jeanet, all of whom are described in the Summary under the Criteria under criterion 83.7(e). The petitioner’s identifications and OFA’s analyses of the 28 remaining claimed historical individuals are presented here, arranged chronologically by their approximate birth dates.¹ The names are presented here, in **bold**, as they appear in the BCCM genealogical database.

In addition, this appendix includes three entries for individuals whom the petitioner describes as “Indian” although they were not specifically tagged as “Indian” in the genealogical database—Marianne Iris (b. ca. 1750), Marie Anne Pierre (b. ca. 1771) (wife of Houma Courteau), and Louis Sauvage (b. before 1782) (brother of Marie Anne Pierre), the last of whom does not appear at all in the BCCM genealogical database. Since these claimed Indian historical individuals may also be ancestral to the PACIT petitioner, the analysis is provided to both the BCCM and PACIT petitioners, even though it is a direct response to BCCM’s submission.

All references pertain to lineage information and “Notes” field entries as found in the BCCM genealogical database unless otherwise cited. If approximate birth dates were not given in the database, OFA estimated birth dates (in brackets) as being 16 years before a known marriage date or a child’s known birth date. If death dates were not given in the database, OFA estimated death, or “last known living,” dates (in brackets). OFA also used brackets when evidence supported a date other than the one in the BCCM genealogical database. Many of the claimed Indian historical individuals are presented by the BCCM petitioner as interrelated. Charts A, B, and C, found at the end of this appendix, provide drop line charts illustrating the claimed interrelationships of three family groups represented here.

The evidence cited in the BCCM petitioner’s genealogical database appears to verify Indian ancestry for five historical individuals: Marie Anne Therese [b. ca. 1709], Catherine (b. ca. 1740), “Marie”/Catalina [b. ca. 1745], Juana Carriere (b. ca. 1758), and Fanchon [b. ca. 1763]. The BCCM genealogical database indicates that one of these, Catherine, has four descendants in one subgroup of the BCCM petitioner, and the other four Indians do not have descendants in the BCCM or PACIT petitioners. Three other historical individuals, Marianne Iris [b. ca. 1750], Marie Louise St. Germaine (b. ca. 1779) and Auguste Jaco [b. before 1813], have claimed descendants in both BCCM and PACIT petitioners, but have indirect or ambiguous evidence of Indian ancestry.

The petitioner(s) should provide the evidence cited in this genealogical database that supports the claims that these were Indian individuals, and provide evidence that these claimed Indian ancestors, or their descendants, were associated with the petitioner’s other claimed ancestors.

¹ Some of those individuals in the database who are identified as “Indian” may not be intended as part of the BCCM petition, insofar as the database submitted by BCCM includes all of the client work of the group’s genealogist.

Woman, “Indian” [b. ca. 1705 – d. before 1731]; [child born circa 1721 in Biloxi, MS]

The BCCM genealogical database for Marie St. Estef (Estel/Esteve/Estere) (born circa 1721), the only claimed child of “Indian woman” by Chevalier de St. Esteves, cites published abstracts of church records and other published sources not found in the current record. The BAR genealogist for the UHN petition obtained the published church records which show that Marie St. Estef’s 1737 marriage in Pointe Coupee Parish (about 100 miles northwest of Montegut) and the subsequent baptism records for her children do not identify her parentage or Indian ancestry, but refer to her as “of Biloxi,” and an orphan from the Ursuline Convent (Diocese of Baton Rouge 1978, 1:142, 219). No document in the record shows an Indian mother for Marie St. Estef or Indian wife for Chevalier de St. Esteves as claimed by the petitioner. The database presents the claim that “Indian woman” has 124 descendants in all subgroups of BCCM, 122 of whom claim descent from her 4th great-granddaughter Elizabeth Liner who married Pierre Gregoire in 1882. The database does not include any PACIT members as descendants of “Indian woman.”

“Chitimacha Indian” [b. ca. 1706 – d. ?]

The BCCM genealogical database clearly warns that evidence thus far does not document “Chitimacha Indian” as the paternal grandmother of **Marianne Iris** [b. ca. 1750]. This warning appears in the entry for “**Francoise ‘Fanchon’/St. Therese,**” who is presented as the putative mother of Marianne Iris in the database: “There is no proof yet found to establish parentage of Marianne IRIS but only circumstantial evidence...” (BCCM 4/21/2005 BK, notes on “Francoise ‘Fanchon’ St. Therese”).² The database presents the claim that “Chitimacha Indian” was the first wife of Jacques Herisse, who emigrated from France in 1719. The petitioner ascribes four Herisse/Iris children to this couple, but the evidence cited for each of them does not identify their parents. One of these claimed children, Jean Baptiste Iris, was enumerated in a circa 1770 census of settlers on “English Turn,” on the Mississippi River below New Orleans, as then being age 36 (i.e., born circa 1734), although the database lists him as born “about 1724” (Voorhies n.d., 260). A 1770 census of habitations in a different location recorded his putative wife Fanchon as the head of her household at age 60 (i.e., born circa 1710), although the database lists her as born “about 1720” (Robichaux 1973, 109). If both censuses were taken in 1770, and both ages are correct, Jean Baptiste Iris was 24 years younger than his putative wife Fanchon.

No document in the record shows this person as Indian or as Chitimacha, as claimed by the petitioner. The database presents the claim that this theoretical grandmother of Marianne Iris has more than 2,500 descendants in BCCM and 682 descendants in PACIT. All current PACIT members and all but 16 BL and GCD members who claim descent from Marianne Iris’ grandmother also claim Indian descent from other known Indians.

Susanne, “Choctaw Indian” (b. ca. 1707 – d. ?); [daughter born on Pascagoula River, MS]

The BCCM genealogical database cites the will of Susanne’s Canadian-born husband, Jean Baptiste Baudreau dit Graveline (d. ca. 1750), which referred to Susanne as the “daughter of a great chief.” The database presents the theory that Susanne “is probably the Marie Susanne, a little Paniouacha slave (age 3) of the Apalache chief, who was baptized at Mobile in 1710,” and cites other evidence stating that the

² The evidence used for “Fanchon” and her children is a 1770 census entry, including all given names, ages, and relationships (Robichaux 1973, 109). No surname is used for “free Negress” Fanchon, who heads the “habitation.”

“slave belonging to the chief of the Appalaches, in 1710, was of the village or tribe Paniouacha Mob” (citation appears to be “Black Books I:13”). To this is added, “Perhaps the Concha (Coosa?), a CHOCTAW tribe, allies of the French.” The will may provide identification of Susanne as Indian, but thus far her “Choctaw” affiliation remains undocumented. The petitioner has not submitted a copy of the cited will. The database presents the claim that Susanne has 36 descendants in the BL and GCD subgroups of BCCM, and 12 in PACIT, all of whom descend from her 3rd great-grandchild, Genevieve Durocher, who married Francois Andres Dubois in 1819 in Assumption Parish, adjoining modern Terrebonne Parish to the west.

Marie Anne Therese, “Chitimacha” [b. ca. 1709 – d. 1740 in Natchitoches, LA]

The BCCM genealogical database cites published records that identify Marie Anne Therese as an “Indian de la grande terra” in the 1743 Natchitoches marriage of her daughter, and as “a Chitimachas” in the church record of her 1740 burial in Natchitoches, located about 215 miles northwest of Montegut (Mills 1977, 28, 43). The petitioner did not submit copies of these church abstracts, photocopies of which were obtained by OFA. The database links this woman to a French husband Jacques Guedon dit Nantois. The most recent descendant of Marie Anne Therese in the database is a great-grandson baptized in 1788 in Natchitoches, Louisiana. The database does not include any BCCM or PACIT members as descendants of Marie Anne Therese, whom contemporary evidence confirms as an Indian.

Catherine, “Chitimachas Indian” (b. ca 1740 – d. 1780 Ascension Parish, LA)

The BCCM genealogical database cites the published church record abstract of the baptism of Catharine’s granddaughter as evidence that Catherine was Indian and Chitimacha (“BRDA 2-289”). The petitioner did not submit a photocopy of the published abstract or a certified transcript of the baptism record. The published church record abstracts in BAR’s files show Catherine married Nicolas Joseph Daublin, the son of French émigrés. Their descendants resided in Lafourche Parish before 1800, according to the petitioner. The church abstracts identify Catharine as an Indian, or “free Indian,” and her daughter as “Catharina Daublin of Chetimachas” (Diocese of Baton Rouge 1980, 2:223a-224, 289, 570). The use of the term “of Chetimachas” may refer to her birthplace or to her tribal ancestry.³ The database presents the claim that the first marriage of a descendant of “Catherine” to a descendant of Houma Courteau or Marie Gregoire was in 1980 in the Bayou Lafourche subgroup of the BCCM petitioner. The database includes four current BCCM members and no PACIT members as descendants of Catherine, whom contemporary evidence confirms as an Indian.

“Marie”/Catalina, “Indian” [b. ca. 1745 – d. after 1763 birth of son in Attakapas Dist., LA]

See Chart A. The BCCM genealogical database cites published church record abstracts for the identification of “Marie”/Catalina as a “free sauvagesse.” The published St. Martinville church record abstracts include the 1772 baptisms for “griffe libre Gregoire” (b. 1760-1761) and his probable brother “griffe libre Paul” (b. 1763-1764) (Hebert 1996; 365, 612). [St. Martinville is about 90 miles northwest of Montegut.] These baptisms do not identify their father, and describe their mother as a “sauvagesse libre” without naming her. The same church’s 1797 baptism of Honorato, a child of “griffe libre Paul,”

³ The baptism record abstract (for daughter Rosalia) that describes “Catharina Daublin of Chetimachas” describes her husband as “Joseph of Picardy” (Diocese of Baton Rouge 1978?, 2:289). A certified transcript of the original 1803 baptism may reveal whether “Chetimachas” was intended as Catharina’s place of birth or tribal ancestry.

identifies Paul's parents as "Andres Mas, negre libre & Catalina, sauvagesse" (Hebert 1996, 423). The abstract further notes that Honorato's baptism took place "on the farm of Jupiter, the captain of the Indians" (Hebert 1996, 423). The 1772 baptism of a Paul and the 1797 baptism of the son of a Paul occurred at the same church, and each record identified Paul as a "griffe libre" and his mother as a "sauvagesse." For these reasons, the Department views both records as likely pertaining to one "Paul."

The database attributes five children to Catalina and her "free black" husband Andre Masse (as his name appears in the database). However, the baptisms for the other three children identify their mothers as a woman or women named Marie, not Catalina, and as either "free black" or as a slave belonging to Mrs. DeVaugine (Hebert 1996, 14, 25, 529). No father was listed for the child of the enslaved Marie. The database does not show any descendants for these three children.

One of these five children, Gregoire, may have a link to the Billiots on Bayou Terrebonne (see entry for **Magdelaine Gregoire** (b. ca. 1806)), although there are no known descendants from that possible Billiot marriage. Further, both the petitioner and "Who's Who Houma" mention the possibility that Gregoire may have been the father of Marie (Gregoire) Verdin. If evidence can demonstrate such a connection, then Marie/Catalina would be considered an Indian ancestor of most members of BCCM and PACIT petitioners. The database does not include any BCCM or PACIT members as descendants of "Marie/Catalina, Indian," who contemporary evidence confirms as an Indian.

Marianne Iris [b. ca. 1750 – d. 1822]

The petitioner's database identifies parents and grandparents for Marianne Enerisse/Iris, but notes in her mother's entry, "There is no proof yet found to establish parentage of Marianne IRIS but only circumstantial evidence..." (BCCM 4/21/2005 BK, notes on "Francoise 'Fanchon' St. Therese"). Even though evidence found to date does not document the names of Marianne Iris' parents, evidence does raise the possibility that one parent of Marianne Iris may have been considered Indian.

The Department's "Who's Who Houma" referred to the December 29, 1792, baptism in New Orleans of a daughter born to Jean Baptiste/Pierre Billiot and Marianne Iris (BIA 8/28/1994, 4). The UHN petitioner submitted a certified photocopy of the original baptism record during the UHN comment period (Biau 12/29/1792). The BCCM petitioner supplied a photocopy, transcription, and translation of the microfilmed original record of the December 29, 1792, baptism, as well as a photocopy, transcription, and translation of the March 11, 1784, last will and testament (written but not probated on that date) of Marianne's "husband" Jean Billiot ("Juan Villaud") (Villaud 3/11/1784), both documents having been recorded in New Orleans.

