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FOR CIRCULATION

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Vol. 14, # 8

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Department of Indian Affairs and Northern Development
Ministère des Affaires Indiennes et du Nord canadien

THE Indian news

Vol. Fourteen, No. Eight

Ottawa, Canada

1972

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NISHGAS

MAKE HISTORY

The Nishga Tribal Council made history in late November by being the first, and probably the last, Indian tribe in Canada to take a land claim into the Supreme Court of Canada. In the future, such land claims will be settled politically in Parliament. The case was taken into court by Mr. Tom Berger representing the Nishga Tribal Council; their land claim was based on aboriginal title and after battling it out in the courts for a week, it is now up to the seven judges who presided over the case, to make a decision on their claim to the land in the Nass River Valley, B.C.

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Front row, l. to r.: Roy Robinson, Maurice Nyce, --, Frank Calder, MP, Eli Gosnell and Bill McKay. Second row, l. to r.: Mr. Ram Sampat-Mehta, L.L.M., observer at the trial, Jimmy Gosnell, Hubert Doolan, Tony Robinson, --.

INDIANS CLAIM LANDS OF B.C.

At their annual meeting in mid-November, the Union of B.C. Indian Chiefs rectified a paper laying claim to non-treaty lands in British Columbia, and it is worthy to note that very little land in that province was acquired by treaties. The Chiefs have been doing a legal study for the past three years under the direction of their legal advisor, Mr. Davie Fulton, the former Minister of Justice of Canada.

The Chiefs will not disclose what price they will be asking in settlement until they present their paper to Prime Minister Elliot Trudeau. The Union is laying claim to the land of the Province because they claim it was never surrendered or obtained from them through treaties. It is based on aboriginal title, and the chiefs are well aware of the pro-blem between the United government and the natives who will be receiving compensation for lands in that state.

Union of B.C. Indian Chiefs
in public sessions during most

of their conference because of the nature of their discussions on aboriginal rights and land claims. In one of the open sessions, however, it was disclosed that the Union's paper, "UNITY" had been suspended until its future can be discussed by the new executive council. Two complaints made against the Bulletin were, that it was too opinionated, and that it disclosed secrets of the

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ONTARIO JUDGE GAINS INDIAN DISFAVOUR

Judge Collins of Ontario has gained considerable disfavour from Indian people across the country because of remarks he allegedly made in passing sentence on an Indian in his courtroom in mid-November. In reference to an Indian child, the Judge made a statement in court to the effect that he would be "just another stupid Indian of which we have many." He also described two reserves near Sudbury

as "a disgrace" and these two statements fired Indian leaders into action.

George Manuel made the following remarks to the annual meeting of the B.C. Association of Non-Status Indians in mid-November. "It is inconceivable," he said, "to comprehend any person sitting in a judicial capacity on the bench of this country to be so totally irresponsible as to be capable of making such abominable and derogatory statements about the inhabitants of this country." He went on to say, "Indians are Canadians, and this blatant reference to the Indian race is a clear manifestation of a deep-rooted prejudice by the Judge against my people. I believe any person who exercises judicial authority in this country and displays such wanton disregard to the fundamental principles of human rights and dignity to an entire race of people is clearly incapable of discharging the responsibility of judicial functions and must forthwith be removed. He is a blot

HAROLD CARDINAL RESIGNS

Harold Cardinal, 26-year-old President of the Indian Association of Alberta has resigned, he said, to "allow a healthy, normal relationship to develop between the association and the government as a whole." He felt there was a personality conflict between himself and Jean Chretien, Minister of Indian Affairs, and he did not want this to impede the treatment of his people in Alberta. He hopes that with his resignation, the government may give a hearing to the Indian Association of Alberta to clear up allegations by the Minister of Indian Affairs that funds were not accounted for sufficiently. If given a hearing by the Standing Committee on Indian Affairs and Northern Development, Cardinal feels the Association can clear up these charges.

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UN JUGE DE L'ONTARIO S'ATTIRE

LA DEFAVEUR DES INDIENS

Le juge Collins, de l'Ontario, s'est attiré une grande défaveur de la part des Indiens du pays à cause de remarques qu'il aurait faites, vers la mi-novembre, au moment de prononcer la sentence d'un Indien. Parlant d'un enfant indien, le juge aurait dit en cour "qu'il s'agissait seulement d'un autre Indien stupide, ce qui n'est pas chose rare dans notre pays". Il a aussi décrit deux réserves indiennes des environs de Sudbury comme "une véritable honte". A la suite de ces deux déclarations, les dirigeants indiens se sont lancés à la contre-attaque.

Lors de la réunion annuelle de l'Association des Indiens de la Colombie-Britannique non visés par les statuts, tenue à la mi-novembre, George Manuel a déclaré ce qui suit: "Il est inconcevable qu'un magistrat

d'un tribunal du pays soit irréfléchi au point de faire des déclarations si odieuses et si désobligeantes à l'égard d'un groupe d'habitants du Canada. Les Indiens sont des Canadiens et la remarque du juge sur la race indienne est la preuve flagrante du préjugé profondément enraciné qu'il entretient envers elle. Je crois qu'un magistrat qui fait si peu de cas des principes fondamentaux des droits de l'Homme et de la dignité de toute une race, démontre par le fait même qu'il n'est pas à la hauteur de son poste et doit donc en être retiré. Il est une faille dans la fondation même de toute institution démocratique à l'intérieur de laquelle évolue une société libre." George Manuel a de plus ajouté "qu'il considérait les déclarations du juge comme une tentative de rabaisser et de ridiculiser les autochtones du pays

qui se sentent désormais considérés comme un groupe minoritaire. Il faut protéger les minorités contre de telles attaques scandaleuses de la part d'individus entretenant des préjugés, surtout s'ils ont des pouvoirs judiciaires et bénéficient de la protection de l'appareil gouvernemental établi par la majorité". M. Manuel a conclu en ces termes: "Si les remarques attribuées au juge sont exactes, j'exige, au nom du peuple indien, que le gouvernement du Canada présente des excuses inconditionnelles aux miens, retire immédiatement le juge en question et garantisse que nous ne serons jamais plus couverts d'un tel ridicule".

