

CA 1 I A 59  
I 54

a31187 011753017b

Vol. 14, #10

O.H.M.S.

S.S.M.

CANADA  
POSTAGE PAID  
POSTE PAYÉE

STORAGE

Mrs. Eileen Cubberley,  
University of Waterloo,  
Waterloo, Ont.

561/G/81

-17-

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

# THE Indian NEWS

Vol. Fourteen, No. Ten

Ottawa, Canada

1972

## THE FRED QUILT CONTROVERSEY

- HARRY RANKIN

The death of Fred Quilt, a Chilcotin Indian from Williams Lake, sets in clear relief the racism rampant in British Columbia.

One of the fallacies which many people labour under is that Canadian society is above such unjust practices. We become indignant about the lynching of a Negro in Georgia, or the brutality of a police officer in Alabama, but are unaware or overlook or ignore the racism that flourishes right here. Haven't many

people formed the conclusion that the native Indians are drunken, desolate and don't want to work, etc.? That is a complete warping of the minds of other-wise good people. That is racism. That is what has happened to many of us.

It would be a gross over-simplification to "explain" the death of Fred Quilt by concluding that he was the unfortunate victim of "bad" individuals or of an unfortunate set of circumstances, that he was allegedly beaten to death by a policeman who, contrary to the general rule, happened to be brutal, and that the coroner's inquest was unfair because this particular coroner and this particular jury were prejudiced. Fred Quilt was the victim of a racist system that included the police, the coroner's inquest and a section of the public. To get at the cause of Fred Quilt's death requires not only the punishment of those immediately responsible, but tackling the

(see Fred Quilt page 3)

## INDIANS ALLOWED ON MANITOBA JURIES

— The Pas Herald

When Joshua Flett and John Mathias Flett were picked to sit on the jury trying Lawrence Allen Harris for manslaughter on Monday, January 24th, they became the first treaty Indians to sit on a jury in Canada.

In the past, juries in Manitoba, and the other provinces, were picked from municipal voters lists. For years The Pas and Flin Flon supplied the juries for northern assize cases. When Thompson became a town it too supplied jurors, but treaty Indians were effectively excluded as their names do not appear on the municipal list.

Following a number of complaints that the method of picking juries discriminated against Indians, Manitoba became the first Province to amend its Jury Act to include the names of voters from Indian Reserve voters lists. The Amendment came into effect across Manitoba on the first of January, 1972. The first assize to be held after the change in Manitoba commenced at The Pas on January 24th with the trial of Harris who himself is a treaty Indian, on the charge of manslaughter.

(see page 5)

## BEDARD CASE TO SUPREME COURT

- TEKAWENNAKE, Six Nation News

Six Nations Council won the right to appeal court decisions allowing Mrs. Bedard and her two children to continue living on the reserve. Chief Councillor Isaacs has instructed council's lawyer, Burton Kellock to proceed with an appeal to the Supreme Court. No date has been set for a hearing. Mrs. Bedard married a white man in 1964 and they had two children. She is now separated from him and has come back to live on the reserve. Council said that she had lost her Indian status and she was ordered to sell her house which had been willed to her. Instead she sought a court order allowing her to remain and won her case against an eviction notice issued by the Six Nations Council.

## INDIAN PHOTOGRAPHER



In the last few issues, THE INDIAN NEWS has been carrying a number of photographs taken by Miss Wilma Simon, a third-year fine arts student attending Fanshawe College, London, Ontario.

Miss Simon, in addition to being a talented photographer, is also a promising native artist whose works have yet to be given recognition among the artistic creations of other Canadian Indian artists.

The majority of the photographs used by THE INDIAN NEWS were taken by Miss Simon on various reserves in Alberta which she visited last summer. She, herself, is from the Sarnia-Chippewas Band in Southern Ontario.

Upon completing her fine arts degree in London, she hopes to further her studies at a University in the United States.

## C.O.P.E. BACKS NATIVE RIGHTS

Agnes Semmler, COPE President.

In the past while there have been many anti-native organization statements made in the Northwest Territories. It would appear that there is a definite plot to quash these organizations as well as to quash the native people from speaking for themselves. It is also evident that the thoughts of views behind this is 'If a whiteman speaks for the native he is a good man.' 'If a native speaks for himself or is involved collectively — that is termed as racism.'

For many years, the native person has voiced himself in a very compromising way. There are a good number of native people who do speak out and in doing so have found it very uncomfortable.

COPE has encouraged and backed those who have their own views to speak out, they have done so. However the recent statements in press and radio and also discrimina-

(see C.O.P.E. page 3)

UNIVERSITY OF WATERLOO  
ARTS LIBRARY  
FOR CIRCULATION



## QUAND "LA FEUILLE D'ERABLE" SE DONNE DES COULEURS

J'ai vu les deuxième et troisième épisodes de "La Feuille d'Erable" à la télévision. J'ai lu, entretemps, la "Libre opinion" de M. Laurent Girouard dans Le Devoir. Il a eu le courage de parler de racisme contre les Amérindiens, avec preuves à l'appui. L'an dernier, j'ai tenu publiquement, par la voie des journaux, le même langage. Ce qui nous différencie peut-être, c'est la rigueur scientifique chez lui, l'émotivité chez moi. Ce n'est pas nécessairement incompatible: Il est pré-historien, je suis Amérindien. J'étouffais, et j'étouffe encore, dans un climat d'intolérance, de mépris subtil. A mesure qu'on nous "découvre", on nous enterre dans un folklorisme paternaliste et rassurant. Monsieur Girouard l'a compris.