Jean Billiot's 1784 will names "Mariana Grifa libre" (Marianne, free griffa) as his executrix and his "only and true heir." The 1792 baptism of this couple's child Rosalia describes the parents as "Juan Biau" and "Maria Inys, free, grifa," both of the parish.⁴ The petitioner's submission of the 1792 baptism

⁴ One of Rosalia's godparents identified in the baptismal record was "Alexandro Verdue" "of this city" whom the petitioner believes to be Alexandre Verdin. The UHN proposed finding also shared that interpretation (*UHN PF*, HR 34). Alexandre Verdin stated in his 1829 will in Terrebonne Parish that he was a native of what in 1829 was called Jefferson Parish, one and a half leagues from New Orleans (equivalent to less than five miles if a league equaled three statute miles). Further, his 1770 baptism was recorded at St. Louis Cathedral in New Orleans, thus Alexandre Verdin had a connection with New Orleans. Without an every-name index to the abstracted church records, it was not possible to determine whether "Alexandro Verdue" served as a godfather or was named as the father for other New Orleans infants at baptism, and, if so, in what years, and under what other possible spellings of his name, which evidence could help support or disprove the interpretation that "Alexandro Verdue" was in fact "Alexandre Verdin."

transcription included a definition of “griffe” found in a Spanish-American dictionary: “child of a Negro and Indian (America)” (Bettag 8/7/1997). The UHN proposed finding provided a similar definition: “the offspring of Indians and blacks or mulattoes” (*UHN PF*, HR 22, citing Webre 1984, 120). However, the Webre article cited by the UHN proposed finding indicated that this was not the exclusive definition. The passage referenced in the UHN proposed finding that defined “griffe” (in French) or “zambos” (in Spanish) as the offspring of Indians and Blacks or mulattoes included a footnote that adds, “The word ‘griffe,’ in fact, was also used to describe the offspring of the union between a black and a mulatto” (Webre 1984, 120 fn 6).

In a 1978 article, Elizabeth Shown Mills, a genealogist with experience in translating Louisiana church records and documenting ancestry, stated that the term “grifa” (or “griff,” “griffe,” or “grifo”) was “used within Louisiana to indicate individuals of mixed Indian and Negro ancestry” (Mills 1978, 14). However, her *Natchitoches 1729-1803 — Abstracts of the Catholic Church Registers of the French and Spanish Post of St. Jean Baptiste des Natchitoches in Louisiana*, published in 1977, provided a slightly different definition of the French term “griffe”: “Some authorities define a ‘griffe’ as the offspring of a Negro and a mulatto, others as the offspring of a Negro and an Indian. Natchitoches records use the term in both meanings—apparently as a ‘catch-all’ phrase to indicate any individual who was not Black, yet was darker than the usual mulatto” (Mills 1977, 418). The Rev. Donald Hebert, in his 1996 “complete revision” of *Southwest Louisiana Records, Church and Civil Records (1750-1800)*, defined “griffe” as the “racial mixture between Negro and mulatto; also refers to the mixture or combination of Indians and Blacks” (Hebert 1996, 57).

In their abstracts of church records created contemporaneously with the 1792 New Orleans baptism of Rosalia Biau/Viaud, both Mills and Hebert provided two definitions of “griffe,” the first of which did not include Indian ancestry. It is not clear whether the church records themselves provided those definitions, or whether the modern abstractors of the records presented their understanding of the term’s historical usage. However, in the absence of an actual contemporary definition, the term “griffe” appears to have been ambiguous, as were the terms “mulatto” and “free person of color.” All of these terms may have been used historically to describe persons with Indian ancestry, but Indian ancestry was not a requirement, according to information available at this time. For the researcher, the appearance of the descriptive term “griffe” certainly encourages further research for evidence of parentage and for possible contemporary identification of one of the parents as Indian. For the purposes of this amended proposed finding, the term “griffe” is not understood to denote Indian ancestry.

The term “griffe,” or “grifa,” did not appear in any of the sources cited for Marianne Iris in the UHN proposed finding. The “griffe” term appeared once in the Department’s “Who’s Who Houma” manuscript compilation, in a footnote describing an undocumented note, unrelated to Marianne Iris (BIA 8/28/1994, 186).⁵ The 1784 will and 1792 baptism photocopies involving Marianne Iris were not part of the record reviewed for the UHN proposed finding. A published abstract of the 1792 baptism, that did not include the “grifa” description, was cited in the proposed finding as evidence of Marianne Iris and Jean Billiot’s probable residence at that time in New Orleans rather than on the Bayou Terrebonne tracts warranted to them separately in 1787 and 1788 (*UHN PF*, HR 34).

⁵ The footnote described a non-Departmental genealogist’s file on a Verdun family, reviewed for the UHN proposed finding. The file contained an “undocumented note” in which an unknown author identified certain Verdun free people of color who were possibly residents of St. Mary Parish and not claimed as ancestors by the UHN, BCCM, or PACIT petitioners. This note, reiterated in the “Who’s Who Houma” footnote, used the term “griffe” to when describing six individuals as “the children of Therese, a Griffe, never a slave, daughter of a Negro father and Indian mother.”

For the UHN proposed finding, the evidence evaluated for Marianne Iris included her description as it appeared in three oral histories (two of which claimed she was Spanish and the other claimed she was “pure Indian”), field data (Spanish), Jean-Baptiste Billiot’s 1809 probate records and 1810 Federal census (“free negress”), and the 1917 *Billiot v. Board of Education* case (native of Santo Domingo).

For the BCCM and PACIT amended proposed findings, the evidence evaluated for Marianne Iris consisted of additional evidence that included, among others, two documents that were created earlier than those previously evaluated, included identifications made either by her husband (in his will) or by Marianne Iris herself (at the baptism of her child) as opposed to identifications made by others, and used the term “grifa” which had not been used in describing Marianne Iris in the documents evaluated for the UHN proposed finding. Although use of the descriptive term “grifa” may have denoted possible Indian ancestry for Marianne Iris, neither of these records, nor any others in the record, identify Marianne’s parents by name or describes a parent of hers as Indian.

Since evidence reviewed for the 1994 UHN proposed finding and for the BCCM and PACIT amended proposed findings did not reveal Indian ancestry for Marianne Iris (*UHN PF*, GR 54-58), none of her children by Jean Billiot are considered Indian, and the descendants of only those Billiot children or grandchildren who married known Indian descendants, such as Rosalie Courteau, Marguerite Courteau, or Verdins are considered Indian at this time.⁶ New evidence concerning the parentage or origins of Marianne Iris may alter this conclusion.

“Biloxi Indian” Courteau [b. mid-1700’s – d. after 1810?]

The BCCM genealogical database, and a narrative in the BCCM submission (Westerman 1997, 17-19), present “Biloxi Indian Courteau” as a contemporary of Houma Courteau. The database credits “Biloxi Indian Courteau” as the individual represented in the 1810 Federal census of Lafourche Interior Parish as “Courto a savage,” and speculates that he may have been the purchaser of the Bayou Lafourche land forfeited for taxes in 1808, although the 2005 BCCM submission includes a narrative (“Core Families of the Indian Community of Terrebonne Parish”) that attributes the 1808 land, 1810 census, and two of “Biloxi Indian Courteau’s” alleged children to Houma Courteau (Westerman n.d., 2-3). The database attributes six children to this “Biloxi Indian Courteau,” and claims that he has eight descendants in the GCD subgroup of BCCM, all through his alleged son Pierre (see entry for **Pierre Courteau** (b. ca. 1792)). The database does not include any PACIT members as descendants of “Biloxi Indian Courteau.”

Juana Carriere, “Indian” (b. ca. 1758 – d. 1808 St. James Parish, LA)

The BCCM genealogical database cites a published church record as the source for some evidence used for “Juana Carriere” (“BRDA 3-197 She is aka Jeanette”). The petitioner did not submit a photocopy of this record abstract. OFA obtained a photocopy of this and other church record abstracts, including one baptism and two marriages for offspring of Francisco Croiset [var.] by a woman described variously as “Juana, free Indian,” “Juana Carriere, an Indian,” and “Juana Carriere,” respectively (Diocese of Baton Rouge 1980, 2:208). The church death record abstract states, “Carriere, Jeanne, age about 50 yrs wife of

⁶ Only 22 of the 2,545 combined BCCM current members do not claim descent from Marianne Iris per the OFA-enhanced BCCM genealogical database, and many of those may be Marianne Iris’s descendants but their ancestry information was not submitted. All current PACIT members claim descent from Marianne Iris, according to the genealogical claims submitted. All current PACIT members and all but 16 BL and GCD members who claim descent from Marianne Iris also claim Indian descent from other known Indians.

Francois Croizet, bur 31 July 1808” (Diocese of Baton Rouge 1982, 3:197).⁷

The most recent descendant of Juana Carriere in the database is a granddaughter baptized in 1817 in St. James Parish, Louisiana, adjoining modern Terrebonne Parish to the north. The database does not link Juana Carriere’s descendants by her French-descent husband Francois Croizet, Jr., to any members of BCCM or PACIT.⁸ Nevertheless, contemporary evidence confirms Juana Carriere as an Indian.

Fanchon, “Chitimacha Indian” [b. ca. 1763 – d. ?; grandchild baptized in Attakapas Dist. in 1797]

See Chart A. The BCCM genealogical database does not cite evidence in her entry, or in entries for her husband and child, that identifies Fanchon as a Chitimacha Indian. The one child ascribed to this couple, Francisca, married “**Marie/Catalina**’s” son Paul. The published abstract of the 1797 baptism of Paul and Francisca’s son “Honorato” identifies Francisca as “griffe libre,” and identifies her parents as “Jupiter, grife & Fanchon, an Indian” (Hebert 1996, 423). This provides identification of Fanchon as an Indian, although it is not known whether Fanchon was alive or present when this description was made. The most recent descendant of Fanchon’s in the database is this grandson Honorato who was baptized in 1797 in St. Martinville, Louisiana. The database does not include any BCCM or PACIT members as descendants of Fanchon, whom contemporary evidence confirms as an Indian.

Marie Anne Pierre [b. ca. 1771 – d. before 6/30/1854, Terrebonne Parish, LA]

The 1994 UHN proposed finding described the evidence for Marie Anne Pierre and stated that, “even when taken collectively, this circumstantial evidence is not sufficient to credit Marianne with Indian ancestry at this time” (*UHN PF*, GR, 46). Terrebonne Parish land records show that Houma Courteau’s wife, Marie Anne, was the sister of Louis Sauvage, a landowner on Bayou Terrebonne who died without surviving issue (Courteau to Courteau 12/15/1841; Courteau *et al.* to Carlos 6/30/1854). The UHN proposed finding mentioned the oral history given by Felicite Billiot that described her grandmother Marie Anne, said to be from Mobile, as having an Indian name of “Nuyu’n” and receiving adult baptism (Swanton 1907, MS 4201), Marie Anne’s marriage to Houma Courteau “of the Beloxy nation,” and the fact that her brother Louis Sauvage/le Sauvage’s name “could be translated as Louis, ‘the Indian,’” as indicators of possible Indian ancestry (*UHN PF*, GR, 45-46). The Summary under the Criteria, the Historical Report, and the Genealogical Report of the UHN proposed finding described the contemporary context and non-contemporary oral history for Marie Anne and her brother Louis Sauvage as indications that they were possibly or even probably Indian, yet did not find that the reasonable likelihood standard had been met (*UHN PF*, 26; HR, 35-36; GR 44-46).⁹

⁷ “Jeanne” could easily be an incorrect recording or an incorrect transcription of “Juana.”

⁸ Evidence in the record does not document a relationship between Juana Carriere and Lise Carriere, the mother of two claimed “Indians” discussed in this appendix: **Rosalie-Florestine Ramagos** (b. ca. 1817) and **Marie Madeleine Joseph/Alexander** (b. ca. 1829). See Chart B for Lise Carriere’s family.

⁹ However, Appendix B to the UHN proposed finding’s Genealogical Report lists Louis Sauvage/le Sauvage’s “ethnic/racial origin” as “Indian,” citing an *American State Papers* volume (“1834a”) of land claim records (*UHN PF*, GR, app. B). Although references to Louis Sauvage were not located in the cited volume, a later *American State Papers* volume (“1834b”) contains references to “Louis Sauvage” in two land claims. The Louis Sauvage who held claim #339 on Bayou Terrebonne, or “bayou Darbonne,” is not identified as Indian, and the Louis Sauvage mentioned in Joseph Ennet’s rejected claim #154 in Pointe Coupee Parish is identified as Indian. Evidence does not link the two references as pertaining to one man (see entry for “Louis Sauvage [b. before 1781]”).