Le Conseil des autochtones du Canada, par l'entremise de son président, M. Tony Belcourt, a aussi demandé le retrait du juge Collins dans un télégramme envoyé à l'honorable John Turner. Il a dit: "Nous exigeons une enquête immédiate à ce sujet, ainsi que le retrait de ce juge de la magistrature, s'il a réellement fait les remarques qu'on lui attribue". Il a de plus ajouté: "Nous avons l'intention d'entreprendre les

démarches appropriées en vertu des dispositions de la législation de l'Ontario sur les droits de l'Homme et d'effectuer toute autre démarche imposée par les circonstances". M. Belcourt exhorta tous les Canadiens à appuyer la position adoptée par le Conseil face à ce grave problème et dit: "Nous comptons sur votre appui, en tant que ministre de la Justice, dans le combat que nous menons pour réaliser une société juste." Parlant au nom de l'Union des Indiens de l'Ontario, M. Fred Plain a dit à ce sujet: "De temps à autre, le racisme éclate au grand jour et s'exprime notamment par la voix de personnes instruites tels que des juges". Il a cependant ajouté: "C'est une bonne chose qu'un tel racisme soit dévoilé avant qu'il ne prenne les proportions d'un cancer et que tout le pays soit rongé par le sectarisme et la haine raciale". L'Union des Indiens de l'Ontario endosse la demande de retrait du juge, si les déclarations qu'on lui attribue sont prouvées.

Le procureur général, Allan Lawrence, a demandé une copie du procès et, jusqu'ici, n'a pas fait de commentaires sur la conduite du juge.

LES INDIENS REVENDIQUENT LEURS DROITS

SUR DES TERRES DE COLOMBIE-BRITANNIQUE

Lors de sa réunion annuelle tenue à la mi-novembre, l'Union des chefs indiens de la Colombie-Britannique a corrigé le document dans lequel elle revendique des droits sur le territoire de la Colombie-Britannique. Il est opportun de souligner ici que très peu du territoire de cette province est l'apanage des Indiens en vertu des traités. Ce document a été préparé à la suite de l'étude légale que les chefs ont entreprise il y a trois ans, sous la direction de leur conseiller juridique, M. Davie Fulton, ancien ministre de la Justice du Canada.

Les chefs refusent de révéler quelle somme ils réclament en guise de règlement, avant d'avoir présenté leur document au premier ministre Pierre-Elliott Trudeau. L'Union revendique le droit de propriété sur tout le territoire de la province, parce qu'elle prétend que la plus grande partie de ce territoire n'a jamais été cédée par les Indiens ni acquise par voie de traités. Leur revendication est fondée sur le droit de propriété des indigènes et les chefs savent que les autochtones de l'Alaska doivent recevoir une somme de 100 millions de dollars des États-Unis à titre d'indemnité pour le territoire de cet État.

A cause de la nature des discussions sur les droits des indigènes et leurs revendications foncières, la majeure partie de la conférence de l'Union des chefs indiens de la Colombie-Britannique s'est déroulée sous forme de sessions à huis clos. Cependant, au cours d'une séance publique, il fut révélé que la publication du journal de l'Union, l'UNITY, était interrompue jusqu'à ce que le nouveau conseil exécutif ait décidé de son avenir. Les deux plaintes formulées contre le bulletin furent son opiniâtreté et le fait qu'il avait dévoilé des secrets de l'Union des chefs indiens de la Colombie-Britannique. Certains membres du conseil exécutif se sont dits très préoccupés par tout cela, parce que le journal "était envoyé aux hauts fonctionnaires et aux ministères d'Ottawa."

L'Union a précisé que sa revendication était complètement distincte de celle du Conseil tribal de Nishga à propos des terres de la vallée de la rivière Nass (Colombie-Britannique), dont la Cour suprême du Canada a été saisie vers la fin de novembre. Au nom des chefs indiens, M. Fulton "leur a souhaité gain de cause", tout en précisant que "la

notre est entièrement distincte". Jusqu'ici, il n'a nullement été fait mention de la valeur monétaire attachée à ces terres que les Indiens prétendent posséder de droit.

Il y a trois ans, au moment de la formation de l'Union à Kamloops (Colombie-Britannique), on avait retenu les services de M. Davie Fulton pour effectuer des recherches et tirer au clair la question foncière dans cette province, ainsi qu'établir les titres de propriété des autochtones. L'immense travail accompli par ce dernier a servi à la préparation du document que les 188 chefs indiens de la Colombie-Britannique ont adopté lors de leur dernière réunion annuelle. Le conseil exécutif de l'Union devra maintenant décider de la façon de le présenter au premier ministre et choisir la date la plus propice.

Il fut décidé de laisser à chaque chef le soin de demander à sa bande quelle forme et quelles modalités de compensation elle souhaitait.

Comme les chefs indiens de la Colombie-Britannique pensent que la question du territoire est de toute première importance, ils aimeraient qu'elle soit réglée avant de négocier ou de conclure quoi que ce soit avec le gouvernement fédéral. M. George Manuel, président de la Fraternité des Indiens du Canada, a déclaré: "Si nécessaire, chaque Indien devrait se rendre à Ottawa pour prouver qu'il est des plus sincère dans sa

revendication du territoire de la province." Il a poursuivi en disant: "Il existe une commission sur les revendications foncières, mais ses pouvoirs sont illusoire. Elle ne peut que présenter des recommandations au gouvernement qui, lui, ne reconnaît pas le droit de propriété des autochtones." En guise de conclusion, il a déclaré: "Si nous n'avons pas gain de cause, les Indiens se battront encore dans 2,000 ou même 3,000 ans d'ici."

L'avocat de la Fraternité des Indiens du Canada, M. Ramdeo Sampat-Mehta, a aussi donné son opinion sur la question foncière. Selon lui, la lutte des Indiens du Canada est aussi celle des millions de personnes opprimées dans le monde. Chaque victoire des Indiens, si petite soit-elle, aide à la cause commune. M. Mehta, qui a récemment été engagé par la Fraternité des Indiens du Canada à titre d'expert en droit international, effectue des recherches sur les droits des indigènes et sur leurs revendications foncières. Lors de son allocution d'ouverture de la réunion de l'Union des chefs indiens, il a souligné que toute cette question foncière constituait peut-être un cas à présenter à la cour de justice internationale de La Haye. Il termina par ces mots: "Vos problèmes sont identiques à ceux de l'Inde. Derrière le sourire des oppresseurs se cache une main de fer prête à se refermer sur vos terres, votre richesse et votre honneur."