Après d'Iberville et Radisson, pourquoi "La Feuille d'Erable"? La question se pose d'elle-même. Rentabilité, mode? Sentiment de culpabilité ou encore inquiétude profonde de revalorisation de l'Indien? Besoin de noblesse égarée et de racines enfouies? Motivations fort honorables peut-être mais étayées sur quelles réalités historiques?

Je respecte d'autant plus les spécialistes en Histoire que je n'en suis pas un. En ce qui concerne les Amérindiens, ils ont beaucoup à faire et quelques-uns s'y emploient avec une ferveur peu commune. J'en connais qui sont jeunes, engagés à fond, et qui ne demanderaient qu'à être consultés. Ils oeuvrent en anthropologie, en ethnologie, en archéologie. Ils ne prétendent pas encore au titre d'Historiens. Mais, au fait, qui l'est au Québec? On ne peut pas être l'Historien d'une Histoire qui n'a jamais été écrite. Ce que nous avons appris, vous comme moi, c'est l'histoire des Canadiens français et des Canadiens anglais. Une histoire parallèle à n'en plus finir...

Donc, à mon sens. "La Feuille d'Erable" remplit le même rôle que la feuille de vigne, celui de cacher quelque chose... Tout aussi pudiquement que l'autre, "La Feuille d'Erable" couvre, dans la mesure des convenances, une vitalité particulière. D'aucuns diront qu'elle nous cache l'essentiel!

Nous sommes plusieurs à penser que nous n'avons pas en mains actuellement les éléments nécessaires à la composition de grandes fresques historiques où les Indiens ont un rôle à jouer. De plus, les Amérindiens d'aujourd'hui ont l'épiderme sensible; ils sont écorchés, inquiets, profondément malheureux. Après un long sommeil ou une patiente acceptation, ils en sont au stade de la fierté retrouvée. Ils savent qu'ils n'ont pas encore échappé au géno-

cide; on tente encore de s'approprier leurs terres: pensez au projet de la Baie James, du moins dans sa forme actuelle.

Faut-il ajouter que le fait d'être soi-même Amérindien ne donne aucune compétence automatique de "Conseiller" auprès de ceux qui veulent faire l'histoire? Les consulter, à droite et à gauche, ne peut tout au plus que donner bonne conscience. Je laisse donc aux spécialistes le soin de faire la vivisection de "La Feuille d'Erable". Je me contenterai de quelques observations, après avoir remis en question l'opportunité même de cette série.

Premier risque couru: celui d'avoir confié à un Européen la responsabilité de scénario. M. Réginald Boisvert n'est que l'adaptateur du texte. Il a dit lui-même dans Le Devoir de samedi le 15 janvier: "le réalisateur n'est pas l'esclave du scénariste et peut prendre une certaine latitude". Ce réalisateur est retourné en Belgique... Je rentre moi-même de Paris, invité par L'ORTF à participer à une table ronde, suivant la projection du film Buffalo Bill. Les téléspectateurs (près de 15 millions, chiffres de l'ORTF) ont manifesté un intérêt extraordinaire à nos problèmes, une sympathie vraiment touchante. Le lendemain de l'émission, croyez le ou non, on m'arrêta, Champs Elysées, pour me dire des choses gentilles, me remercier. Même phénomène dans les restaurants, bars etc. Cependant, je me rendais compte en même temps de leur ignorance profonde de notre situation. Ils ne sont pas du tout à blâmer, de toute évidence. Mais voilà, qu'un Européen, même qualifié sur le plan professionnel, vienne réaliser au Québec une série de films traitant d'un sujet aussi délicat que celui de "La Feuille d'Erable, c'est pour le moins imprudent. Il existe telles choses que la mentalité, les fibres, les racines. Je ne verrais pas du tout un Québécois se rendre dans le vieux port de Marseille réaliser la trilogie de Pagnol...

Me direz-vous pourquoi on persiste à faire parler les Indiens par monosyllabes? Je trouve cela méprisant. Au fait, parlaient-ils le français? Ils communiquaient peut-être dans leur langue avec les Blancs. Il n'y a que deux façons de procéder: les faire parler dans leur langue originelle, et alors personne ne les comprendrait, ou bien, par transposition, leur mettre dans la bouche un français universel. C'est ainsi qu'on a procédé dans le film de L'ONF: "Le Festin des Morts". Alex Pelletier leur faisant parler une langue admirable.

# THE Indian news

Editor — THERESA NAHANE

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



Photo Credit: W. Simon

Quant au "strip tease", j'ai été bien tenté de l'ignorer tant il est ridicule. Puis, il m'est venu une idée que je ne puis garder pour moi seul pourquoi un futur réalisateur amérindien ne ferait-il pas le coup à Madeleine de Verchères qui avait, paraît-il, la cuisse accueillante? Elle est, parmi les Blanches du temps, folles d'ennui et de solitude, celle qui a le plus libéralement "accordé ses faveurs" aux entrepreneurs Iroquois, auxquels se mêlaient sans doute quelques Abénakis.