The BCCM genealogical database also cites the Felicite Billiot oral history that described the red crawfish as the “badge” of Marie Anne’s people, and cites a published reference to “an Acolapissa subgroup” that lived in St. Tammany Parish (about 60 miles northeast of Montegut, above Lake Ponchartrain) described as “the Crayfish people” (Bushnell 1909, 16). The database entry for Marie Anne and a narrative submission (Westerman n.d., 2, 4) also raise the possibility that she was an Ouacha Indian, if her husband Houma Courteau was the “Courtien Sauvage” who forfeited land on Bayou Lafourche in 1808, because modern excavation shows this area as the historical site of Ouacha Indian villages, and, the narrative claims, “[i]n 1780 a band of Biloxi Indians moved to Bayou Lafourche near the Ouacha Indians.” Thus, the additional information reviewed for the amended proposed findings provides background information which may or may not pertain to Marie Anne but no contemporary identification of her as Indian.

The BCCM genealogical database shows that Marie Anne Pierre has 2,441 descendants who are current members of BCCM and 681 descendants who are current members of PACIT. All descendants of Marie Anne Pierre have Indian ancestry from her husband Houma Courteau.

Francoise, “Chitimacha” [b. ca. 1774 – d. before November 1822, Terrebonne Parish, LA]

The BCCM genealogical database cites an oral history that, the petitioner states, “appears to be indirect evidence that Francoise was Indian.” The database shows that Francoise’s husband was Joseph Jeanne/Ghianne/John/Dion, whose 1822 death record gave his birthplace as Campeche.¹⁰ The petition stated, “His wife is reported to be Francoise, an Indian.” The deductive process used to conclude that Francoise must have been Indian appears in the genealogical database:

Felicite Billiot in Swanton's notes said that an Indian Billiot married a Roubion. The only such marriage was the grandson of FRANCOISE and Joseph Jeanne, Joseph Rene Billiot who married Valentine Roubion. This appears to be indirect evidence that Francoise was Indian; his other grandparents were Jean Bte. Louis Billiot and Marianne Iris, a griffe. [Emphasis in original.] (BCCM 4/21/2005 BK, notes on “Francois, Chitimacha”)

However, the genealogical database shows that the petitioner considers one of those “other grandparents” to be Indian as well: “Marianne IRIS (per OH) was a Chitimacha Indian” (the source abbreviation “OH” is believed to denote “oral history”) (BCCM 4/21/2005 BK, notes on “Marianne Iris”). Two records submitted by the BCCM petitioner in 2005 contain descriptions of Marianne Iris as a “griffe” or “grifa,” defined by the petitioner as the child of one Indian parent and one Black parent.¹¹ Therefore, the deduction that the other grandmother, Francoise, was Indian does not necessarily follow.

No contemporary evidence supporting this person’s Indian ancestry was found in the current record. The database presents the claim that Francoise, by Joseph Jeanne/Dion/John, has 1,339 descendants in BCCM, and 440 descendants in PACIT. All 440 current PACIT members and all but 19 BL and GCD members who claim descent from Francoise also claim Indian descent from other known Indians.

¹⁰ Correspondence sent to the Department claims that Campeche, Mexico, in 1822 was located in what is now known as Galveston Island, Texas, rather than the city or state on the Yucatan peninsula of Mexico (Revelle 1994).

¹¹ These records are described and analyzed more fully in the Summary under the Criteria, under Criterion 83.7(e).

Marie Louise St. Germain, “Indian” (b. ca. 1779 Natchez [now Mississippi] – d. after 1808)

Marie Louise St. Germain appears in the BCCM petitioner’s genealogical database as the mother of nine children by Joseph LaForee/LaForce. The database notes Jean Billiot’s identification of a “Joseph LaForce” as both his pre-1803 neighboring landowner on Bayou Terrebonne, and as a grantor of land to Jean Billiot in the latter’s private land claims #369 and #484 (ASP 1834: 432-433). The BCCM petitioner cites the 1792 baptism record for Maria’s first child, Domingo, at St. Gabriel Church in Iberville Parish (about 60 miles northwest of Montegut) as the source of the notation that Maria was “Nache on the Coast of the Mississippi.” Two others sons of “Josef [Laforce] of Quebec & Maria St. Germain of Natchez” were baptized on May 3, 1800, in the church parish of “Assumption of Plattenville” (about 50 miles northwest of Montegut): “Josef” and “Santiago” (Diocese of Baton Rouge 1980, 409). Santiago’s baptism record identifies his maternal grandmother as “Maria (Mestiza), an Indian,” according to the published abstract. The term “mestiza” (or “mestizo”) denoted a “Louisianan with one parent Indian and one parent Caucasian,” and “[s]eldom was this term applied to anyone who bore less than one-half Indian blood” (Mills 1978, 14). Thus, Maria St. Germain appears to have described her mother as being the offspring of an Indian parent.

The BCCM petitioner asserts the belief that the “Josef Laforce,” the son of Joseph Laforee/Laforce and Marie St. Germain, baptized in 1800 at Assumption of Plattenville church parish (Diocese of Baton Rouge 1980, 490), is identical to the “Joseph Foret” who was the father of Francois Foret, born circa 1827 (BCCM 4/21/2005 BK Francois Foret). The petitioner has not concluded or documented that the two references are to the same Joseph, which is necessary to establish the link to Indian ancestry. The BCCM petitioner’s genealogical database shows the earliest marriage of a descendant of the Foret line to a descendant of Houma Courteau or Marie Gregoire occurred between the aforesaid Francois Foret and Marie Eulalie/Euzalie Dion circa 1864.¹²

The evidence Marie St. Germain gave, at the time of her son’s 1800 baptism, about her grandparent being an Indian is not known to have been given during that grandparent’s lifetime or consist of first-hand knowledge. However, the bigger problem is a genealogical one, in that the evidence linking Marie St. Germain’s son “Josef Laforce” to his alleged grandchildren born in Terrebonne Parish around the time of the Civil War is insufficient. Either petitioner may identify and provide the document(s) that may support the descent as presented in the genealogical database. The database presents the claim that Marie St. Germain has 584 descendants in BCCM, and 28 descendants in PACIT.

Louis Sauvage / le Sauvage [b. before 1782 – d. after 12/20/1803, Lafourche Parish, LA]

The BCCM genealogical database does not include “Louis Sauvage,” so the petitioner’s claims as to his possible Indian ancestry are found in the petitioner’s textual submissions rather than as citations in the genealogical database. The UHN proposed finding described the evidence reviewed at that time which was found to be insufficient to identify “Louis Sauvage” as Indian (*UHN PF*, HR 35-36, GR 44-46). The circumstantial evidence did not rise to the level of reasonable likelihood of Indian ancestry, and the UHN proposed finding stated that “additional work needs to be undertaken before Indian ancestry can be regarded as established for this Louis Sauvage or, by extension, for his sister [Marie Anne Pierre]” (*UHN PF*, HR, 36).¹³

¹² Their first child was born in 1865, but their official marriage was in September 1871 (Hebert 1981, 159).

¹³ Appendix B to the UHN proposed finding’s Genealogical Report lists Louis Sauvage/le Sauvage’s “ethnic/racial origin” as “Indian,” citing an *American State Papers* volume (“1834a”) of land claim records (*UHN PF*, GR, app. B). That appendix entry conflicts with textual statements in the UHN proposed finding (that the evidence was

The private land claim on Bayou Terrebonne identifies the claimant as “Louis Sauvage” (ASP 1834, 2:432, No. 339), although the deed in which his sister Marie Anne conveys his land to her daughter Rosalie (Courteau) Billiot identifies him as “Louis le Sauvage,” a styling that may denote his possible Indian ancestry (Courteau to Courteau 12/15/1841). Records involving “Louis Sauvage” submitted for evaluation for this amended proposed finding that were not in the record for the UHN proposed finding included 1807 survey records for his tract on Bayou Terrebonne and the 1812 “Certificate 339” entitling him to a patent, but those records do not refer to Louis Sauvage as “le Sauvage” or as Indian.

Both the UHN proposed finding’s Historical Report and the Genealogical Report made reference to an Indian Louis Sauvage in Pointe Coupee Parish (about 100 miles northwest of Montegut), although the Department did not find any evidence of his connection to the Bayou Terrebonne claimant of the same name. The Indian Louis Sauvage was mentioned in Joseph Ennet’s rejected claim for land in Pointe Coupee Parish in 1806 (ASP 1834, 2:388, No. 154). OFA obtained a photocopy of the Pointe Coupee Parish deed recording, written in French, which shows that the land was sold to Joseph Ennet on September 22, 1806, by Louis Sauvage, “grandson of Chief Pirrecqueis [?], on behalf of himself and his sisters, named Henriette, Therese, Cecile, and [Vi_ire/ice or Pirrire/Pirrice]” (Sauvage to Ennet 9/22/1806).¹⁴ The fourth sister’s name is not clear, but does not appear to refer to Marie Anne, the only known sibling of the Bayou Terrebonne land claimant Louis Sauvage.¹⁵ By 1806, Marie Anne had been with Houma Courteau for more than a decade, so she was alive and was an adult at the time of the sale of Pointe Coupee Parish land, yet was not named as a sister by the grantor Louis Sauvage. Louis Sauvage of Bayou Terrebonne left no descendants.

Francoise Tacalobe, “Indian” (b. ca. 1787-1796 – d. ?)

The BCCM genealogical database concludes that “Francoise Tacalobe” was a daughter of Houma Courteau (and, therefore, an Indian), and the wife of “Pierre Courteau,” conclusions not shared by the UHN proposed finding or “Who’s Who Houma.” No evidence is cited that identifies Francoise Tacalobe as an Indian. The database shows all eight current members of the GCD subgroup who claim to be descendants of “Francoise Courteau” and her alleged husband “Pierre Courteau” descend from that

insufficient to establish Indian ancestry for Louis Sauvage) and apparently cited a reference belonging to a different Louis Sauvage. Although references to Louis Sauvage were not located in the cited volume, a later *American State Papers* volume (“1834b” or, in the current bibliography, ASP 1834) contains references to “Louis Sauvage” in two land claims. The Louis Sauvage who held claim #339 on Bayou Terrebonne, or “bayou Darbonne,” is not identified as Indian, and the Louis Sauvage mentioned in Joseph Ennet’s rejected claim #154 in Pointe Coupee Parish is identified as Indian. The appendix entry appears to have either cited the wrong man’s Indian identification, or the entry reflects an assumption, not supported in the text, that both land record abstracts pertained to the same man. Evidence obtained for this amended proposed finding does not link the two references as pertaining to one man (see later in the above entry).

¹⁴ The first three sisters listed have French female given names, so it does not appear likely that the fourth female given name was “Pierre,” a surname attributed to Houma Courteau’s wife in their daughter Rosalie’s 1867 baptism record abstract (Hebert 1978, 1:161). It is possible that the name on the deed was intended to be “Pierrice,” but the evidence in the record does not include a contemporary record in which Houma Courteau’s wife appeared with that same name, and evidence in the record shows that the Bayou Terrebonne land belonging to Louis Sauvage, at his death, passed solely to his sister Marie Anne rather than being divided among four sisters or their survivors.

¹⁵ Louis Sauvage’s land claim overlapped part of the land claim of the three Verdin brothers. The land office records showing how and when the dispute was settled could contain important detail on Louis Sauvage, such as whether he was Indian, where he resided when the dispute was settled, or even when he died.

couple's grandson "Casimir Jackson Courteau." The "Who's Who Houma" compilation also claims "Casmore" Jackson Courteau as a descendant of Houma Courteau, only through son Antoine. The database does not include any PACIT members as descendants of "Francoise Tacalobe." See the entry for "Pierre Courteau" (b. ca. 1792) for more information.

Marianne, "Chitimacha Indian" [b. ca. 1790 – d. after 1806]

See Chart A. The BCCM genealogical database relies upon two records to reconstruct a family in which Marianne is a wife and mother, but does not cite any evidence identifying Marianne as Chitimacha or Indian. The first record is the 1772 baptism, described earlier, from the St. Martinville church (about 90 miles from Montegut) of "Gregoire" (b. 1760-1761), an 11-year-old "griffe libre" whose mother is described simply as a "sauvagesse libre," or free Indian (Hebert 1996, 365). The second record is the 1826 marriage in Terrebonne Parish of 46-year-old Joseph Biliot, "free man of color," to **Magdelaine Gregoire** (b. ca. 1806, place not given; see her entry) in which her parents were recorded as Gregoire and Mariane, followed by "a free woman of color too" which likely refers to the bride (Biliot to Gregoire 1826). The dates and locations make it feasible but not obvious that both events referred to the same "Gregoire." Neither record identified Marianne as a Chitimacha Indian or as an Indian. The most recent descendant of Marianne in the database is her daughter **Magdelaine Gregoire**, and records reviewed for this amended proposed finding do not refer to Magdelaine Gregoire as Indian.