THE Indian news

Editor — THERESA NAHANEE

Editorial Assistant — DAVID MARACLE

The Indian News is a publication devoted to news about Indians and Indian communities in Canada and is a vehicle for the free expression of viewpoints and opinions held by Indian people. The opinions and statements contained in its pages are not necessarily those of the Department of Indian Affairs and Northern Development, which produces this publication each month for free distribution to Indians and other interested persons and organizations. Any article may be reproduced provided credit is given the author or this paper.

400 Laurier Ave. W., Room 360, Ottawa, K1A 0H4, 995-6386

LAND CLAIM

"If necessary every Indian in B.C. should travel to Ottawa to underline how sincere they are in their claim to lands in B.C."

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Union of B.C. Indian Chiefs. Some members of the Executive Council of the Union were very concerned with this because "it was being sent to high officials and departments in Ottawa."

The Union has made it quite clear that the claim they are making to lands in British Columbia are separate from the Nishga Tribal Council's claim to lands in the Nass River Valley, B.C. which will be going before the Supreme Court of Canada in late November. Fulton said on behalf of the Chiefs, "We wish them every success but ours is separate." To date there has been no mention of a dollar value being placed on lands in B.C. which the Indians claim is still rightfully theirs.

When the Union formed three years ago in Kamloops, B.C., Davie Fulton was hired to research and define the B.C. Land question and aboriginal title. The paper passed by B.C.'s 188 Indian chiefs at this annual meeting is the result of extensive research done by Mr. Fulton. It will now be up to the Executive Council of the Union to decide when and how it will be presented to the Prime Minister.

It was left up to each chief to have his band consider what form of compensation should be asked for in the land question, and once this is decided, how to go about dispensing compensation.

The land question has been given top priority by B.C.'s Indian chiefs, and they would like it to be settled before discussing or concluding any further business with the federal government. George Manuel, President of the National Indian Brotherhood, said, "If necessary, every Indian in B.C. should travel to Ottawa to underline how sincere they are in their claim to lands in B.C." Mr. Manuel stated further that "a lands claim commission exists, but its powers are mythical. The commission only has the power to recommend to government and the government in turn, does not recognize aboriginal title." He concluded by saying, "If we lose this case, the Indians will continue to fight even 2000 to 3000 years from now."

The lawyer for the National Indian Brotherhood, Mr. Ramdeo Sampat-Mehta gave his views on the land question. He said, "The

INDIAN ARTS AND CRAFTS FEATURED IN VANCOUVER, B.C.

By: Myrtle Gowe

Indian Craftsmen were invited to participate in a cultural event in Vancouver, B.C., October 14th, for the 17th annual convention of the Canadian Society for Education Through Art. It was attended by hundreds of art teacher delegates from across Canada.

A Luncheon was sponsored by the Centennial Committee of the Pro-

vince of B.C. in which the guests of honour were the Indian artisans who demonstrated their craftsmanship. Grannie Abrahams of the Haida tribe was asked to say grace in her native tongue.

Professor Sam Black, President of the society, welcomed the Indian participants with much praise and appreciation for their efforts in

Historical Notes

109. If any presents given to Indians or non-treaty Indians, or any property purchased or acquired with or by means of any annuities granted to Indians, are or is unlawfully in the possession of any person, within the true intent and meaning of the last preceding section, any person acting under the authority of the Superintendent General (Minister) may, with such assistance in that behalf as he thinks necessary, seize, and take possession of the same, and shall deal therewith as the Superintendent General (Minister) directs.

Presents unlawfully in possession of any person may be seized.

2. No title to any Indian grave-house, carved grave-pole, totem-pole, carved house-post or large rock embellished with paintings or carvings on an Indian reserve, shall be acquired by any means whatsoever by any person without the written consent of the Superintendent General (Minister), and no Indian grave-house, carved grave-pole, totem-pole, carved house-post or large rock embellished with paintings or carvings, on an Indian reserve shall be removed, taken away, mutilated, disfigured, defaced or destroyed without such written consent.

Acquisition of totem poles, etc., forbidden.

3. Any person violating any of the provisions of subsection two hereof shall be liable on summary conviction to a penalty not exceeding two hundred dollars, with costs or prosecution, and in default of payment to imprisonment for a term not exceeding three months, and any article removed or taken away contrary to the provisions of the said subsection may be seized on the instructions of the Superintendent General (Minister) and dealt with as he may direct. R.S., 81, s. 106; 1927, c.32, s. 4.

Penalty.

from the INDIAN ACT 1876

NISHGAS

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Since the Nishga case came to the Supreme Court, one of the delegates, Mr. Guy Williams, President of the Native Brotherhood of British Columbia, has been appointed to the Senate. Mr. Williams is a native from Kitimat, B.C. and has been President of the Brotherhood for the last twelve years and has done much to further the cause of the Indian people. Mr. Berger, defense for the Nishgas, was recently appointed to the Supreme Court of B.C.

The Nishga Tribal Council has spent thousands of dollars of their own funds to bring this case to the Supreme Court of Canada; they were turned away from the doors of the Court as early as the late eighteen hundreds. It has been a long struggle for the people of the Nass River Valley, and their future and their claim now lies at the mercy of the highest court in Canada. It has, however, been hinted that a decision may take up to twelve months because of the serious implications which will arise out of that decision. No matter which way the decision goes, it will set a precedent in Canadian law.

struggle of Canada's Indians is the struggle of millions of oppressed people all over the world. Every step you take helps others." Mr. Mehta was recently hired by the National Indian Brotherhood as an expert on international law and he is involved in legal research into aboriginal rights and land claims. He suggested in his opening remarks to the Union

of B.C. Indian Chiefs that "the over-all land question might be a case for the International Court of Justice at The Hague." In concluding, he stated, "You have the same problems here that they have in India. Behind the smile of the oppressors lies the clenched fist — the arm ready to take away your land, your wealth, your honor."

reviving the ancient arts. Mr. Ernie LeCours, M.L.A., representing the Provincial government, urged the Indian people to make more use of the First Citizen's Fund in establishing training centers for the talented younger Indians.

Earlier, Professor Romona Salberg, University of Washington, spoke to the general assembly and in essence her speech stressed the need for Indian Arts courses in schools.