On ne pourra m'accuser d'avoir voulu éreinter "La Feuille d'Erable". Je mets simplement en cause l'opportunité de sa présentation. Avec ce budget, on aurait pu écrire des chapitres enrichissants de la vie des Indiens du temps, défendant leur

territoire, leur identité, leurs valeurs, leur civilisation enfin. Nous avons ici, au Québec, les compétences nécessaires. Nos techniciens, nos maisons de production, nos comédiens sont sans aucun doute de calibre international. Il faudrait savoir les mieux utiliser.

Je déplore surtout et je cite Laurent Girouard: "L'insouciance béate des professeurs d'histoire devant l'ineptie des chapitres d'introduction de leurs manuels qui traitent des premiers contacts Blancs-Amérindiens".

On ne saurait mieux dire. C'est par là qu'il faut commencer.

Jean-Paul Nolet  
Montréal, le 19 janvier 1972.

# Historical Notes

"We the undersigned Indians of the Kwawkwalth Indian Agency do hereby covenant and agree:—

Whereas Section 149 of the Indian Act makes it an offence to carry out our old custom of meeting together and giving away and taking part in what is commonly known as the potlatch and we now realize and understand that the Government of Canada intends to enforce the Act strictly and that the Act is not expected to be amended in this respect.

And whereas we the Indians in this Agency are willing to do our share in the observance of the law.

We therefore covenant and agree that as long as the section remains on the Statutes of Canada we will obey the same and will do all in our power to see that all other Indians in our Agency keep and obey this section of the Indian Act, and that we will assist the authorities in every way to see that this section of the Act is obeyed and kept inviolate.

And furthermore in token of our good faith in this our agreement we voluntarily surrender to the Department of Indian Affairs through its representative the Indian Agent all our potlatch paraphernalia to wit: — coppers, dancing masks and costumes, head dresses and all other articles used solely for potlatch purposes. All the above articles are to be disposed of by the Department of Indian Affairs and all funds received therefore to be returned to the original owners.

We further agree that all the above properties shall be surrendered to the Indian Agent on or before the 25th day of March 1922.

In witness thereof we hereby affix our signatures."

The Court decided that if the Indian carried out their part and made this surrender of property and signed the agreement that they would be prepared to give suspended sentence to those who were guilty and recommend to the Minister of Justice that the three second offenders should be given parole. You are aware of course that the suspended sentence for first offence may

be given by the court but for the second offence the court has no jurisdiction to give it but as these second offenders were really only minor offenders we thought it only fair that they should have the same privileges as the rest.

It is quite apparent that the potlatch question is at its crisis: The Indians were shown plainly that the law was intended to be absolutely enforced. They were informed by their own council that all those who attended this potlatch were equally guilty with those who had been convicted and while only some thirty of possibly three hundred had been summoned to attend that there was no reason for them to believe that the remaining three hundred odd might not be summoned and convicted. They realize themselves the hopelessness of a fight against the law and they are drawn by a desire to keep the law and yet at the same time to retain a certain amount of their old custom. They do not object to signing the agreement, in fact they were the ones who suggested the agreement but they do object to surrendering the coppers which with them in some instances have a large fictitious value. I tried to show them that they could not use these coppers any more in the potlatch, that they were useless property to them and that they must look at it in the same light as any person who had made a foolish or unsound investment. I also pointed out to them that the potlatch had been a great bar to progress amongst them and I read a copy of your letter written to Mr. DeBeck on June 11th last, stating that the Department had no intention whatever of reconsidering section 149. I firmly believe in my own mind that the potlatch has been killed as they are all afraid to go on any further with it, realizing that they are fighting a losing game. They have spent in the last few years possibly \$10,000.00 in deputation and lawyer's fees, etc. in connection with it and they feel that it is money thrown away.

All the accused must appear on the last of March and if they have shown good faith in carrying out their agreement, they will be given suspended sentence. Otherwise the Court will be justified in giving out heavy sentences. I trust that my action in this matter will meet with your approval and that if they carry out their agreement that you will recommend to the Minister of Justice giving parole to three second offenders. I am sending a copy of this letter to Mr. Ditchburn, Chief Inspector of Indian Agencies, as he is much interested in the matter as the Department at Ottawa.

Your Obedient Servant,  
Indian Agent.

Taken from a letter from Wm. Halliday, Indian Agent to Duncan C. Scott, Deputy Supt. General of Indian Affairs, Ottawa.

## C.O.P.E.--

(continued from page 1)

tion against native projects have spread a fear of recrimination to those concerned.

COPE stands behind that statement made by President of Indian Brotherhood, James Washie that the alternates of money distribution is a divide and rule tactic:

The Committee for Original Peoples Entitlement would like to totally disassociate itself from remarks made by certain Territorial Council members accusing the Government of Canada of encouraging 'racism' by financially supporting various native organizations.

We find it quite remarkable that these gentlemen see such ulterior motives in Federal Government policies. It is a fact of human society that those groups having a common heritage or identity can, and do, form organizations to advance their common good. We would be the first to disagree with many policies of the Federal Government. However, in this case, it has shown a progressive spirit by recognizing, and assist-

ing, the fragmented native peoples of Canada to organize themselves in forms that they, not the whites, desire.

In case the gentlemen concerned have not recognized racism, we suggest they examine their constituencies more closely — something they have not done. They are advised to put themselves in the place of a native northerner and face the daily slights, innuendoes and, far too often, open discrimination. Many actions on the part of Law Enforcement Agencies, private employers, licensed premises, private clubs and housing agencies would not stand up to close examination. Yes Gentlemen, racism and discrimination do exist — but not in the forms which has roused your righteous indignation.