The Department's "Who's Who Houma" (p. 229) speculates that Marianne and her husband Gregoire may also be the parents of Marie Gregoire (ancestral to most of the BCCM and PACIT members) and of **Joseph/Jean Baptiste Gregoire**. A note in the BCCM genealogical database for "Gregoire, griffe," similarly speculates that Marie and Joseph Gregoire were the children of Gregoire and Marianne, although "[o]nly [the] parents of Magdeleine [*sic*] are proven." A note in the database for **Jean Baptiste Gregoire** (who may or may not be identical to Joseph Gregoire) stated that Jean Baptiste Gregoire and Marie Gregoire "could have both been children of 'Pierre' [identification not clear] in an earlier marriage." The database does not include any BCCM or PACIT members as descendants of Marianne.

Jaco/Jacques, "Indian" (b. before 1791 – [d. after 1806, Lafourche Interior Parish/County, LA])

See Chart C. The BCCM database entry for "Jaco/Jacques, Indian," warns, "There is no proof yet that the children and wife listed here belong to this Jaco." Here the petitioner theorized that Jaco, the father, "is probably the Jacques Sauvage who owned land on Bayou Lafourche that was sold for unpaid taxes in 1808, having lived there from at least 1806, but given as a non-resident proprietor in 1808." Evidence in the current record does not identify landowner Jacques Sauvage as Indian, or as the father of Jaco individuals in Lafourche Interior County/Parish. If "Jaco/Jacques, Indian" is the father of Auguste Jaco and Constance Jaco, then he has 1,198 descendants in BCCM and 27 descendants in PACIT, according to the petitioner's database.

Pierre Courteau, “Indian” [b. ca. 1792 or earlier? – d. ?]

The BCCM genealogical database and “Who’s Who Houma” do not agree on the identity of Pierre Courteau. “Pierre Courteaux” and wife “Francoise Courteaux” are identified as the parents of Joseph Antoine Courteau in the record of his adult baptism, when Joseph was 66 years old (Hebert 1978, 1:161). Due to the lack of corroborating evidence for Pierre Courteau, the “Who’s Who Houma” compilation placed Pierre Courteau among “unconnected” Courteau individuals (BIA 8/28/1994, 184). The database does not cite evidence identifying Pierre Courteau as Indian. As father of Joseph Antoine Courteau, Pierre Courteau appears in the petitioner’s database with eight descendants in the GCD subgroup of BCCM, all of whom descend from a UHN member who died in 1984. The database does not include any PACIT members as descendants of “Pierre Courteau.”

Jean Baptiste Gregoire, “Indian” (b. ca 1794 – d. after 1859, Terrebonne Parish, LA)

See Chart C. Evidence for Jean Baptiste Gregoire’s identity is ambiguous. Houma Courteau’s 1844-1846 succession (probate) records include an August 27, 1845, record in which “Joseph” Gregoire, as guardian of the three minor heirs of Houma Courteau’s son Francois and the two minor heirs of Houma Courteau’s daughter Marguerite, acknowledges receipt of the heirs’ shares of the estate which “Joseph” will hold until their majority (Iacalobe 1844).¹⁶ On April 20, 1846, “Jean Baptiste Gregoire” takes his oath that he will fulfill and discharge his duties as tutor of the late Francois’ two children, Julien and Josephine (Iacalobe 1844). Church records of baptisms and marriages variously identify the father of **Constance Jaco**’s offspring as either Joseph Gregoire or Jean Baptiste Gregoire (BIA 12/15/1994, 230, 232).

The petitioner and the Department’s “Who’s Who Houma” speculate that Joseph/Jean Baptiste Gregoire may have been a brother of Magdelaine Gregoire and possibly Marie Gregoire (BCCM 4/21/2005 BK, notes on “Jean Baptiste Gregoire,” and on “Gregoire, griffe;” BIA 8/28/1994, 229), but evidence of his parentage has not been identified. The BCCM database presents Constance Jaco’s husband as “Jean Baptiste Gregoire, Indian.” However, evidence supporting his identification as Indian does not appear in his database entry, which instead reports Jean Baptiste Gregoire’s racial description as “mulatto” in the 1850 Federal census and as a “free man of color” in land records of 1824 and 1858. As discussed in the UHN proposed finding, both designations could be used to describe individuals who had Indian ancestry, but the terms do not require Indian ancestry. Other evidence supporting this person’s Indian ancestry was not found in the current record. The database presents the claim that Jean Baptiste Gregoire has 992 descendants in BCCM, and 26 descendants in PACIT.

Rose Aimee Cayard, “Choctaw Indian” [b. ca 1795 – d. after 1815, New Orleans, LA]

The BCCM genealogical database cites an 1847 court judgment in St. Tammany Parish (about 60 miles northeast of Montegut, above Lake Ponchartrain) that the children of Rose Aimee were of Indian blood. A photocopy of that record was not submitted, but a published abstract was located (Nolan 1995, 104). The database does not link this woman’s three children by her New Orleans husband Francois Cousin to any members of BCCM or PACIT. The most recent descendant of Rose in the database is a daughter baptized in 1815 in New Orleans, Louisiana. No members claim descent from Rose Aimee Cayard.

¹⁶ The petitioner notes that the clerk seems to have reversed the information: Francois left two heirs and Marguerite left three heirs (Westerman 1997, 83).

Shulu Shumon, medal chief from Biloxi [b. before 1802? – d. after 1818?]

In the BCCM genealogical database entry for “Barthelemy Jacques Billiot” (b. April 1834), the petitioner cites the oral history of “Bartholemy Billiout,” a Swanton informant in 1907, who stated that his grandfather was Shulu Shumon, a medal chief from Biloxi, and that Barthelemy’s mother (although the petitioner concludes that Barthelemy intended to refer to his grandmother) was an “**Attakapas Indian**” from Texas.

The BCCM genealogical database presents “Barthelemy Jacques Billiot’s” parents as Leon Florentin Billiot and Caroline Frances Gregoire. The Department’s “Who’s Who Houma” compilation presents a different ancestry for Barthelemy Billiot, whom it identifies as “Jacques Constantine/Constance Barthelemy Billiot,” the son of Jean Billiot and Rosalie Courteau.¹⁷ If Barthelemy were the son of Jean Billiot and Rosalie Courteau, then the “Shulu Shumon” name would pertain to Houma Courteau, and the “Attakapas Indian from Texas” would pertain to either Houma Courteau’s wife Marie Anne Pierre or to their daughter Rosalie Courteau.

Oral histories submitted for the UHN proposed finding claimed that “Jacques Constant Billiot” changed his name (presumably to “Barthelemy”) after his father Jean Billiot was murdered, and ancestry charts submitted for the UHN proposed finding showed that “Barthelemy” died on July 20, 1911.¹⁸ Without better evidence of the parentage of the 1907 Swanton informant “Barthelmy Billiout,” it is not possible to know which individuals he intended to identify as his grandfather “Shulu Shumon” or as his mother/grandmother, the “Attakapas Indian from Texas.” The petitioner located (but did not submit) the 1905 church burial register entry for Barthelemy’s wife Anne Damas (Billiot) Billiot, but did not indicate whether that record documented her parentage or whether a burial register entry for Barthelemy Billiot was sought.

The BCCM genealogical database cited no documentary evidence to corroborate the Indian identifications made by Barthelemy Billiot in 1907, and did not cite sufficient evidence of Barthelemy Billiot’s parentage. As currently construed, the BCCM database presents the claim that “Shulu Shumon” has 1,230 descendants in BCCM and 187 descendants in PACIT.

“Attakapas Indian” [b. before 1802? – d. after 1818?]

See above entry for “Attakapas Indian’s” putative husband **Shulu Shumon**.

¹⁷ “Jacques Constant Billaux,” born April 7, 1835, son of Jacques Billaux and Rosalie Courteau, is the published birth record cited by “Who’s Who Houma” (Hebert 1978, 1:68).

¹⁸ The specific oral histories claiming this were not cited in “Who’s Who Houma,” but the transcription of an interview with “Barthelemy’s” great-granddaughter Elvira (Molinere) Billiot conducted on July 26, 1979, shows that she described her great-grandfather as “Barthelmy, who was the son of Rosalie” (E. Molinere 7/26/1979, 1).

Marie Mingoloi, “Chitimacha Indian” [b. ca. 1805? – d. after 1870?, Terrebonne Parish, LA]

The BCCM genealogical database presents the claim that Marie Mingoloi first married Francois Courteau (son of Houma Courteau) and second married a son of Jean Billiot and Marianne Iris.¹⁹ The BCCM genealogical database cites Marie’s “color” descriptions, as “Indian,” in her entries in the 1860 and 1870 Federal census as evidence she was Indian, and also states, “She was reported to be a Chitimacha Indian.”²⁰ The discussion of possible Indian ancestry of Marie Mingoloi in the UHN proposed finding did not mention this evidence (*UHN PF*, GR 62). However, these current claims are not persuasive for the following reasons.

Even when sources of information are considered “original” rather than “derivative”—and oral history interviews and Federal census schedules may be either—the information contained in them may be “primary” (first-hand knowledge) or “secondary” (second-hand knowledge). The identity of the person or persons whose oral testimony attributed Chitimacha affiliation to Marie Mingoloi is not provided in the narrative or in the genealogical database entry for her, so OFA cannot determine the format of the source or whether the informant(s) had first- or second-hand knowledge. The enumerators of the Federal census may not have obtained information directly from each person recorded, so these records also remain ambiguous as to the identity, and therefore the reliability, of the informants. If other documentary evidence led the BCCM petitioner to conclude that Marie Mingoloi had Indian or Chitimacha ancestry, the petitioner may identify and provide that documentation. The database presents the claim that Marie Mingoloi has 550 descendants in BCCM, and 180 descendants in PACIT.

Magdelaine Gregoire, “Chitimacha” (b. ca. 1806 – d. after 1826 Terrebonne Parish, LA)

See Chart A. The BCCM genealogical database does not cite the evidence identifying Magdelaine Gregoire as Indian or Chitimacha, nor does it ascribe any children to this woman by her only known husband Joseph Billiot (who first married “Jeanet, Indian”). Their 1826 Terrebonne Parish marriage record states that Magdelaine was the daughter of “Gregoire and of Mariane.” The document’s awkward phrasing appears to identify Magdelaine (rather than her mother) as a “free woman of color,” but does not identify Magdelaine as Indian or Chitimacha. Earlier UHN submissions and the Department’s “Who’s Who Houma” estimate Magdelaine’s birth year as circa 1786. The BCCM database estimates her birth year as circa 1806, although the fact that she married in 1826 suggests that she would not have been born much later than 1806. If Magdelaine’s father “Gregoire” is identical to the “Gregoire” baptized at age 11 in 1772 in St. Martinville (which would make him about 45 in Magdelaine’s estimated 1806 birth year), then Magdelaine’s grandmother was a “sauvagesse libre” or “free Indian,” but this has not been demonstrated. See the entry for her mother “**Marianne, Chitimacha Indian**” (b. ca. 1790) for further information. The database does not include any BCCM or PACIT members as descendants of “Magdelaine Gregoire.”

¹⁹ The petitioner’s “Core Families” narrative identified Marie Mingoloi’s second husband as Jean Billiot (born ca 1780 – died before 1870), but the petitioner’s genealogical database places her as the wife of Jean’s brother Pierre Louis Billiot (born 1779 – died 1860). The published abstracts of Thibodaux, Louisiana, church baptisms for two of her children record the parents’ names as “Jean Billot” and “Marie May Glouha”).

²⁰ Marie’s “color” in the 1850 was “mulatto” (U.S. Census 1850, Terrebonne Parish, Bayou Terrebonne, dwelling and family #228).