Co-ordinators for this affair were Violet Bell, Sharon Hitchcock,

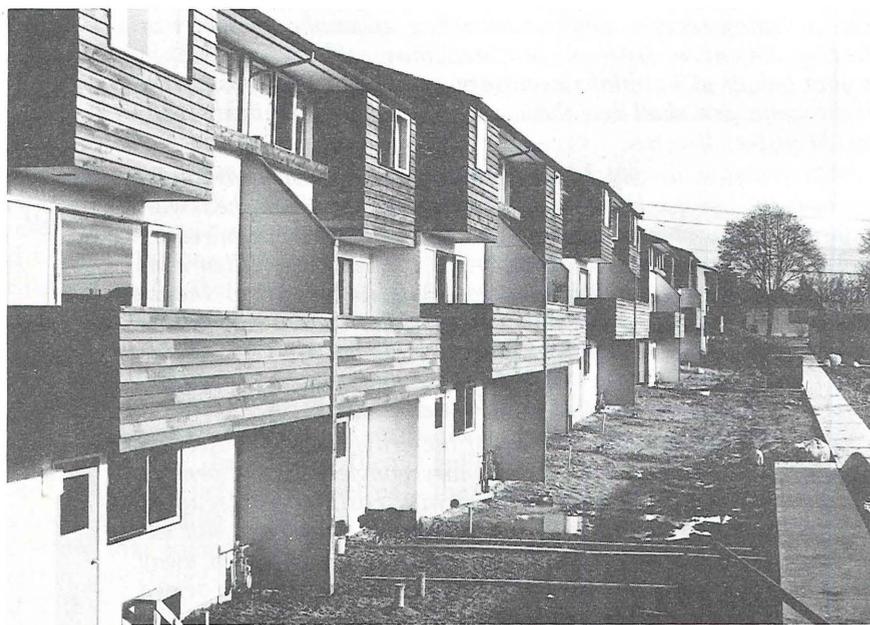
Charlotte Johnson, and Penny Gallstone.

Tsimshian artist Vernon Brown brought some of his beautiful paintings of the old people which were much admired by the viewers. Also shown was his huge mural depicting a scene from the movie "Little Big Man" with Chief Dan George as the dominant figure, magnificently portrayed.

Noted among the basket weavers were Mrs. George Williams, Interior Salish from Mt. Currie, B.C., whose

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SQUAMISH BAND COMPLETES HOUSING PROJECT



Overlooking Vancouver's inner harbour are forty condominium-type homes built by the Squamish Indian Band in North Vancouver, B.C. The project is a unique accomplishment resulting from co-operation between the Indian Band, Indian Affairs and Central Mortgage and Housing Corporation.

The cost of the project was about \$780,000.00 and because it is money that must be paid back, the Band has set up its own Housing authority. After five years of extensive research and setting up of the project, the condominiums were open for occupation on November 1st.

The occupants range from young married couples to senior citizens and a few unwed mothers. They pay rent according to the number of bedrooms in the individual homes; \$100.00 — 2-bedrooms; \$105.00 — 3-bedrooms; and \$110.00 — 4-bedrooms. All the occupants will have the option to buy after one year, and after ten years they will own their home. It was the Band Manager's — Mr. Sam Lewis — opinion that the occupants "feel better for paying. They appreciate their home more and will tend to upkeep it better." He said, "A lot of these people have lived off the reserve and paid \$250.00 for such a unit."

Mr. Lewis also stated that there are definite advantages to living in these homes besides the reasonable rents.

Each unit is equipped with a fridge, stove, heating, a washer and a dryer. "The washer and dryer eliminate the need for an outdoor clothesline," Mr. Lewis said.

Landscaping, however, was not included in the building contract. Mr. Lewis said this would hopefully be accomplished through a grant from the Manpower "Local Incentive Program." This will involve hiring one supervisor and ten men from the band to do the work.

The Band has hired a maintenance man to enforce rules and regulations of the municipality and well as being in charge of general maintenance. The aforementioned rules and regulations pertain to animals, garbage, etc.

Asked why the Band choose to build condominiums as opposed to individual houses, Mr. Lewis stated shortage of land as one factor. He also stated that in regards to services, much less material was required. "This type of housing is quicker to build," said Lewis, and the Band must look to expedience because there was a need for 127 units. This number will increase yearly because every year there are five to ten new marriages.

Lewis did not agree with the Department's allotment of \$7,000.00 for housing construction because, he said, "They never think there should be running water or a furnace." He further remarked, "We will never build a house without facilities such as indoor plumbing, etc."

The Band has also built homes on its reserve in the Squamish valley, and is in the planning stage for another condominium project on the Capilano Reserve in North Vancouver.

CLANDEBOYE INDIAN

An historic event has taken place.

The Department of Indian Affairs and Northern Development closed out its Clandeboye/Fisher River Indian District Office at 165 Garry Street in Winnipeg on Friday, November 12th, 1971. This administrative centre was formed in September of 1968 by the amalgamation of the Clandeboye Indian Agency of Selkirk with the Fisher River Indian Agency of Hodgson.

The existing administrative responsibilities of the Clandeboye-Fisher River District Office will be largely absorbed by the Indian bands with residual matters remaining with the Regional office in Winnipeg.

The move has been made possible by the efficiency with which Indian Bands and Indian people have assumed responsibility for the management of their affairs. It is gratifying that they will increasingly be given the opportunity to make decisions which will determine their destiny from offices and centres operated and controlled by themselves.

We are sure many persons — Indian people, Departmental employees and others in this area will be forgiven a twinge of nostalgia as familiar names and traditional administrative units pass from the scene. Change, however, is not something new. As part of the times it is accelerated in order to meet a rapidly evolving situation and need.

The history of the administration of Indian Affairs in the area was highlighted 100 years ago on August 3rd, 1871 by Treaty #1 in which Treaty Commissioner Wemyss M. Simpson obtained a surrender from the Chippewas and Swampy Crees of a tract of land (described in the Treaty) reserving 160 acres of land for each family of five Indians in several localities in consideration of an annuity of \$3.00 for each man, woman and child, Her Majesty agreeing to maintain a school on each reserve for the use of Indians. This treaty resulted in the extension of Canadian Federal responsibility to Indian people in Manitoba and the lands covered by the treaty.

History records peaceful and mutually advantageous relationships between the Indian people of the area from the beginning of exploration and fur trading down to the Selkirk settlement and through to the present day.