We believe that the statement attributed to certain councillors reveals much of their thinking. 'Fear' of mass organizations and their implication of mass action without customary white guidance. 'Fear' of lost influence and loss of their position at the top of the Territorial racial pyramid. 'Fear' of a breakup of the old, white-created, pattern of divided settlement and reservations which has left native peoples disunited and powerless.

## FRED QUILT --

(continued from page 1)

whole system of racism as it exists against Indians in our province.

Public attacks have been made on the coroner — some of them justified. He was asked why no Indians were on the jury panel. His reply was: there are no Indians on the voters' list because the Indians refuse to vote!

That reply poses two questions. One is: why, after two or three hundred years of "benign" rule are Indians still not on the voters list? Who is responsible, the Indians, or our society? Secondly, we have here an attempt by the coroner to justify his violation of the Coroner's Act. It specifically states that "the coroner shall proceed to summon a jury in the manner required by this section and he must also exclude from that jury those persons excluded from a jury under the Jury Act of British Columbia, those who are infirm, etc." The coroner, of course, did *not* summon the jury in this case. The R.C.M.P. summoned the jury. The words "shall" are mandatory and mean just what they say — that the coroner himself shall summon the jury from the provin-

cial voters list. This he did not do. He claims that he did get a group of responsible people, "six mature and knowledgeable men". I don't know what he means by that but I do know that the jury's conclusions were anything but responsible.

Furthermore, although juries are supposed to be selected at random from the voter's list, it can hardly be a coincidence that the same people are selected over and over again. On 90% of the coroner's juries in British Columbia, many of the jurors have been on the coroner's jury a dozen times before. It's true in Vancouver and it's true throughout British Columbia, that an impartial selecting from the whole of the voter's list is something completely and utterly unknown. It's the so-called "responsible" section of the white community that's always selected — a shop keeper, a garage operator, possibly a small business man, etc. Working people, the unemployed, people on welfare, the have-nots, are seldom if ever selected. In many communities 50% of the

(see Quilt Controversy p.5)



## CULTURAL DEVELOPMENT REGIONALIZED

Formerly the Cultural Development Division of Indian Affairs was responsible for dispersing monies to promote and preserve Indian culture throughout Canada. There has, however, been a change in policy at Headquarters, and monies will be allocated according to the following "guidelines".

### SHARES OF EACH PROVINCE

Prince Edward Island	432 x \$1.30 plus \$3,000	\$ 3,561.60
Nova Scotia	4,524 x \$1.30 plus \$3,000	8,881.20
New Brunswick	4,280 x \$1.30 plus \$3,000	8,564.00
Quebec	26,985 x \$1.30	35,080.50
Ontario	54,072 x \$1.30	70,293.60
Manitoba	34,422 x \$1.30	44,710.60
Saskatchewan	35,162 x \$1.30	45,710.60
Alberta	28,234 x \$1.30	36,704.20
British Columbia	46,955 x \$1.30	61,041.50
Yukon Territory	2,661 x \$1.30 plus \$3,000	6,459.30
Northwest Territories	6,296 x \$1.30 plus \$3,000	11,184.80

### GENERAL COMMENTS

Cultural Grants will be decentralized to the various regional offices on April 1, 1972. These Cultural Grants have been allocated on a \$1.30 per capita, plus \$3,000 for those provinces which have an Indian population of 10,000 people or less.

Our Regional Office will administer Cultural Grants according to the Directive sent April 1971. This Directive contains the broad outlines which assist people to assess the various cultural grants applications presented to them.

It is realized that this Directive is very broad and that we would like to present the following guidelines to be followed on reviewing the individual cultural applications presented to Regional Office.

### COMMITTEE

It is desirable that a Cultural Grants Committee be set up at each region. This Committee should consist of the person administering the Cultural Grants with various Indian representation from the Branch, Associations, or Band Councils and other agencies that may be giving monies for cultural activities at Indian communities. This Committee could probably sit several times a year to review the various applications made to Regional Office.

### BANDS

Cultural Grants applications received from Indian communities should be reviewed with the local band council concerned for their advice and direction. The advice of a council should be considered seriously by the Committee so that harmony can prevail in the community from which the application for a grant is received.

### DISTRICT SUPERINTENDENTS

Cultural Grants applications should be forwarded through the local District Superintendent of Education who will comment on each application received from his particular district.

### CULTURAL GRANTS REQUESTS FROM URBAN AREAS

Since Cultural Grants are received from various urban centres such as Native Friendship Centres, Urban Indian Associations, Native Youth groups, that these requests be reviewed carefully in the light of limited funds

being available in each region. The Indian people feel that such grants should be made first to the various Indian communities to develop, promote and encourage the various traditional cultures in these communities. It is in this light that we ask you to review carefully these urban Cultural Grants re-

### INDIAN COMMUNITIES

Cultural Grants requests from Indian communities should be given top priority.

### NATIVE YOUTH

Native youth requests from Indian communities should be considered carefully since such requests are made by a group of people who represent approximately 60% of the Indian population in Canada.

### WOMEN'S GROUPS

On the advice of the Native Women's Association of Canada that women's groups on each band or reserve be limited to \$200.00 per group since some bands have more than three women's organizations. The women have also advised that the organization should have been established within the community and that it should have 15 or more members.