Constance Jaco, “Indian” (b. ca. 1807 – d. 1850)

See Chart C. The BCCM genealogical database does not cite documentation supporting Indian ancestry for Constance Jaco, present as an adult in Terrebonne and Lafourche Parishes from about 1824 to at least 1850. Establishing Constance Jaco as another Indian would not provide Indian ancestry for any of the four current BCCM members of the petitioner lacking Indian ancestry.²¹ If the contention is that identification of Constance Jaco as the sister of **Auguste Jaco** (b. before 1813) and as Indian would help identify the historical tribe, then either petitioner would want to identify and provide the document(s) relied upon to conclude this person had Indian ancestry. The database presents the claim that Constance Jaco, by her husband **Joseph/Jean Baptiste Gregoire**, has 992 descendants in BCCM and 26 descendants in PACIT.

Auguste Jaco, “Indian” [b. before 1813 – d. after July 1835]

See Chart C. The BCCM genealogical database and textual submissions presented abstracted land record evidence that the petitioner feels identifies Auguste as an Indian, described and discussed further below. The database shows Auguste Jaco with one wife only, “Teonise Verdin” (probable daughter of Jean Baptiste Verdin II dit Cadet by his slave Rosalie), and daughters Rosette and Roseline (birth dates not given in the database).²²

The BCCM petitioner provided two transcriptions of one document dated May 13, 1840, in which the New Orleans land register certified that Fortunate Vito and “A. Savage” had purchased two tracts totaling 409 acres of U.S. land on June 18, 1834 or 1836 (U.S. to Vito and Savage, 7/6/1840(a) and (b)). One tract of 82+ acres was located in Terrebonne Parish and the other tract of 326+ acres was in Iberville Parish according to the BCCM petitioner.

The BCCM petitioner described the deed book record of a deed brought to the Terrebonne Parish courthouse and recorded on December 13, 1837 (BCCM 2005, 2; Westerman 1997, 21). OFA obtained a photocopy of this brief deed book entry, written in French (Le Sauvage to Vito 1835). It appears to state that “Auguste le Sauvage” (who signed by making his mark) and his wife “Theonnise” (who also made her mark) sold something in Terrebonne Parish on July 18, 1835, to “Fortunade Vito” for 20 piasters. Following Vito’s name is a parenthetical remark, “les dits sauvages,” that appears to translate to “the said Indians.” The author and subjects of the parenthetical remark are not clear, but, in plural form, the statement likely describes the grantors or even the grantors and grantee together. The recording does not indicate whether grantors Auguste or “Theonnise,” or the witnesses Nicholas Thibodaux or “Benjamin T.” [Thibodaux?], were then present to acknowledge or prove the deed.

The text of the deed does not mention acreage or arpents. A notation of “112A” appears above the text of the deed, but it neither matches the 82+ acres Auguste purchased with Vito, nor does it appear to represent the arpent equivalent of 82+ acres, which, if an arpent equaled 5/6 of an acre, would have been about 99 arpents. No other deed in the BCCM petition accounts for Auguste owning land there other than the 82+ acres he purchased with Fortunate Vito. A patent for the 82-acre Terrebonne Parish tract was

²¹ A total of 24 current BCCM members do not claim descent from Houma Courteau or Marie Gregoire, but ancestry is not presented for 20 of them. The other four have claimed ancestry, but their ancestors do not include Courteau or Gregoire.

²² Published church records show Roseline born March 15, 1835, and Rosette born January 19, 1836 (Hebert 1978c, 321).

issued on January 29, 1845, to Fortunate Vito and Auguste Savage (U.S. to Vito and Savage 2/18/1852). The comment period will provide either petitioner the opportunity to transcribe and translate the 1835 deed, recorded in 1837, between Auguste le Sauvage (with wife “Theonnise”) and Fortunate Vito.

Evidence to date does not support Teonise Verdin’s ethnicity as Indian,²³ and evidence contemporary with Fortunate Vito’s lifetime indicates he was a native Italian and not Indian (U.S. Census 1850, 332). The brief deed recording establishes that somebody described more than one of these three people—then living but perhaps not then present—as Indian, but the ambiguity of authorship, the lack of recording in the deed book as to who was present to prove or acknowledge the conveyance, and, based on other evidence, the apparent inaccuracy of the plural form in the identification tend to make this document unreliable as an identification of Auguste le Sauvage as an Indian. On the plus side, Auguste’s name was recorded as “le Sauvage,” which the petitioner and OFA interpret as a description of him as an Indian. One might expect that the grantors, the grantee, and/or the witnesses personally appeared at the courthouse to acknowledge or prove and record the deed, any of whom should have had knowledge of whether the grantors were Indian.

Even if identification of Auguste as Indian is established, the significance of his inclusion as another historical Indian ancestor of the BCCM and PACIT petitioners may be minimal. His record trail, based upon transcriptions at this point, is a short one. The land records and the published abstracts of the Thibodaux, Louisiana, church records of 1835 and 1836 listing the births of his daughters Roseline and Rosette “Jaco” document that Auguste was in the presence of Teonise and of Fortunate Vito, presumably in Terrebonne Parish, for a total of 13 months (June 1834 – July 1835), or possibly 2 years if the original land purchase date is actually June 1836 rather than June 1834.²⁴ This is well after the appearance in the Lafourche/Terrebonne Parish area of the other historical Indian ancestors claimed by the petitioner.

The BCCM petitioner’s genealogical database shows that 650 current BCCM members and 17 PACIT members claim descent from Auguste Jaco a.k.a. Auguste le Sauvage. All of those 650 BCCM and 17 PACIT members also descend from Houma Courteau and/or Marie Gregoire. For purposes of evaluating this evidence under criterion 83.7(e), inclusion of Auguste Jaco as another Indian ancestor of the group would not provide Indian ancestry for any additional members of the petitioner. Neither does Auguste Jaco’s possible identification as Indian identify a historical tribe, or tribes that combined, from which the BCCM and PACIT petitioners descend.

Modeste Abbe Courteau, “Indian” [b. before 1815 – d. after 1836 Terrebonne Parish, LA]

The BCCM genealogical database entry for “Modeste Abbe Courteau” did not cite evidence that she was Indian. The entry did refer to the fact that, in 1836, “Modeste Abbey” and “Julien Houma” of Terrebonne Parish jointly purchased U.S. land in both Terrebonne Parish and Pointe Coupee Parish. (“Joseph Houma and Antoine Houma” jointly purchased land in those two parishes as well.) The BCCM genealogical database presents Modeste as the wife of Julien Courteau (also known as Julien Houma), and “Who’s

²³ The BCCM petitioner does not claim Indian ancestry for Teonise Verdin, whose parents appear in the BCCM genealogical database as Jean Baptiste Verdin and his slave Rosalie. The Department-produced “Who’s Who Houma” concurs with that probable parentage for Teonise Verdin (BIA 8/28/1994; 34, 227).

²⁴ The “Jaco” surname is not one that Auguste used himself in his land dealings, according to the land record transcriptions and photocopy, and may or may not be how he was recorded in the original church record births of his daughters, but this surname, spelled in various ways, does appear for those daughters in records generated in their lifetimes.

Who Houma” indicates that “Modeste Abbey” may refer to the wife of Antoine Courteau. The BCCM genealogical database does not attribute children to Julien’s wife Modeste Abbe Courteau. The database does not include any BCCM or PACIT members as descendants of “Modeste Abbe Courteau” as the wife of Julien Courteau. However, if this Modeste were the Modeste married to Antoine Courteau, then the database does attribute two children to her, from whom eight current BCCM members claim descent.

Rosalie-Florestine Ramagos, “Indian” (b. ca 1817 – [d. after 1844 Terrebonne Parish, LA])

See Chart B. The BCCM genealogical database cites Rosalie’s adult baptism record as being “in file.” Although it was not found in the record, a published abstract of it documents her mother as Lise Carriere, whose two younger daughters, by a different husband, were identified as Indian (see entry for **Marie Madeleine Joseph/Alexander** (b. ca. 1829)) (Hebert 1978, 445). The petitioner’s submission included a description of Lise Carriere: “Two of her children described as Indian. She could be Choctaw because of Rouquette’s relationship to Carrieres (Terence and Francois) and [the] fact that his bro[ther] Felix had Indian wife and children” (Westerman 1997, 31). The database presents the claim that Rosalie married Etienne “King” Billiot, Jean Baptiste Verdin, and Charles Frederic, and has 534 descendants in the GCD and IJC subgroups of BCCM and no descendants in PACIT.

Roberts, Indian (b. ca. 1829 – d. 1/13/1924 Terrebonne Parish, LA)

The BCCM genealogical database cites “church records, not published” (not found in the current record), as evidence for “Indian Roberts.” It is not known whether those are the records used to conclude that he was Indian. The database presents the claim “Indian Roberts” had a daughter by Manette Seven Dardar in 1881. “Who’s Who Houma” does not confirm or refute that claim. No document in the current record shows this person as Indian, as claimed by the petitioner. The database presents the claim that “Indian Roberts” has 154 descendants in the GCD subgroup of BCCM and no descendants in PACIT.

Marie Madeleine Joseph/Alexander, Indian (b. ca. 1829 Terrebonne Parish, LA – d. aft. 1858)

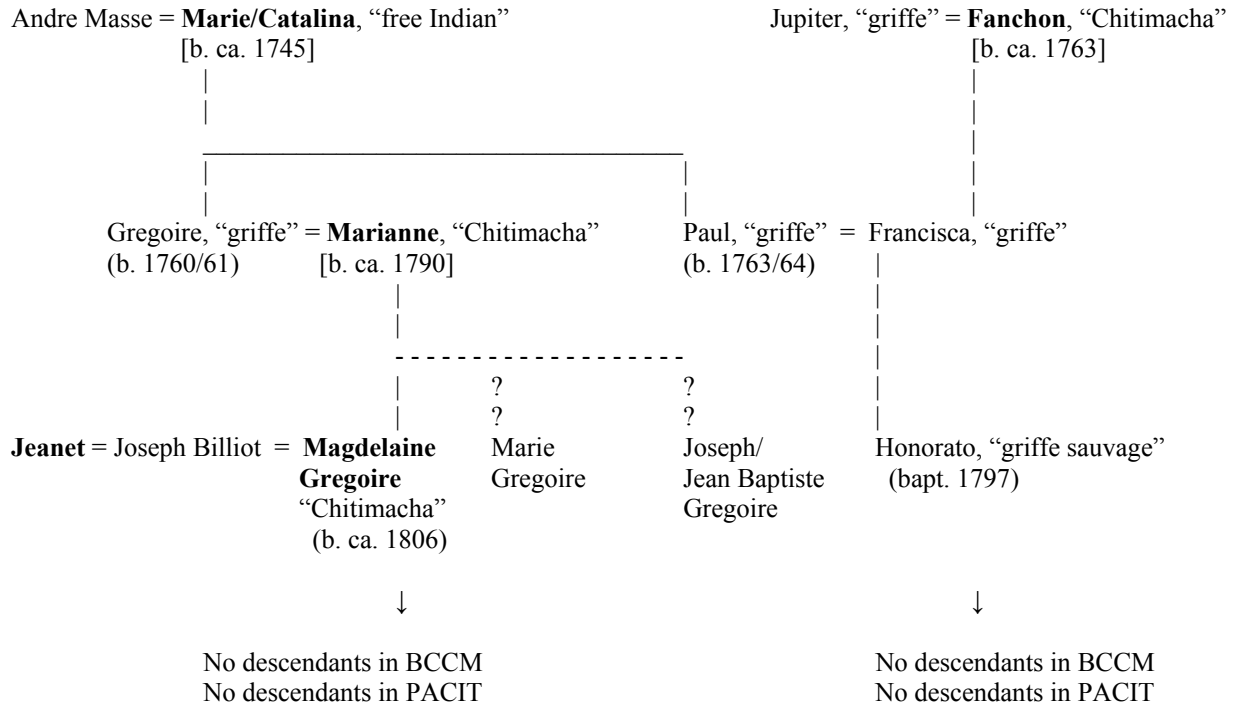
See Chart B. The BCCM genealogical database cites this woman’s marriage record (not found in the current record) for her identification as Indian: “Her marriage identifies her as an ‘Indian native of the parish of Houma,’ ... (Marriage SM ch. 9-#208 and St. Martin CtHse Vol. 1 #1330 [copy in file]).” The database does not link this woman’s descendants by her Chitimacha husband **Ursin Senette** (b. ca. 1833) to any members of BCCM. However, Marie Madeleine’s sister Susanne Elisabeth Joseph/Alexander resided in a Frederic-Billiot household in the 1880 Federal census (identified as “Indian”), and their half-sister **Rosalie-Florestine Ramagos** (b. ca. 1817) married a Billiot, a Verdin, and a Frederic. The most recent descendant of Marie Madeleine in the database is a daughter baptized in 1858 in St. Mary Parish, Louisiana (which adjoins modern Terrebonne Parish to the west). The database does not include any BCCM or PACIT members as descendants of “Marie Madeleine Joseph/Alexander.”