Soon after his arrival, Selkirk had opened negotiations for a treaty that would extinguish the Indian title to the lands of the colony. It had all to be done in due form. The land belonged historically to the Cree and the Assiniboines but had been occupied for some fifty years by the Saulteaux. All had to be consulted, each must be shown proper deference. Preliminary conferences paved the way to agreement. Myths of the Indian hostility to the settlement were exploded with information that Indians wished the settlement for their own advantage.

By treaty of July 18, 1817 the Chippewa or Saulteaux and Killistine or Cree Indians surrendered a large tract of land in the Red River District now in Manitoba for the Selkirk Settlement in consideration of an annuity of 100 pounds of tobacco to be delivered to each of the two nations. The earl of Selkirk had purchased the rights of the Hudson Bay Company to this land on June 21st, 1811 for the consideration of ten shillings and certain agreements and understandings contained in an indenture. In 1836 the Hudson Bay Company bought back the whole tract from the heirs of the Earl of Selkirk for the sum of 84,000 pounds, the rights of the colonists who had purchased land between 1811 and 1836 being respected. This land was afterwards included in Treaty No. 1 - 1871.

Any opposition to the Red River Settlement came from other quarters than the Indian people of the area.

Peguis or 'Pegowis' Chief of the Red River Settlement Saulteaux was one of the signatories to the treaty made by Lord Selkirk with four other Chiefs. Peguis was noted for his kindness to the whites, particularly the Selkirk colonists before and after the massacre at Seven Oaks in 1816 when the survivors of that settlement were in grave danger of total annihilation. Peguis offered both his material protection and the benefit of his great influence, thereby ensuring the permanency of the settlement.

In 1871 following the signing of Treaty No. 1 at the Stone Fort, or Lower Fort Garry, three Indian Agents were appointed for three Indian Agencies to be called St. Peters, Lake Manitoba and Lake of the Woods Indian Agencies.

The St. Peters Indian Agency

AGENCY TREATY #1

which was later to be called the Clandeboye Indian Agency had its beginning and was located at Lower Fort Garry from 1878 to 1880. From 1881 to 1895 the Agency was located at Clandeboye. During that period and in 1886 the name of the Agency was changed from St. Peters Indian Agency to Clandeboye Indian Agency. In 1896, the Indian Agency was located at Selkirk, where it remained until September of 1968.

Initially, the St. Peters or Clandeboye Indian Agency was responsible for the supervision of the St. Peters, Brokenhead River, Fort Alexander and Black River Bands.

On February 8, 1888, the Free Press reporting and commenting on the 1888 report submission of A. M. Muckle, Indian Agent, expressed satisfaction that the St. Peters Band had 711 heads of cattle and 44 mowers and rakes and 44 head of horses. The Brokenhead band then had 100 head of cattle. It was considered these statistics reflected a satisfactory situation and commendable progress, agriculturally, by the Indian Bands.

Population statistics indicate declines in the first twenty-five years for St. Peters and Brokenhead River Bands which could be attributed to several factors.

	1876	1896	1915	1955	Sept. 1971
St. Peters	1788	1107	732	1113	2205
Brokenhead	301	218	139	262	450
Fort Alexander	419	498	541	1074	2147
Little Black River	53		72	92	215
	3437	1823	1384	2541	5017

Over the years and until its amalgamation with the Fisher River Indian Agency several changes occurred in the number of reserves supervised by the Clandeboye Indian Agency.

In the post-war years the traditional duties of an Indian Agency

underwent rapid and constant change as new programs and services were introduced by Indian Affairs to meet the needs of Indian communities.

In January of 1969, the Norway House Indian Agency was disbanded with the three bands in the area taking over the role of the Superintendent. Government staff there has since been cut from 8 to 3.

The emergence of strong native leadership on other reserves in the Province has gradually led to a takeover by the Indian people of management and administrative responsibilities heretofore the exclusive prerogative of civil servants. A paper on local government jointly submitted to Ottawa last February by the Manitoba Indian Brotherhood and the Regional office in Winnipeg recommended the phasing out of district and agency offices in the Province and the setting up of reserves as quasi-municipal responsibility centres. The system effectively does away with the tiered (regional, district, reserve) and dual (Indian, civil servant) system of management in vogue for so many years. It deliberately delineates the respective roles of the Band Council as managers, on the one hand, and of the civil servant, as adviser on the other.

Several local government advisers have already been appointed; these men make their headquarters in the band offices of those reserves they serve. Service centres will gradually be established where resource personnel in construction, social services, economic development, etc. will be at the beck and call of Band Councils.

New ground is being broken in Manitoba as old institutions pass from the scene. According to the Regional Director, Bob Connelly, "to resist change is to resist progress and the Indian people realize there's a lot of catching up to do. The Government's job is to remove as many of the hurdles as possible."

must be protected," he said, "from these outrageous onslaughts by prejudiced individuals in the position of especially judicial responsibility, who enjoy the umbrella of protection of the majority apparatus of government." Mr. Manuel concluded by saying, "If these statements attributed to the Judge are correct, then I demand on behalf of the Indian people an unqualified apology by the Government of Canada to my

ALBERTA YOUTH IN OTTAWA



Representatives of the United Native Youth of Alberta were in Ottawa in mid-November to present the Honorable Minister of Indian Affairs, Jean Chretien with a return plane ticket to northeastern Alberta. He adamantly refused. This is but another incident occurring over the controversial boycotts being carried out in northeastern Alberta and the sit-in presently taking place at the Regional Indian Affairs office in Edmonton. The situation remains unresolved.

VANCOUVER

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people were still able to go out and dig their own roots. Louisa Johnson, Nootka from Bamfield, B.C. was busy on a Nootka basket of double-layered cedar strips — the underlay for strength with the overlay used for design and color.

Mrs. Elisah Abrahams, Haida, from the Queen Charlotte Islands, was actively engaged in weaving a large brimmed cedar bark hat. She brought out a bone knife blade that was given to her by her father who died at the age of 115 years and was said to have had it handed down by his father.

Other Haidas of note appearing at this exhibition was the well-known artist, Bob Davidson, demonstrating his skill at carving out a huge totem pole in the lobby of the hotel. His silk screens were added to the other displays as well as some of his silver

work.

people, the immediate removal of the Judge in question, and a guarantee that never again will my people be subjected to such ridicule."

The Native Council of Canada, through President Tony Belcourt, has also asked for the removal of Judge Collins in a telegram to Honourable John Turner. He said, "We insist on an immediate investigation

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work.