### CULTURAL GRANT BROCHURES

It is possible that small brochures may be made available by each Region to Indian organizations or individuals giving them guidance for Cultural Grants applications. These brochures would probably outline such items as name of organization, outline of project, objectives, budget breakdown, number of persons to be involved, the dates of commencement and completion, the amount of money the organization may be contributing, what monies if any, this particular group have received from our Department in the past and other contributions.

### AUDIT REPORTS

It would seem only fair that various organizations or individuals be asked to submit a report of their achievements and an audit statement on how they have expended a Cultural Grant after they have completed their particular project.

### CULTURAL ACTIVITIES

**Pow-wows.** Because pow-wows are so popular and widespread, a careful review of the amounts being spent should be considered. It is possible to reduce expenditures by holding district pow-wows instead of numerous small local ones.

**Rodeos.** In Alberta rodeos have been considered and agreed on by the Indian people as cultural events but it should be seriously considered recreational rather than using funds from cultural grants.

**Indian Princess Pageants.** Princess Pageants have proven their worth as good public relations in expressing Indian culture to non-Indians and probably should continue to be supported.

**Residential School Choirs or Local Indian Musical Bands.** If these groups use Indian music, songs and/or instruments they could be considered for grants, otherwise they would not qualify.

### INDIVIDUAL REQUESTS

**Artists.** Artists should be encouraged to apply for grants. Each artist should be assisted to a suggested amount of \$500.00 In-Kind for materials and supplies. It has been our experience that some people have felt that we should subsidize living costs for Indian artists through Cultural Grants. It has been our experience that social services could best handle such situations rather than allocate Cultural Grants to such persons since our grants are limited.

**Indian Linguistics applications.** Language programs should be considered carefully in the light of the aims and objectives of each region so that such individuals will apply who can assist the region to develop programs in accordance with Regional plans.



**QUILT CONTROVERSY --***(continued from page 3)*

population is Indian. I would venture to say that there has probably never been an Indian on the coroner's jury panel. I would further say that even if an Indian person were selected for a jury panel, the establishment would make sure that he would have to be one of theirs.

The Williams Lake coroner also complained that he did not have the staff to conduct a proper coroner's inquest. In this regard I have some sympathy for him. But then he ought to inform the Attorney-General that he cannot carry out the provisions of the Coroner's Act.

Now ask yourself another question. A number of people testified at the inquest — namely Mrs. Quilt and other members of the family — giving sworn evidence that an R.C.M.P. Officer delivered a number of kicks to Quilt's body. Also a doctor testified that when Quilt was dying, he said that the policeman did it. Now in such a case the principle of a dying declaration applies, which is that if a person with a clear and certain understanding that he is dying makes a statement that somebody did injury to him, that statement can be an exception to the hearsay rule and become evidence. Not necessarily at a coroner's inquest but certainly at a trial, the judge and jury then ascertain whether or not the accused — in this case a police officer — is guilty or not guilty of the crime of which he stands charged.

There is also the evidence of the injury itself, which the doctor said could only have been caused by kicking or sharp blows. If you add all this together it makes a strong case against the police. But now another question. If, instead of an Indian testifying, it had been an R.C.M.P. officer testifying, giving identical evidence against Quilt concerning the death of a police officer — in other words if one were to reverse the actual participants in this tragic affair — how long do you think this coroner's inquest would have gone on without the Attorney-General ordering it to cease, and issuing a warrant for the arrest of Quilt for the murder of the R.C.M.P. Officer?

According to the press, Chief Coroner Glen McDonald of Vancouver said that the jury had no right to come to any conclusion other than it did with the evidence before it. He went on to say the jury must determine whether the death was natural or unnatural. The next step was to determine whether the death was homicidal, suicidal

or accidental. He said that on the strength of the evidence, the jury could not find it homicidal or suicidal, but it certainly could have found it homicidal, caused by the blows given by the officer. Instead it found the death "accidental" with no blame attached to anyone.

Coroner Leath is also reported to have said (Vancouver Sun, Jan. 18, 1972) "When you have four lawyers I don't possibly see how there can be any criticism of the conduct of the hearing: . . . I think it was a very well conducted hearing and everybody had a full opportunity to say what they wanted to". The theory that the presence of four lawyers guarantees a fair hearing seems to me to be the understatement of the year. You can have 44 lawyers present. That doesn't necessarily mean that there will be a fair hearing. A fair hearing would have resulted in the conclusion that Quilt died an unnatural death and that the cause of death was homicide. The next step would be to charge the officer and have a judge and jury determine his guilt or innocence.

This is what happens when an Indian dies. If that is not injustice and racism, then these words have lost their meaning.

My views may be regarded with hostility by some and arouse some hard feelings. But racism can't be dealt with as just an interesting topic for a tea party. It's unpleasant but we have to face up to it. We have racism in our country and it can't be ignored. What we need to do is to eradicate the poison. Each and every one of us must share the guilt — if we do nothing about it except talking piously about it, or worse saying that we've got to stand up for "law and order", when law and order are being undermined by racism.

The racism of our society will not be eradicated by one step but I am sure some improvement would occur if the law as it is were upheld to ensure justice and a fair deal to the Indian people in this case.

Harry Rankin  
Civil Rights Lawyer  
Vancouver, B.C.