Ursin Senette, Chitimacha (b. ca. 1833 St. Mary Parish, LA – d. 1873 St. Mary Parish, LA)

See Chart B. The BCCM genealogical database identifies this man as the husband of “**Marie Madeleine Joseph/Alexander, Indian**” (b. ca. 1829). The database cites his participation in the 1857 distribution of funds by the chief to members of the Chitimacha tribe for land sales and leases as evidence that he was “Chitimacha.” No members claim descent from Ursin Senette.

Chart A

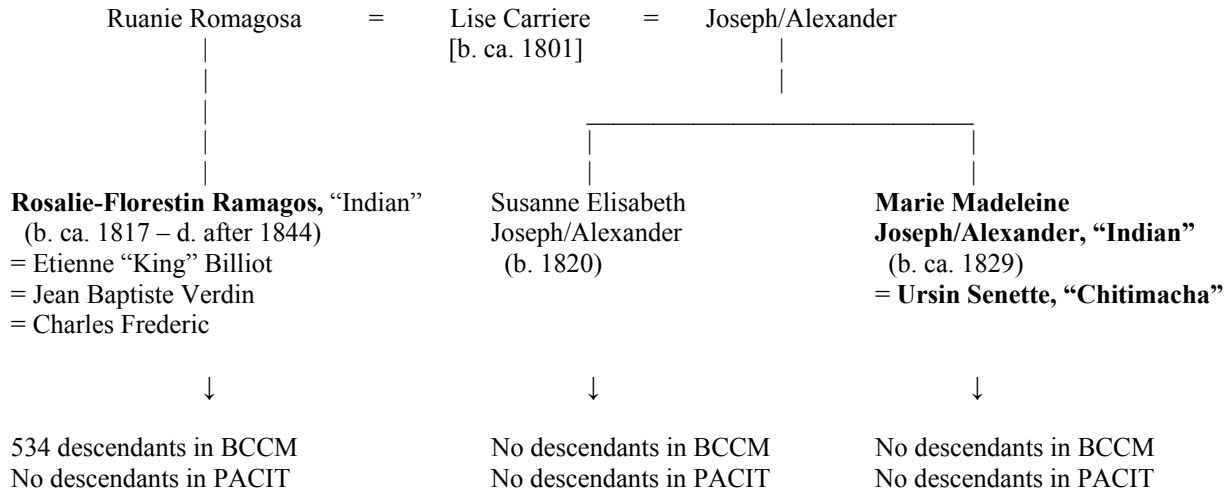
This chart illustrates the petitioner’s interpretation of interrelationships among various historical individuals the petitioner claims as Indian. The Department’s analysis of these claims appears in the text of Appendix B.



Sources: BCCM 4/21/2005 BK; OFA n.d.(a)

Chart B

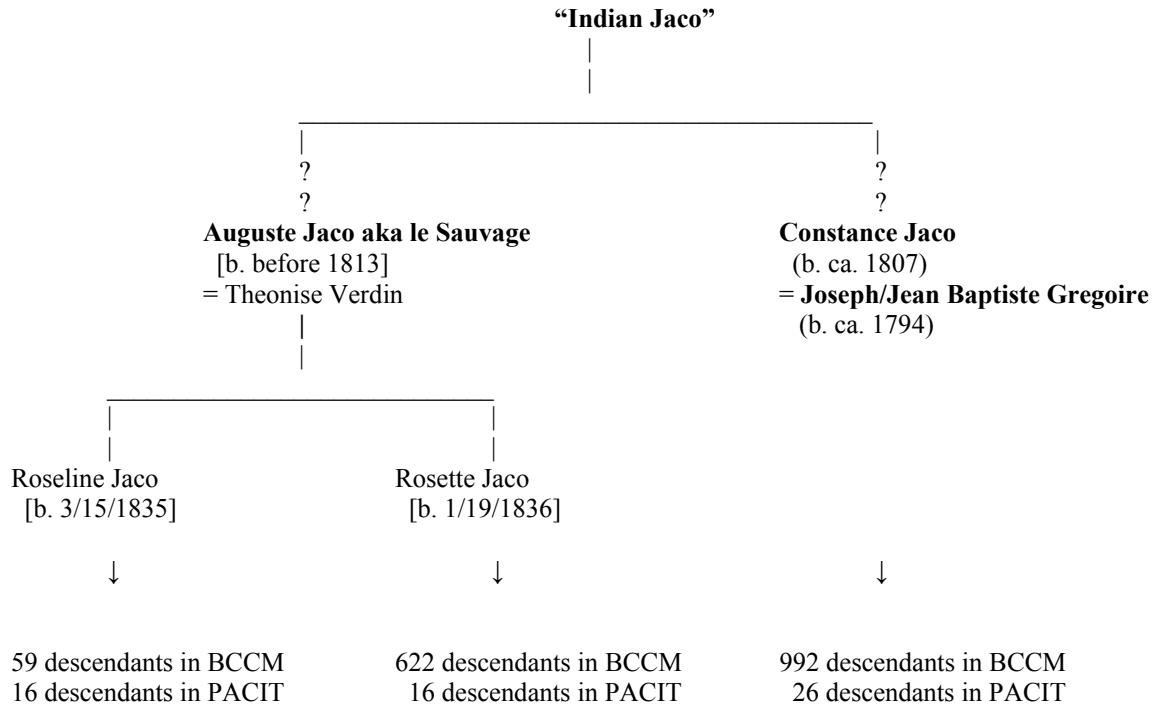
This chart illustrates the petitioner’s interpretation of interrelationships among various historical individuals the petitioner claims as Indian. The Department’s analysis of these claims appears in the text of Appendix B.



Source: BCCM 4/21/2005 BK; OFA n.d.(a)

Chart C

This chart illustrates the petitioner’s interpretation of interrelationships among various historical individuals the petitioner claims as Indian. The Department’s analysis of these claims appears in the text of Appendix B.



Source: BCCM 4/21/2005 BK; OFA n.d.(a)

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- 11/17/1938 Letter to F. G. Speck. *In* Curry 1979a.
- 2/25/1943 Letter to [F. G.] Speck. [National Archives.] BAR exhibit.
- 5/24/1948 Letter to [Commissioner of Indian Affairs] John Collier. UHN and BAR exhibits.
- 6/1/1948 Letter to [Commissioner of Indian Affairs] John Collier. UHN and BAR exhibits.

Billiot, Edna [m. David Billiot]

- 1/9/1979 Oral history interview (#13). UHN exhibit.

Billiot, Ellis

- 7/14/1999 Oral history interview, by Charles Verdin Sr. PACIT exhibit.

Billiot, Emary, and Laurencia Billiot

- 8/1/2005 Interview, by OFA. OFA anthropologist's files.

Billiot, Emile

- 8/9/1978 Oral history interview, by Bruce Duthu. UHN exhibit.

Billiot, Forest

- 6/16/1995 Deposition, in *Louisiana Land and Exploration Company v. Verdin et al.*, 17th Judicial District Court, Parish of Lafourche. PACIT exhibit.

Billiot, Henry L.

- 9/18/1916 Petition to the 20th Judicial District Court, Terrebonne Parish. PACIT exhibit.

Billiot, Jake

- 3/5/2005 Interview (videotape), by PACIT. PACIT exhibit.

Billiot, Jean Naquin, and Georgiana Billiot Verdin

- 1/14/1994 Affidavit, in *Louisiana Land and Exploration Company v. Verdin*, U.S. District Court, Eastern District of Louisiana. PACIT exhibit.

Billiot, Joseph "Oleus," and Roger Billiot

- 4/30/1979 Oral history interview (#[21]). UHN exhibit.

Billiot, Judy Ann

- 7/27/2005 Interview, by OFA. OFA anthropologist's files.

Billiot, Kellers S.

- 11/2/1993 Letter to Senator Johnston. BAR exhibit.
- 11/21/1994 Title I: The Pioneer & Last of the Houma Chiefs / Alexandre Bilieu (Billot). Manuscript. ACR exhibit.

Billiot, Laurencia

See: Emary Billiot 8/1/2005.

- Billiot, Ludovic “Dovic” Simeon
4/23/1979 Oral history interview (#17). UHN exhibit.
- Billiot, Maria, m. Lovell, and Manual Peter Billiot
1/28/1979 Oral history interview (#14). UHN exhibit.
- Billiot, Marie “Hazel”
6/14/1979 Oral history interview (#35). UHN exhibit.
- Billiot, Ralph
7/28/2005 Interview, by OFA. OFA anthropologist’s files.
- Billiot, Reginald (“Reggie”) T.
9/6/1995 Letter to Assistant Secretary-Indian Affairs Ada Deer. OFA files and ACR exhibit.
5/15/1996 Letter to Assistant Secretary-Indian Affairs Ada Deer. OFA files and ACR exhibit.
9/18/1996 Letter to Assistant Secretary-Indian Affairs Ada Deer. OFA files and ACR exhibit.
11/6/1996a Letter to Assistant Secretary-Indian Affairs Ada Deer. Cover to membership lists. OFA files and ACR exhibit.
11/6/1996b Letter to Assistant Secretary-Indian Affairs Ada Deer. Comments on the UHN proposed finding. OFA files and ACR exhibit.
7/31/2005 Interview, by OFA. OFA anthropologist’s files.
- Billiot, Sylvester
11/26/1978 Oral history interview (#1). UHN exhibit.
- Billiot, Theresa
3/6/2005 Interview (videotape), by PACIT. PACIT exhibit.
7/29/2005 Interview, by OFA. OFA anthropologist’s files.
8/1/2005 Interview, by OFA. OFA anthropologist’s files.
- Billiot, Wenceslaus, *et al.*
7/27/2005 Interview, by OFA. OFA anthropologist’s files.
- Billiot, Wilson
7/13/1999 Oral history interview, by Charles Verdin Sr. PACIT exhibit.
- Biloxi, Chitimacha Confederation of Muskogees, Inc. [petitioner #56a] (cited as: BCCM)
3/11/1995 “Indian Community Meeting Minutes.” BCCM exhibit.
8/2/1995 Meeting minutes. BCCM exhibit.
8/23/1995 Meeting minutes. BCCM exhibit.

Biloxi, Chitimacha Confederation of Muskogees (BCCM) (cont.)

- 10/17/1995 Letter of intent to petition, Reginald T. Billiot *et al.* to Assistant Secretary – Indian Affairs Ada E. Deer. OFA files and ACR exhibit.
- 2/22/1996 Meeting minutes of the Grand Council. [Note: The record contains minutes of this meeting dated 2/21/1996 and 2/22/1996.] BCCM exhibit.
- 3/20/1996 Meeting minutes of the Grand Council. BCCM exhibit.
- 5/14/1996 Meeting minutes of the Grand Council. BCCM exhibit.
- 6/21/1996 Meeting minutes of the Grand Council. BCCM exhibit.
- 7/19/1996 Resolution 96-002, signed by the Grand Council. BCCM exhibit.
- 8/16/1996 Meeting minutes of the Grand Council. BCCM exhibit.
- 9/8/1996 Meeting minutes of the Grand Council. BCCM exhibit.
- 11/--/1996 Comments on the UHN proposed finding. OFA files.
- 1997 Additional comments on the UHN proposed finding, received May 15, 1997. BCCM exhibits.
- 2005 Petition narrative (“Background History of the Grand Caillou Community of Indians” and other titles), 308 pp. BCCM exhibit.
- 4/--/2005 Petition submission. OFA files.
- 4/20/2005 Certification of petition materials. BCCM exhibit. [Note: One copy of this document is included in “FAIR” as BCCM 2005.4.21.]
- 4/21/2005 Brother’s Keeper™ genealogical database file (exported by the petitioner as a GEDCOM file, then imported by OFA as a Family Tree Maker™ file). BCCM exhibit.

BL

See: Bayou Lafourche Band of Biloxi-Chitimacha Indians.

Blanchard v. Bourg

See: Louisiana, Court of Appeal 6/30/1942.

Brandon, Frank E. Special Supervisor, BIA

1/12/1920 Letter to Commissioner of Indian Affairs. National Archives. BAR exhibit.

Browning, D. M. Commissioner of Indian Affairs.

12/9/1896 Letter to Secretary of the Interior. BAR exhibit.