Sharon Hitchcock, also Haida, has a unique title in that she is the first and only woman argillite carver in the world. This young and attractive artist had much opposition at first in her attempts to establish herself in this medium of the arts but is now completely accepted as such. As proof of her ability she was carving out a block of argillite and doing a very fine piece of work.

It is up to the young people to break new ground in their endeavours and this they are doing in combining the traditional with contemporary designs. This is evident in some of the "free form" totems by a young lad of 17, Floyd Joseph of the Squamish Band. His totems follow the natural curve of the wood in some instances, allowing full body to the forms, i.e. front, sides and back. His almost life-size carved cedar head received many compliments for its fine workmanship. His younger brother, 13-year-old Benny, also had many of his carvings on view.

Percy and Sally Paul of the Thunderbird Authentic Indian Arts and Crafts shop were on hand. Percy is on the Council of the Squamish Band in North Vancouver and was just elected Co-ordinator of Adult Education. He plans on setting up workshops in North Vancouver to teach both Indian and to those interested in learning Indian arts and crafts from the non-Indian community.

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to the foundation of the democratic institution in which a free society lives." George further stated that he regarded "the statements by the Judge as an attempt to belittle and ridicule the natives of this country, who now find themselves as a minority group." "Minority peoples

Letters to the Editor

After many years of incarceration, I've realized now, why many of my Brothers and Sisters in prison fail to make efforts to readjust themselves and thus become Prison Statistics as *Repeaters*.

It's that neglect from their families, wife or lover or even their friends. I believe that once this is evident, they simply give up hope of ever trying for an earlier release, and while in prison, what programs are available to them, they avoid these, knowing that this alone may not assist them to fall in line with the society's standards.

If they had some form of communication with their families or friends, I believe they would then make efforts to better themselves and those around him or her.

I know that many people would question my belief but one must realize that after spending ten years of my life in prison I've seen many Brothers and Sisters fail. Brothers and sisters that would make good leaders in society, community, even their homes they could be good husbands or wives. But they become part of the Penal Statistics as Repeaters, that constantly fill the prisons of Canada.

I'm enclosing an open letter for publication and perhaps the above portion if you may wish to. My hopes are many, and one of them is that better communication with the incarcerated is achieved.

To whom this may concern:

I could begin this letter by saying that my brothers and sisters in prison deserve whatever they get, but I would be wrong and also, this is not my sentiment. Although a number of them in prison, (may be said) do deserve the sentence they received from the courts and they should be able to expect something much more than what they sometimes get in prison. And what is this that they unjustly get? "They get forgotten!"

"By whom" you ask? By *you*, their brother! By *You*, their sister, wife, lover, friend and sometimes even by *You*, their mother! Of course, this isn't the case of each individual inmate of an institution, but it happens enough to dismay me to the extent that I wonder the why's and wherefores of it. It is considered by most inmates that a person who has a long sentence can expect after a year or ten years of incarceration, for their mail to become irregular and visits practically non-existent, generally, when none of the aforementioned don't happen it is an exception rather than the rule.

Why is this true? Only *You* out

there know the real reason, but most inmates believe that in their imprisonment they find their families and friends a little shocked and concerned about what is happening to him, (the inmate). Therefore they write and visit in an attempt to comfort him (the inmate) and themselves. Also, inevitably they (the family-or-friend) sometimes express the hope of an appeal, or some other form of a quick release, but after a period of time they accept the finality of the situation. In so doing, the family goes back to living their own lives and follow the routine of daily living which tend to block their unpleasant thoughts of guilt feelings of neglect or shame, the family-or-friend will generally write a few inane lines to ease away these feelings.

Whether this image is correct or not, it is unimportant, but this letter was merely written to give the reader an idea of my feeling, and those of my brothers and sisters. The most important thing is that we have not forgotten you. *You* are the most important link to society and to a certain extent, reality. A person in prison needs to be able to retain some semblance of belonging to a family of community and the most important link is *You*, also remember a friend or loved one may have let you down to some extent, but they haven't given up on *You*. If you think about them, if you care, let them (the inmate) know that you do by writing a letter to him or her.

I sincerely hope my letter motivates the Native People in society to think and search in their soul for the love of their family, relative, or friend they've neglected in prison.

Yours truly,
Incarcerated Native
Albert Sinobert,
P.O. Box 160,
Prince Albert,
Saskatchewan.



With Canada counting so much on its international position as mediator - peacekeeper - race - relations - expert, I feel it would be dangerous for your readers to be left with certain impressions about the nature of our struggle and our organization such as they might have gained from part of Boyce Richardson's article, "Manitoba Indians Find an Approach that Works".

Our struggle derives from the attempt by white society for the past 100 years and still today, to destroy us as a group of people. We must look, as responsible non-Indians must look, beyond the borders of Canada to find comparable historical processes.

The Indian people of Manitoba as expressed in Wabung, based on two full years of consultation amongst all the 54 bands, are not prepared to concede our identity as a group of people.

The "difference in approach" between the Alberta and Manitoba organizations to which Mr. Richardson refers is not a fundamental difference between us. All provincial and territorial Indian organizations are autonomous and each provincial leader is responsible to his own people, to follow their direction. We have discovered through bitter experience that a strong national organization takes control over their own leadership away from Indian people at the community level, and it is at the community level right now that the revolution is occurring. Differences — economic and geographical, tribal patterns, for example — will continue and we will not create artificial structures to make it easy for the government to respond with pat "solutions" to extremely complex problems.

On all basic, truly fundamental issues, we are united: treaty and aboriginal rights; development of a way of life that is a 21st-century culture and also an Indian culture; turnover of resources to Indian people responsible to Indian people and elected by them at the community level; education policy.

What is happening in Manitoba is that the Indian agent has become an extinct species. District offices are disappearing — we have only 3 left in the province and if at least the largest of those is not gone by the end of March you will hear one hell of a row out of Manitoba. The functions of those agents and those offices are now being carried out by the Chiefs and Councils elected by the people in the communities.

The MIB at the moment has a large staff, by far the majority of whom are based in and work in the field. At this stage they are assisting our communities in making these adjustments. But within 5 years the MIB must have a staff of not more than 3 to 5 people in Winnipeg who will be there strictly to liaise with governments on matters of provincial Indian concern.