**MANITOBA JURIES --***(continued from page 1)*

The jury panel of 48 for the assize was selected by drawing of names submitted from the voters list. *Three of the people whose names were drawn were treaty Indians. They were Joshua Flett of Nelson House, who was juror 14 on the panel, John Mathias Flett of St. Theresa Point who was juror 29, and Ken Albert of Norway House who was juror 43.*

For the manslaughter trial itself,

**"Tom Longboat" Winner**

by Peter Kelly



Mr. Doug Skead was presented with this award at the Canadian Amateur Sports Federation Banquet, Jan. 15, 1972.

The winner of the Tom Longboat award for northern Ontario this year was Mr. Doug Skead from the Rat Portage Band, Kenora, Ontario. Doug placed first among the other winners of this esteemed award.

Doug Skead represents the Indian person who will always remain undefeated. Doug has come through the demoralizing era of residential schools, the tough life of a trapper, guide and woodcutter, and the destructive experiences of alcohol, to become the manager of his band's corporation and captain of the hockey team he co-founded twenty years before.

To begin, Doug started school at age seven. During his time at St. Mary's residential school, he played hockey in all the town leagues — peewee, midget, juvenile. For six consecutive years, St. Mary's became the Midget champions of Kenora with Doug's help. Doug had aspirations of finishing high school, but he was never given the chance to begin. Around 1946, it was not the policy of Indian Affairs to interfere

with the operation of the residential schools. Therefore, when the staff at St. Mary's said there was no room in a Catholic high school and that he was not allowed to attend a public high school, Doug Skead's formal schooling ended.

At sixteen, Doug was out of school with a group of fellows who the nuns and priests referred to as "the outsiders". These young people had two things going for them — their ability to work hard and their love of hockey. After a few years, in 1951-4, the group developed a pulpwood cutting operation which provided an adequate living for them. The more important point to these boys was that all the profits from their co-operative went towards a hockey team they were building — the Kenora Braves. The profits bought their equipment and paid for their travel to games in Dryden, Sioux Lookout, Red Lake, and Fort Frances. The co-op members formed a formidable, winning team.

In the latter part of the fifties, the priests became very active in the  
*(see "Longboat Winner" p.8)*

it was necessary to select a jury of 12. When the Court Clerk drew names at random, both of the Fletts names came up. Defence Council D'Arcy Bancroft and Crown Attorney Murray Smith had an opportunity to object to either man. No objection was made and they both sat on the jury which eventually brought in a verdict of not guilty. Mr. Albert, the third treaty Indian on the panel did not have his name drawn before the jury was selected.

At the conclusion of the trial,

after the verdict was announced and the accused was set free, Defence council D'Arcy Bancroft informed trial judge John Solomon of Winnipeg that history had transpired in his court saying society as a whole had progressed by this change occurring.

Mr. Justice Solomon agreed and congratulated the two Fletts and the Indian people as a whole on attaining the special right and duty of being a juror and welcomed them on behalf of the courts.

## After the Grass Grew Tall

# THE PATH OF BIG BEAR

By Robert Whelan

In 1870 no buffalo were seen on the plains of Western Canada within three hundred miles of Winnipeg.

Once they had roamed the prairies in countless millions and they maintained the boundless plains, for neither grass nor poplar could grow tall under those pounding hooves.

And the people of that land, the Cree, the Assiniboine, the Sioux, the Salteaux and the Siksika, the Peigan and the Kainai nations lived in the millions of square miles of the heartland of North America by following and killing the buffalo. There was a balance between man and nature; the people of the land kept the buffalo from turning the prairies into a grassless desert. Millions of buffalo and perhaps fifty thousand people.

These people worshipped the Sun and a "power beyond the Sun that no man can understand."

There was room for all and food in abundance. They were joyful in the summer Sun and strong from 60-below-zero winters that killed off the weak.

Strangers from the East came there as all their ancient prophets had said. And they welcomed them. At first. But then more and more strangers from Europe poured in and they had a way of getting the people to kill more and more buffalo in exchange for axes, beads and cloth. And guns to kill more buffalo. And firewater. And the smallpox. By 1870 the 20,000 survivors of the 50,000 were hungry.

The grass grew tall on the plains.

### "SHALL I SELL MY LAND FOR A PIECE OF RED CLOTH?"

No buffalo on the land, a land that was still the Indian's. To his fear of hunger was added the fear of change, of what the future might bring. He knew conditions were changing, that the white man would be the deciding factor in establishing whatever new way of life lay ahead. But what to do when strangers come in with the power of numbers and firearms and the sureness of the surveyor with his strange tools? Most had to wait and see. Some resisted change. Chief Crooked Neck in 1870 put it this way after he had haughtily refused presents of gaudy red shirts from Colonel Garnet Wolsley who was trying to arrange a right-of-way for

troops through his people's ancestral territory: "Am I a pike to be caught with such a bait as that? Shall I sell my land for a piece of red cloth? We will let the palefaces pass through our country, but we will sell them none of our land, nor have any of them to live amongst us."