Brunet, Chris

7/25/2005 Interview, by OFA. OFA anthropologist’s files.

Boudreaux, Wilma, and Phoebe Morrison, comps.

1989 *Census, 1 June 1900, Terrebonne Parish, Louisiana, and Index*. Thibodaux, La. PACIT and BAR exhibits.

Bourgeois, Henry L. Superintendent, Terrebonne Parish School Board

1938 “Four Decades of Public Education in Terrebonne Parish.” Master’s thesis, Louisiana State University. PACIT, UHN, and BAR exhibits.

8/26/1942 Letter to Joe Jennings, BIA. [National Archives.] BAR exhibit.

Bourgeois, Lillian .C.

1957 *Cabanocey: The History, Customs and Folklore of St. James Parish*. Gretna, La.: Pelican Publishing (1987 ed.). BAR exhibit.

Bourgeois, Lloyd T.

n.d. “A Historical Sketch of the Lafourche Parish.” Reprinted from the *Congressional Record*. [Nicholls State University, University Archives.] PACIT exhibit.

Brasseaux, Carl A.

1975 “1810 Census of Attakapas District.” *Attakapas Gazette* 10 (Fall). BAR exhibit.

1987 *The Founding of New Acadia: The Beginning of Acadian Life in Louisiana, 1765-1803*. Baton Rouge, La.: Louisiana State University Press. PACIT and BAR exhibits.

2003 “Acadian Life in the Lafourche Country, 1766-1803,” in Philip D. Uzee, ed., *The Lafourche Country*. [Thibodeau, La.]: Lafourche Heritage Society. PACIT exhibit.

Breaux, S. P.

1/6/1932 Affidavit, in *Louisiana Land and Exploration Company v. Cheramie et al.*, U.S. District Court, Eastern District of Louisiana. PACIT exhibit.

Breaux, John. U.S. Representative

8/31/1979 Letter to Gary Catron, Department of the Interior. ACR exhibit.

Burke, Charles H. Commissioner of Indian Affairs

12/9/1921 Letter to Representative Carl Hayden. File 97649-1921, General Service #266, Central Classified Files, RG 75, National Archives. BAR exhibit.

9/21/1927 Letter to Charles Billiot. National Archives. BAR exhibit.

Bushnell, David I., Jr.

1909 *The Choctaw of Bayou Lacomb, St. Tammany Parish, Louisiana*. Bureau of American Ethnology, Bulletin 48. Washington, D.C.: GPO.

5/19/1917 “The Chitimacha of Bayou La Fourche, Louisiana.” *Washington Academy of Sciences Journal* 7:301-307. BAR exhibit.

Butler, Joseph T., Jr.

1970 “The Atakapa Indians.” *Louisiana History* 11 (Fall). BAR exhibit.

- Calazare. Chief of the “Bayou Goula and Houma” Indians
10/5/1774 Deed to Maurice Canoné and Alexander Latil (translation). [U.S. Senate Report 144 (n.d.)] UHN exhibit.
- Calder, Isabel M.
1935 *Colonial Captivities, Marches, and Journeys*. [New York]: Macmillan (reprint, Kennikat Press, 1967). UHN exhibit.
- Campisi, Jack
1990 Testimony, before the Senate Select Committee on Indian Affairs, Aug. 7, 1990. BAR exhibit.
- Carlton, Hugh Y.
1/26/1932 Affidavit, in *Louisiana Land and Exploration Company v. Cheramie et al.*, U.S. District Court, Eastern District of Louisiana. PACIT exhibit.
- Cathcart, James Leander
1819 “Southern Louisiana and Southern Alabama in 1819: The Journal of James Leander Cathcart,” ed. by Walter Prichard *et al.* *Louisiana Historical Quarterly* 28 (1945). BAR exhibit.
- Chambon, ____
1750 Map, “Carte de la Louisiane.” Louisiana State Museum. PACIT exhibit.
- Chasson, Pierre, *et al.*
1/11/1933 Answer, in *Louisiana Land and Exploration Company v. Cheramie et al.*, U.S. District Court, Eastern District of Louisiana. PACIT exhibit.
- Charlevoix, ____
1747 Map (section) of the lower Mississippi River and Gulf Coast [marked as from O’Neill, ed., 1977]. UHN exhibit.
- Cheramie, Steve W.
1/--/1994 Affidavit, in *Louisiana Land and Exploration Company v. Verdin*, U.S. District Court, Eastern District of Louisiana. PACIT exhibit.
- 7/17/1996 Statement, before the Subcommittee on Native American and Insular Affairs, U.S. House of Representatives. BAR exhibit.
- 11/21/1996 Letter to Assistant Secretary-Indian Affairs Ada Deer. OFA files and ACR exhibit.
- Clark, Daniel
9/29/1803 Letter to Secretary of State James Madison, in Clarence E. Carter, comp., *Territorial Papers of the United States: The Territory of Orleans*, 9:61-66. Washington, D.C.: GPO, 1940. BAR exhibit.
- Cohen, Felix S., comp.
1942 *Handbook of Federal Indian Law*. Washington, D.C.: GPO.
- Collier, John. Commissioner of Indian Affairs
1/30/1942 Letter to Senator Ellender. National Archives. PACIT and BAR exhibits.

Conrad, Glenn R., comp.

- 1992 *Land Records of the Attakapas District*, vol. 2. Lafayette, La.: University of Southwestern Louisiana. (Research notes by a BAR researcher.) BAR exhibit. [Note: In “FAIR” as Demarce 1998ap, [p.2].]

Coulon, Kermin

- 6/21/1995 Deposition, in *Louisiana Land and Exploration Company v. Verdin et al.*, 17th Judicial District Court, Parish of Lafourche. PACIT exhibit.

Courteau to Billiot

- 5/11/1876 Conveyance, Rosalie Courteaux to Alexandre Billiot. Terrebonne Parish courthouse, Book CC, p.146. PACIT, UHN, and BAR exhibits.

Courteau to Carlos

- 7/1/1854 Conveyance, Rosalie Courteau to Clement Carlos. Terrebonne Parish courthouse, Book Q, p.215. BCCM exhibit.
- 2/16/1856 Conveyance, Rosalie Courteau to Clement Carlos. Terrebonne Parish courthouse, Book R, pp.39, 200. BCCM, UHN, and BAR exhibits. [Note: See also the translation in BCCM 2005, 163.]
- 6/1/1857 Conveyance, Rosalie Courteau to Clement Carlos. Terrebonne Parish courthouse, Book S, p.200. BAR exhibit.

Courteau to Courteau

- 12/15/1841 Conveyance, Marianne, wife of Courteau, to Rosalie Courteau, wife of Jacques Billiot. Terrebonne Parish courthouse, Book I, p.157. BCCM, UHN, and BAR exhibits.

Courteau to Paroy

- 12/27/1841 Conveyance, Rosalie Courteau to C. L. [Paroy / Duroy]. Terrebonne Parish courthouse, Book I, p.157. BCCM, UHN, and BAR exhibits. [Note: See also the translation in BCCM 2005, 166.]

Courteau to Robichaux

- 5/14/1869 Conveyance, Rosalie Courteau to J. Narcisse Robichaux. Terrebonne Parish courthouse, Book Y, p.74. UHN and BAR exhibits.
- 8/20/1869 Conveyance, Rosalie Courteaux to J. Narcisse Robichaux. Terrebonne Parish courthouse, Book Z, p.195. BAR exhibit.

Courteau to Verdun

- 6/1/1829 Conveyance, Toup-la-bay dit Courteau to Alexandre Verdun (French transcript and English translations). Terrebonne Parish courthouse, Book E, p.108. BCCM, PACIT, UHN, and BAR exhibits.

Courteau to Verret

- 11/8/1838 Conveyance, Houma alias Courteau and his wife Marie-Anne to Louis Verret, and Verret to Courteau. Terrebonne Parish courthouse, Book H, p.110. BCCM, UHN, and BAR exhibits.

Courteau *et al.* to Carlos

6/30/1854 Conveyance, Julien Courteau *et al.* to Clement Carlos. Terrebonne Parish courthouse, Book Q, p.217. BCCM, UHN, and BAR exhibits.

Courteau, Rosalie, m. Billiot

4/11/1878 Claim of widow for pension, by Rosalie [Courtot] Billot. War of 1812 pension record of Rosalie Billot (no. 18,391), RG 15, National Archives. UHN and BAR exhibits.

Courteaux, Jimmy, and Albertine Courteaux

7/20/1978 Oral history interview, with Mrs. Courteaux, by Bruce Duthu. UHN exhibit.

Coycault, Ernest

2/10/1914 Letter to [Representative] Robert F. Broussard. National Archives. BAR exhibit.

Creppell, Ursin

1/23/1932 Affidavit, in *Louisiana Land and Exploration Company v. Cheramie et al.*, U.S. District Court, Eastern District of Louisiana. PACIT exhibit.

Curry, Janel M.

1979a "A History of the Houma Indians and Their Story of Federal Nonrecognition." *American Indian Journal* 5 (February). PACIT and UHN exhibits.

1979b "Culture Change and the Houma Indians: A Historical and Ecological Examination." M.A. thesis, University of Minnesota. UHN and BAR exhibits.

D'Annville, S.

1732 Map of Louisiana. BAR exhibit. [Note: See also "Map of Louisiana from D'Annville's Atlas" (an English translation). Louisiana State Museum. PACIT exhibit.]

Daily Comet [Thibodaux]

4/13/1979 "Merger of Houmas Means Progress." UHN exhibit.

2/6/1981 "Houma recognition try said [best]." UHN exhibit.

6/24/1996 "Billiot brings message to Capitol." BCCM exhibit.

5/5/1999 "Differences delay tribe recognition." BCCM exhibit. [Note: The same article is found in the *Houma Courier* 5/5/1999.]

3/27/2000 Obituary. BCCM exhibit.

5/10/2001 "Tribe recognition helps students." PACIT exhibit.

6/8/2004 "Tribes to get state recognition." PACIT exhibit.

6/29/2004 "Four Indian tribes recognized." BCCM exhibit. [Note: The same article is found in the *Houma Courier* 6/29/2004.]

Dardar, Ernest

See: Albert Naquin 7/27/2005.

- Dardar, Ludvic
12/17/1978 Oral history interview (#[6]). UHN exhibit.
- Dardar, Oneziphor
12/20/1978 Oral history interview (#8). UHN exhibit.
- Dardar, Ralph
7/28/2005 Interview, by OFA. OFA anthropologist's files.
- Dardar, Theresa Mazie
2005 Interview, by OFA. OFA anthropologist's files.
- Dardar, Thomas, *et al.*
1/6/1932 Answer, in *Louisiana Land and Exploration Company v. Cheramie et al.*, U.S. District Court, Eastern District of Louisiana. PACIT exhibit.
- Davis, Edwin Adams
1975 *Louisiana: The Pelican State*. Baton Rouge, La.: Louisiana State University Press. PACIT exhibit.
- Delisle, Guillaume
1702 Map, "Carte de la Riviere de Mississipi." PACIT exhibit.

ca. 1718 Map, "Embouchures de Mississipi / d'après Guillaume Delisle." *Louisiana Historical Quarterly* 19 (October 1936):878, map 3. OFA historian's documents.
- Densmore, Frances
n.d. "A Search for Songs among the Chitimacha Indians in Louisiana." PACIT exhibit.
- Deseran, Forrest A., *et al.*
1979 "An Assessment of Housing of Indian, White, and Black Residents in Two Rural Louisiana Communities." Louisiana State University, Agricultural Experiment Station, *Bulletin* No. 719 (August). UHN and BAR exhibits.
- Diocese of Baton Rouge
1978 *Diocese of Baton Rouge, Catholic Church Records*, vol. 1 (1707-1769). BAR exhibit.

1980 *Diocese of Baton Rouge, Catholic Church Records*, vol. 2 (1770-1803). BAR exhibit and OFA genealogist's files.

1982 *Diocese of Baton Rouge, Catholic Church Records*, vol. 3 (1804-1819). OFA genealogist's files.
- Dion, Tom
1978 Oral history interview (#9), by Bruce Duthu. UHN exhibit.

6/27/1980 Oral history interview (#48). UHN exhibit.

1/23/1981 Oral history interview (#56). UHN exhibit.

Documented Houma Tribe

10/20/1993 Articles of Incorporation. ACR exhibit.

n.d. Corporate Charter and Constitution. PACIT exhibit.

Domínguez, Virginia R.