Not only "angry younger Indians" are extremely distrustful of all government promises. Older Indian people have had even more experience with them and at a time when their control was almost complete. The white paper is still being implemented despite the word of the Prime Minister. The government's assimilation policy now is much subtle, and more pernicious.

My people have made highly specific recommendations that could

lead to genuine co-operation. If this co-operation is forthcoming, then I have my direction to co-operate in return, but not to concede.

I am fully aware that there are other approaches. Harold Cardinal and I, despite the way in which different sectors of the white society in time-honoured colonialist fashion pick one or the other of us as their "ideal Indian", understand and respect each other, are first brothers, then friends and colleagues. I would not advise any non-Indian to assume that we will not stand united.

No, we do not trust you. We are giving you the opportunity after 100 years of oppression and deceit, to let us come to trust you. If you cannot rise to that challenge then we will look to the other alternatives that we always keep in mind.

Yours very truly,

Chief Dave Courchene
Grand Chief of Manitoba
President of Manitoba
Indian Brotherhood



At the request of the Native Brotherhood Association of Joyceville Institution, we are sending you their first edition of the "Talking Leaves". We hope you will find its contents of value.

The Brotherhood is a small but active group, whose aims are: to improve communication amongst members and with other individuals and groups; to stimulate interest in native culture and traditions; and to establish contact with other groups who share similar interests.

While native groups within penal institutions are fairly well established in western Canada, this is the first such group in this part of the country. They are particularly anxious to develop contact with reserves, native groups and community groups in order to provide better communication while in the institution, and a more meaningful re-entry into Canadian society upon release.

Perhaps you know of some group or individual who would be interested in corresponding with the Brotherhood. They are happy to welcome guest speakers, and are interested in communicating with concerned citizens. Correspondence may be sent to: Native Brotherhood Association, Box 880, Kingston, Ontario.

Sincerely,

Indian-Eskimo Association of
Canada - for Southeastern
Ontario.

from the U.S. —

YAKIMAS SEEK RESTORATION OF 21,000 ACRES

WASHINGTON, D.C. — (AIPA) — An "administrative conspiracy of silence" is stalling the return of 21,000 acres of reservation land to the Yakima Tribe, charged the chairman of that Pacific Northwest tribe here Nov. 23.

Yakima Chairman Robert Jim, appearing before the Senate subcommittee on Indian affairs, told senators that a legal opinion completed within the Justice Department concerning restoration of property erroneously surveyed by the government in the 1860s had been sent to the Lands Division in Justice "for review."

"The very same attorney, Ralph Barney, who opposed us in the Indian Claims Commission in 1968 and lost his case is reviewing the opinion," said Jim. "We are citizens too, but justice has a different meaning for us."

The land in question which was mistakenly surveyed and later placed under the Agriculture Department's Forest Service was ordered returned to the tribe by a 1968 commission ruling.

Support for restoration of the acreage to the Yakimas, meanwhile, has been growing. In addition to the backing of the two senators from Washington State, Sen. Henry M. Jackson and Sen. Warren D. Magnuson, Republican Gov. Daniel G. Evans last week urged the Nixon administration to return the land to the tribe.

Sen. Edward M. Kennedy, D-Mass., has also provided his support to the tribe. In a recent senate action, Kennedy said in a letter submitted to the President:

"... The efforts of the United States to wrench from the Yakima Indians ... 21,000 acres of their lands, including their religious mountain, Mt. Adams, is a clear example that our Government still clings to the bureaucratic and oppressive attitudes which in the first instance drove these people from their lands."

Kennedy noted that the tribe called Forest Service control of the lands "trespass," and stated "perhaps there is no milder term to describe our presence" on the land. Kennedy also cited a written pledge by Indian Commissioner Louis R. Bruce on June 29 to assist the tribe which has not been forthcoming to date.

"This assurance by the Commissioner appears so far to be as useful to the Yakima as the assurance by Gov. Stevens that the land embraced by the treaty recitations would be an inviolable home and abiding place for them," said Kennedy.

Kennedy called the Forest Service control "against all principles of law and morality" in the U.S., and stated that "expropriation by the United States" could in no way serve American interests.

The Justice Department opinion is expected to be disclosed within two weeks.



by W. Simon

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of this matter and the removal from the Bench of this official if in fact he made these statements." He further added, "We intend to launch appropriate action under the provisions of the Ontario Human Rights legislation and take such further action as the circumstances warrant." Tony urged all Canadians to support the stand taken by the Native Council in this grave matter and said, "We look to you as the Minister of Justice to support us in our fight to achieve a just society."

Mr. Fred Plain, speaking for the Union of Ontario Indians, said on the matter, "Every so often we hear racism openly and blatantly expressed, especially from such learned men as court judges." He said however, "It is good that such racism is exposed before it grows like a cancer and causes a whole country to become diseased with bigotry and race hatred." The Union of Ontario Indians would also like to see the removal of the Judge if, in fact, he did make the statements credited to him.

The Attorney-General, Allan Lawrence, has ordered a transcript of the trial, and to date, has not made any comments on the Judge's actions.

THE FEDERATION OF SASKATCHEWAN INDIANS

Progress Report 1971

The Federation of Saskatchewan Indians is an organization which comprises a five man executive, and seven man task force. During the year 1971, they were involved in many activities designed to promote Indian culture, sports and recreation, development of social and economic resources, the establishment of an educational task force, research of Indian treaties, improvement of Health Services, Family Counselling and child care.

Cliff Starr, as the Director of Communications has set out their objectives to keep Indian people informed about the modern society, to instill in them a sense of pride and to keep in tune with the grass-roots level people. To accomplish these aims, Cliff Starr has two field workers in each of the five districts, a monthly paper and a moccasin telegraph radio show heard four times weekly.

In the field of Community De-

velopment, John Urgan offered an extended program in April 1971. This meant increased services to most of the Indian bands in the province. The attitudes of their twenty-seven field workers were designed to produce the democratic principles which trust the combined will and wisdom of the people and thus place respect and faith on the elected representatives of the reserves, the chiefs and councillors.

The Sports and Recreation Program, headed by Art Obey had an eight person staff and worked on several programs. One included a

summer water safety course to develop healthy attitudes towards the usage of water at work and play, in the minds of children aged nine to sixteen.

One of the major difficulties was a lack of communication on some reserves. Children did not come to swim class because they were not informed about it, or were just not interested. However, the people who did attend learned a great deal about water safety.