But in the autumn of that same year of 1870 other chiefs realized that the only way to end their fear and uncertainty over the coming of the strangers was to enter into an agreement with the white man. The development which would end the way of life of the people of the plains officially began that fall when a delegation of natives of Manitoba applied to the Honourable A. G. Archibald, the lieutenant-governor of the new province, asking that the province enter into a treaty with them. The Government of Canada was eager to secure the extinction of native title in Manitoba and the Territories and Mr. W. M. Simpson was appointed by April, 1871 as commissioner to negotiate with the Indians. On July 27, 1871 about one thousand Indians attended the formal opening of negotiations at Lower Fort Garry and Manitoba Post. Lieutenant-Governor Archibald addressed the natives:

"Your Great Mother, the Queen, wishes to do justice to all her children alike. She will deal fairly with those of the setting sun, just as she would with those of the rising sun. She wishes order and peace to reign through all her country, and while her arm is strong to punish the wicked man, her hand is also open to reward the good man everywhere in her Dominions.

"Your Great Mother wishes the good of all races under her sway. She wishes her red children to be happy and contented. She wishes them to live in comfort. She would like them to adopt the habits of the whites, to till the land and raise food, and store it up against a time of want. She thinks this would be the best thing for her children to do, and that it would make them safe from famine and distress, and make their homes more comfortable. . . . Your Great Mother, therefore, will lay aside for you "lots" of land to be used by you and your children forever. She will not allow the white man to intrude upon these lots. She will make rules to keep them for you, so that as long as the sun shall



shine, there shall be no Indian who has not a place that he can call his home, where he can go and pitch his camp, or if he chooses, build his house and till his land."

The Lieutenant-Governor's address clearly indicated that a change in the Indian's way of life was inevitable. It is not surprising that in spite of the Indians themselves asking for an agreement with the white man, they could not grasp the magnitude of the change. They first demanded a segregated area fully two-thirds the size of Manitoba. For a people who above all things demanded freedom of movement that seemed a reasonable area in which to live their way of life. They had to settle for much less. While it is recognized that the Indians had difficulty in understanding the terms of the treaty in the sense of knowing exactly what they were going to get, they knew full well what they were giving up. Chief Ma-we-do-pe-nais of Fort Frances said when Treaty Number 3 was being negotiated: "The sound of rustling gold is under my feet where I stand; we have a rich country; it is the Great Spirit who gave us this; where we stand upon is the Indians' property, and belongs to them. If you grant us our requests you will not go back without making the treaty."

And a chief from Lac Seul said: "We are the first that were planted

here; we would ask you to assist us with every kind of implement to use for our benefit, to enable us to perform our work; a little of everything and money. We would borrow your cattle; we ask you this for our support; I will find whereon to feed them. The waters out of which you sometimes take food for yourselves, we will lend you in return. . . . If you give what I ask, the time may come when I will ask you to lend me one of your daughters and one of your sons to live with us; and in return I will lend you one of my daughters and one of my sons for you to teach us what is good, and after they have learned, to teach us. If you grant us what I ask, although I do not know you, I will shake hands with you. This is all I have to say."

Opinions expressed by the Indians and the attitudes and actions of the Government indicated there was a mutual spirit of hope and goodwill at this time when the idea of making treaties was first considered. Spokesmen for the Indians have expressed their willingness to trust the white man to be fair with them. It was not a misplaced faith. The white colonizers had two choices: they could advance into the territory of the Indians and push them further and further back by force of arms and numbers until the native people were isolated in barren unfertile areas in the north which would support so

(see *Big Bear* page 8)

## from the U.S. —

### THE KENNEDY POSITION

#### FEDERAL CONFLICTS OF INTEREST

WASHINGTON, D.C. — (AIPA) — The following is a digest of an opening statement by Sen. Edward M. Kennedy, D-Mass., on Nov. 30 at continued hearings on administrative protection of Indian natural resources:

At the opening of this subcommittee's hearings last month into federal procedures for protecting Indian rights and natural resources, I projected that the hearings would bring out "in the clearest terms the federal government's flagrant abdication of its trust responsibilities to the Indian people."

Over two dozen witnesses representing Indian tribes discussed instance after instance where the United States, acting through the Departments of Justice and Interior, had been responsible not for protecting Indian resources, but for bringing about the misuse, exploitation, and diminution of those resources.

In light of these revelations, one conclusion stands out: the Indian people are today experiencing the conscious, calculated suppression of their rights through malfeasance and nonfeasance by federal officials. Despite rhetoric to the contrary, Indians are the objects of a continuing policy of termination brought about through destruction of the resource base upon which their future depends. . . .

The President knows about this hypocrisy. He admitted in his July 1970 Indian Message that his own executive departments are guilty of an intolerable conflict of interest in dealing with Indian rights. A conflict in which Indians almost always come out losers. But the conflict exists.

The courts know this. They have characterized the government's dealings with Indian resources as involving "mistakes," "poor judgment," "overlooking or ignoring of the true measure of the Indians' rights," and "lack of bargaining skill or determination." But the bureaucracy which earned those descriptions remains intact.

And most importantly, the Indian people themselves — newly aware, newly vocal, newly in the American conscience — know this. They have adjudged the U.S. government consistently and currently guilty of the grossest maladministration of its trusteeship in failing to fulfill its legal responsibilities towards them. . . .

In the government's dealings with the Indian people there are credibility gaps and information gaps of vast proportion. . . .

The credibility and information gaps can only be closed by action and action, not rhetoric, is the key to assessing the government's fulfillment of its responsibilities to the American Indian.

But if "action" is to be the touchstone of this Administration's dealings in Indian matters, the Indian people might as well start down another trail of tears. For the only action they have seen in the natural resource area has been inaction, delayed action, inadequate action, and hostile action. . . .