1986 *White by Definition: Social Classification in Creole Louisiana*. New Brunswick, N.J.: Rutgers University Press. BAR exhibit.

Dormon, Caroline

12/5/1928 Letter to Dear Sirs. National Archives. BAR exhibit.

7/4/1935 Letter to Commissioner of Indian Affairs John Collier. [National Archives.] UHN exhibit.

Drake, Samuel G.

1841 *The Book of the Indians*, 8th ed. Boston: Antiquarian Bookstore. BAR exhibit.

Duet, Felecien

1/23/1932 Affidavit, in *Louisiana Land and Exploration Company v. Cheramie et al.*, U.S. District Court, Eastern District of Louisiana. PACIT exhibit.

Duet, Wilfred, and Felicien Duet

1/11/1933 Affidavit. PACIT exhibit.

Dumez, Eugene

4/27/1931 Letter to Indian Office. [National Archives.] BAR exhibit.

Dupre, Marie Melodie

8/6/1979 Oral history interview. UHN exhibit.

Du Ru, Paul

1934 *Journal of Paul du Ru*, trans. by Ruth Lapham Butler. Chicago: Caxton Club (reprint, Fairfield, Wash.: Ye Galleon Press, 1997). PACIT exhibit.

Dumez, Eugene

9/11/1934 Letter to the Indian Office. [National Archives.] UHN exhibit.

Edwards, Edwin. Governor of Louisiana

4/20/1977 Letter to Representative David Treen. ACR exhibit.

8/15/1979 Letter to Rick C. Lavis, Deputy Secretary of Indian Affairs. ACR exhibit.

Ellender, Allen. U.S. Senator

6/25/1942 Letter to Secretary of the Interior Harold L. Ickes. [National Archives.] UHN and BAR exhibits.

Ellender, Henry

1/18/1994 Affidavit, in *Louisiana Land and Exploration Company v. Verdin*. PACIT exhibit.

Ellis, Frederick S.

1981 *St. Tammany Parish*. Gretna, La.: Pelican Publishing. BAR exhibit.

Ethridge, Adele Nash

1940 "Indians of Grant Parish." *Louisiana Historical Quarterly* 23 (October).

Ferguson, Patty A.

8/2/2005 Interview, by OFA. OFA anthropologist's files.

Fickinger, Paul L. Associate Director of Education, BIA

7/20/1938 Letter to Morice Bettiol [*sic*]. National Archives. BAR exhibit.

12/21/1940 Letter to A. J. Martin. National Archives. PACIT and BAR exhibits.

Final Rolls of Citizens and Freedmen of the Five Civilized Tribes in Indian Territory

1903 Notes by a BAR researcher on certain individuals listed as "Choctaw by Blood" on the "Dawes Roll." BAR exhibit.

Fischer, Ann

8/14/1960a Letter to La Verne Madigan, Executive Director of the Association on American Indian Affairs. John P. Nelson Papers (folder 8, box 4), Amistad Research Center, Tulane University, New Orleans, La. OFA historian's documents.

8/14/1960b "Report for the Indian Association on Problems of the Houma Indians." Enclosed with a letter to La Verne Madigan in John P. Nelson Papers (folder 8, box 4), Amistad Research Center, Tulane University, New Orleans, La. OFA historian's documents.

3/28/1963 Letter to Mrs. Robert ["Betty"] Rosenthal. UHN exhibit.

1965 "History and Current Status of the Houma Indians." *Midcontinent American Studies Journal* 6:149-163. [Note: reprinted in 1968.] PACIT, UHN, and BAR exhibits.

1968 "History and Current Status of the Houma Indians," in Stuart Levine and Nancy Oestreich Lurie, eds., *The American Indian Today*. Deland, Fla.: Everett / Edwards, Inc., 1968. PACIT, UHN, and BAR exhibits.

Fitch, Azalie Clodelia, m. Verdin

7/20/1979 Oral history interview (#26). UHN exhibit.

Fitch, Wickliffe

7/20/1979 Oral history interview (#25). UHN exhibit.

Foret, Marleen

3/6/2005 Interview (videotape), by PACIT. PACIT exhibit.

7/28/2005 Interview, by OFA. OFA anthropologist's files.

Foret, Michael J.

1996 "Native Americans of the Lafourche Country, 1543-1996," in Stephen S. Michot and John P. Doucet, eds., *The Lafourche Country II*. [Thibodeau, La.]: Lafourche Heritage Society. PACIT exhibit.

Foster and Walker

1830-1831 Field Notes, T17S, R18E, South Eastern District of Louisiana. PACIT exhibit.

Franklin Banner

1/21/1981 “Franklin man named to Houma Tribe council.” UHN exhibit.

Freiberg, Edna B.

1980 *Bayou St. John in Colonial Louisiana, 1699-1803*. [New Orleans, La.] UHN and PACIT exhibits.

Gallet, Francis

1/-/1978 Oral history interview, by Jan Curry. UHN exhibit.

Galloway, Patricia K.

1985 “Choctaw Factionalism and Civil War, 1746-1750,” in Carolyn Keller Reeves, ed., *The Choctaw before Removal*. Jackson, Miss.: University Press of Mississippi. BAR exhibit.

Garber, B. S. Acting Commissioner of Indian Affairs.

5/8/1931 Letter to Eugene Dumez. [National Archives.] UHN exhibit.

Gatschet, Albert S.

1882 Report on Katala, Cha'ta and Shetimasha Indians and their languages, visited and studied in Dec., 1881 and January 1882 (notes by a BAR researcher). MS #287, National Anthropological Archives, Smithsonian Institution.

1883 “The Shetimasha Indians of St. Mary’s Parish, Southern Louisiana.” PACIT and BAR exhibits.

1884 *A Migration Legend of the Creek Indians*. Philadelphia, Pa.: Brinton (reprint, New York, N.Y.: AMS Press, 1969). BAR exhibit.

GCD

See: Grand Caillou/Dulac Band of Biloxi/Chitimacha.

Gianelloni, Elizabeth Becker

1971 “Genealogical Data from Records of the Diocese of Louisiana and the Floridas.” *Louisiana Genealogical Register* (Feb.).

Giraud, Marcel

1974 *A History of French Louisiana*, vol. 1, trans. By Joseph C. Lambert. Baton Rouge, La.: Louisiana State University Press. UHN and BAR exhibits.

GLO

See: U.S. General Land Office.

Grand Caillou/Dulac Band of Biloxi/Chitimacha (cited as: GCD)

1/9/1996 Meeting minutes. BCCM exhibit.

3/2/1996 Meeting minutes. BCCM exhibit.

Grand Caillou/Dulac Band (GCD) (cont.)

3/25/1996 "Election Guidelines." BCCM exhibit.

5/11/1996a Constitution. BCCM exhibit.

5/11/1996b Constitution, received April 19, 2005. BCCM exhibit.

7/1/1996a Bylaws. BCCM exhibit.

7/1/1996b Bylaws, received April 19, 2005. BCCM exhibit.

9/7/1996 Meeting minutes. BCCM exhibit.

10/5/1996 Meeting minutes. BCCM exhibit.

11/7/1996 Membership list, certified on October 27, November 6, and November 7, 1996. BCCM exhibit.

8/4/2001 Meeting minutes. BCCM exhibit.

3/7/2005 Membership list. BCCM exhibit.

Gregory, Hiram F. "Pete"

1979 "The Chitimacha: Men Altogether Red," in Joseph T. Wilson and Nicholas R. Spitzer, eds., "Mississippi Delta Ethnographic Overview." A report prepared for the National Park Service. PACIT exhibit.

1985 "'A Promise from the Sun': The Folklife Traditions of Louisiana Indians," in Nicholas R. Spitzer, ed., *Louisiana Folklife: A Guide to the State*. Baton Rouge: Moran Colorgraphic Inc., for the Louisiana Department of Culture, Recreation and Tourism. BAR exhibit.

Griggs, Ted

7/29/1993 "Tribal Council the key to Houmas." *Houma Courier*. BCCM and PACIT exhibits.

Guidry, Sherwin

n.d. *Le Terrebonne: A History of Montegut*. PACIT and BAR exhibits.

Hale, Robert, III. Chairman, Terrebonne Parish Council

12/7/1989 Letter to President George Bush. ACR exhibit.

Hardin, J. Fair. Assistant U.S. Attorney

2/15/1936 Letter to Commissioner of Indian Affairs. National Archives. BAR exhibit.

Harrington, M. Raymond

1908 "Among Louisiana Indians." *Southern Workman* 37. BAR exhibit.

Harris, [T. H.]. State Superintendent of Education

2/20/1932 Letter to Secretary of the Interior Ray Lyman Wilbur. National Archives. PACIT and BAR exhibits.

Harry Bourg Corporation v. Howard Parfait et al.

See: Louisiana, Court of Appeal 5/29/1967.

Hayden, Carl. U.S. Representative

12/3/1921 Letter to Commissioner of Indian Affairs Charles H. Burke. File 97649-1921, General Service #266, Central Classified Files, RG 75, National Archives. BAR exhibit.

Hays, Christopher

1996 "1996 Annual Report for Management Units IV and V," a report of the Museum of Natural Science, Louisiana State University. PACIT exhibit.

Hebert, Donald J.

1978 *South Louisiana Records: Church and Civil Records of Lafourche – Terrebonne Parishes*, vol. 1. Cecilia, La. PACIT exhibit and BAR genealogist's files.

1981 *South Louisiana Records: Church and Civil Records of Lafourche – Terrebonne Parishes*, vol. 5. [Eunice, La.]. OFA genealogist's files.

1996 *Southwest Louisiana Records*, vol. 1-A (1750-1800). Rev. ed. of vol. 1. [Rayne, La.]. OFA genealogist's files.

Hebert, Tim

2001 "The History of Terrebonne Parish, Louisiana," parts 3 and 4, at <www.rootsweb.com/~laterreb>. OFA historian's documents.

Hector, A. C. Superintendent, Choctaw Indian Agency, BIA

7/14/1937 Letter to Edna Groves, BIA. National Archives. BAR exhibit.

Henry to Kennedy

10/14/1808 Conveyance, Sheriff's sale of land of Courtien Savage. BAR exhibit.

Hocutt, Belinda

7/30/2005 Interview, by OFA. OFA anthropologist's files.

Hodge, Frederick Webb, ed.

1907 *Handbook of American Indians North of Mexico*. Bureau of American Ethnology, Bulletin 30. Washington, D.C.: GPO. BAR exhibit.

Hooper, "Miss" [Wilhelmina]

10/25/1977 Oral history interview, by Jan Curry. UHN exhibit.

Houma Alliance

5/13/1974 Articles of Incorporation, the Houma Alliance. UHN exhibit.

n.d. "Houma Alliance Tribal Roll." UHN exhibit.

Houma Indians of Louisiana, Inc.

10/14/1972 Articles of Incorporation, Houma Indians of Louisiana, Inc. UHN exhibit.

8/5/1974 Special meeting minutes. UHN exhibit.

Houma Tribe(s), Inc.

n.d.(a) “Lafourche Parish Registration.” UHN exhibit.

n.d.(b) “Terrebonne Parish Registration” (B-S; S-W). UHN exhibit.

Horvath, Dorothea, comp.

1985 *1850 Census of Terrebonne Parish, La., with Annotations*. Houma, La.: Terrebonne Genealogical Society. PACIT and BAR exhibits.

Houma Courier

- 8/2/1970 “Indians March to State Capitol for Pow-Wow.” UHN exhibit.
- 4/18/1971 “Accent on Pointe-Aux-Chenes, Isle de Jean Charles.” BCCM exhibit.
- 8/21/1972 “Facts Scarce on Houmas,” by Sherwin Guidry. PACIT exhibit.
- 4/25/1974 “Dulac Indians Splinter for State Tribal Group.” PACIT and ACR exhibit.
- 7/19/1974 “Tribal Meetings Slated July 29-30.” PACIT exhibit.
- 8/18/1974 “Indian Group Holds Benefit For Students.” PACIT exhibit.
- 4/26/1976 “Indians of Jean Charles.” PACIT exhibit.
- 5/10/1976 “Houmas Indians Will File Suit.” PACIT exhibit.
- 7/18/1977 “Houmas Indians Recognition Could Lead to Federal Funds.” PACIT exhibit.
- 11/18/1977 “Researcher Tries to Find Truth About Houmas Indians” [*ca.* Nov. 18, 1977.] UHN exhibit.
- 3/5/1978 “Indians Terrebonne’s First Settlers.” BCCM exhibit.
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