The F.S.I. made progress in other areas as well during the year 1971.

LAVAL CASE

TO BE APPEALED

It has been announced by the Minister of Indian Affairs that the Jeanette Corbière-Laval case will be appealed by the Government in the Supreme Court of Canada. Mrs. Jeanette Corbière-Laval is an Indian woman who married a non-Indian, and under the Indian Act she must forfeit her rights as an Indian when entering into such a marriage. She claimed that this was discrimination because of sex and won her case in court by using the Canadian Bill of Rights which forbids all forms of discrimination. Since winning her case she has appealed to have her name reinstated on the band list and this would allow her to have a home on her former reservation as well as continuing to have a say in band affairs.

Many Indian associations have protested the ruling in the Laval

case saying that the Canadian Bill of Rights cannot supercede the Indian Act, for if this precedent is allowed, it can eventually be used to wipe out the entire Indian Act. The Indian Act is the only legislation in Canada which grants special rights and privileges to the Indian people and the loss of the act could be very damaging to the native population despite the faults that it presently has.

The Minister of Indian Affairs, himself has said, "If the Indian Act is destroyed by the Canadian Bill of Rights, I will have to go to the House of Commons and make a new Indian Act . . . but it will have to be phrased 'notwithstanding the Canadian Bill of Rights'."

On the implications of the precedent set in this case, it may be worthy to note that if all Indian women married to non-Indians wanted to be reinstated into their bands, the number of registered Indians in Canada would rise considerably. Non-status Indians in Canada number 300,000 and many of these resulted from mixed marriages.

YUKON NATIVE BROTHERHOOD — Progress Report 1971

The Yukon Native Brotherhood is a relatively new organization which was founded in February, 1970. One chief and an executive council of seven were given the job of managing the affairs of the Brotherhood. One of their major objectives is to help Indian people on the reserve level and to take over responsibility of welfare programs from the Department of Indian Affairs.

An example of one cultural development program, directed by Ronnie Chambers, entails the initiation and encouragement of various programs. Ronnie Chambers travels from band to band helping reserve people organize their own projects.

Other accomplishments include a housing survey conducted in ten of twelve villages to examine housing needs and conditions; a half hour radio program called "Danne Quanduo" — Indian Tell A Story at 7:00 p.m. Thursday; and two annual Indian Day celebrations in Whitehorse.

In the future, the Yukon Native Brotherhood would like to promote Indian business and enterprises and thus move these northern people out of the present welfare scheme.

HAROLD CARDINAL

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Mr. Chretien had told the Standing Committee that the Indian Association of Alberta was unable to account for \$130,000 out of the total of \$320,000 given to them to run their association. Cardinal did however, produce an audit report dated July, 1971 which he felt cleared the name and reputation of the Association, but the Committee refused to give him another hearing. But with his resignation, he said, "I hope the federal government now will give the association an opportunity to clear its name and reputation without having to lose its political face."

Cardinal has been replaced as President by Mr. Clarence McHugh, 64-year-old former Blackfoot chief. McHugh is a war veteran having enlisted in 1939, he returned from Europe in 1945 as a corporal. Although he has taken over as President of the Association whose staff has been cut from 70 to 25, and has yet to clear its name of allegations made by the Minister of Indian Affairs, he says hopefully, "Today, the trend is for Indians to unite to voice their grievances, particularly the young people and we are going to see a much stronger organization across the country to stand up for our rights." He said, although his organization was having financial difficulties, it is the "strongest it's ever been and will get stronger."

INDIAN LEADERS MEET IN EDMONTON

Indian leaders from across Canada met for three days in Edmonton, Alberta to discuss various aspects of their organization and policies. Covered in discussions among 100-150 delegates in attendance were: organizational structure, administration, funding, youth groups, women's groups, housing and communication.

It was at this meeting that the leaders found it mandatory to set up a meeting with Justice Minister, John Turner and the Solicitor-General of Canada, Mr. Goyer. The delegates were triggered to action because they felt an Ontario judge was not sufficiently dealt with by the Justice Department. The Judge allegedly made a remark in court, in sentencing a native, to the effect that he would be "just another stupid Indian of which we have many." In an interview with Tony Belcourt, President of the Native Council of Canada, he said the delegates were unanimous in demanding the removal of this Judge from his judicial capacity. He said their only response from the Honorable Minister of Justice, was "an aloof letter refusing to believe the Judge had made such a remark." Tony said "an apology" from the Judge would not be satisfactory because "discrimination is practised by Judges and magistrates across the country." He said the Indian people want "an investigation into all Judges in Canada, provincially and federally appointed." This is yet to be discussed with the Justice department. Mr. Belcourt stated that "if such discrimination is being practised, then how many native people are incarcerated because they were sentenced by a prejudiced judge or magistrate?"

Tony alleged that the legal system in operation in Canada was unfair to the native population because "many Indians don't speak English, don't understand the charge against them, are ignorant of their rights, and are thence coerced into pleading guilty." He further stated that "the legal aid system is totally inadequate to the needs of Indian people. We need legal aid lawyers selected by the Indian associations themselves." They would be selected because of their "sensitivity to Indian needs with regards to the law."

Delegates to the meeting in Edmonton "want from the Minister of Justice, a commitment of funds for assuring a fair trial to native people, a review of trials of presently incarcerated natives, funding of half-way houses, for facilities, for legal aid, for organizations in jails, etc."

Also criticized at this meeting were parole boards and the parole system. "It is so binding and inhuman, especially to native people from rural areas," Mr. Belcourt stated. He also said there is a need for native parole officers.

The delegates alleged that there was "discrimination by the police and the courts . . . there are many documented cases," he said, "of rape of Indian girls by three or four white men and their only sentence was a fine of \$50-\$200. That, to the native people, is not justice. There was another case, he said, where an Indian was run over and the Judge recommended better street lighting was needed. "And there was a case where an Indian woman was run over and killed, and the non-Indian driver of the vehicle was charged with driving without a license. Is that Justice?"

Mr. Belcourt said "these need to be investigated and reviewed by a different system of law. The system presently being used allows law officers to commit offenses — and they get away with it if it is against native people." He said "we want Mr. Turner and Mr. Goyer to give us commitments because they are in a position to do it. We are not making threats — just stating facts."

In conclusion, Mr. Belcourt stated that "Indians will not have any respect for law if that law shows them no respect."