In fact, the Reclamation Bureau, in the Indian people's eyes, is the present-day institutional embodiment of General Custer.

These illustrations are but a few of those that have come to my attention since this subcommittee initiated its investigation some months ago. Whatever the specific facts, each instance involves the same results:

— Whenever Indian rights come into conflict with the interests of the Bureau of Reclamation, the Army Engineers, the Forest Service, or the Bureau of Land Management, Indian rights are lost.

— Whenever Indian resources are desired by non-Indians, especially commercial interests or state governments, those resources are appropriated for those non-Indian users.

— Whenever Indians must depend on the Department of Interior for information, Indians go uninformed.

— Whenever Indians must depend on the Department of Justice for representation, Indians go unrepresented.



Photo Credit: W. Simon

### On Indian Dancing

The drums are beating  
singers chant  
a song  
of centuries long past  
and cause  
the room to vibrate rhythmically  
to tunes of Nature  
which must have CAUSED the  
song so long ago.

You dance and time no longer exists  
and you could be living  
in centuries past, or  
in the present or future  
It doesn't matter  
You are in a timeless void, and  
all that matters is that you  
are dancing a dance of your people.

The drums and song  
pull at your heart  
until you feel a rhythm  
you can no longer contain  
and you begin to dance.

You are one with every dancer  
one with all the world  
and your body and mind  
belong not to you.

T. Nahanee

## ANNOUNCEMENT

The Handicraft Division of I.S.C.O., International Sports and Cultural Organization is sponsoring an Indian Handicraft Fair and Gift Show at the Civic Centre in Brantford, Ontario, March 9th to the 12th. Prospective participants must present quality ware in quantity to afford buyers the opportunity to order in bulk. For further information please contact: Mr. Oliver M. Smith, R.R.#6, Hagersville, Ontario, telephone: Ohsweken 445-2313.

## "Longboat Winner"

(continued from page 5)

co-operative movement. The Indians felt themselves forced into adopting the name Co-Op Braves for their hockey team. Gradually, though, as the priest's veto became stronger, the Indians withdrew. After a few years, the team members wished to disassociate themselves from the co-op operation, and renamed their team the Kenora Braves. Doug Skead was a leader in all these actions as Captain of the hockey team, a position that he holds today as a sign of our people's respect for him.

There was a long period of hard times for he and his wife, Madelaine. Today, the Skeads and their seven children, ages 3-17, are a leading family in their community. Doug and his wife hold regular social evenings for band members. Their basement is always open to teenagers who wish a place to socialize without alcohol. Mrs. Skead has been active in organizing a group of women on the reserve who are now making costumes for the dancers.

Doug Skead has worked to become the manager of Rat Portage Band Corporation. The corporation hires seventeen men to do year-round work, which includes pulp cutting in the winter. As Doug ex-

plains it, the purpose of the Corporation is more than providing an income to band members. The members can gain valuable work experience and pick up skills on the job.

If any person wishes to leave the Corporation for a better job, there is no obligation to remain. The purpose is to prepare a person to make the best of opportunities in life.

This would be part of the advice which Doug Skead would pass on to Indian youth today — get more schooling and take opportunities that are presented. More important, Doug Skead would tell Indian youth to hold onto their culture and speak their native language. As an example, Doug Skead recently returned from performing as a drummer with the Lake of the Woods troupes who were performing at Ontario Place, Toronto, October 1-3.

Doug Skead has participated in all the traditional activities of the Ojibway people of the Lake of the Woods, and continues to do so. Yet he has managed to make his way into the changing world and help other Indians do the same.

For this outstanding leadership he has shown throughout his life, and for his example of never giving up, the Grand Council of Treaty #3 had recommended Doug Skead for the highest honour — the Tom Longboat Award.

OTHER WINNERS ARE:  
Maritimes — Francis Michael Paul  
Quebec — Kenneth Kane  
Ontario South — Harold Wayne Brant  
Manitoba — Robert Hart.

## THE PRISONER

Cold, hard as their maker  
these walls  
that keep me from life.  
Failing to reform me.  
Instead — anger  
I want to tear them down  
crumble.  
Brick by brick  
they fall  
as do my enemy that put me here.  
Bars  
have scarred my face  
with a haunting shadow.  
My eyes  
squint in the light.  
My body  
aches with the bruises of  
these walls.  
Days and nights I spend  
paying for my sins.  
My mind  
pursues schemes of revenge.  
All because of these walls  
their scars.  
This reformation will  
never succeed  
how do they expect  
these walls  
to cure me of hate?

Suzanne Shetler  
Oshawa, Ontario.

## BIG BEAR--

(continued from page 6)

few of them that extinction would be the end result; or they could be placed on reserves in the midst of a growing and alien culture. The second course was chosen, the only humane one. The native people would go on reserves and they would be encouraged to follow two quite opposite courses: they could carry on their own way of life and at the same time they would learn how to live the life of the Western European man and so be able in time to fit into the civilization that would inevitably surround them. That now a hundred years later this conflict is only starting to be resolved does not lessen the original hope of a fair solution to a problem as large as the conflict of two completely different ways of life. The Canadian Government of that day rejected the inhumane method used by the Americans of transporting native people and herding them into reservations; the Canadian way was to ask the Indians where they wanted to live within the large area they had once freely roamed. After the signing of the treaties the locations of many reserves were changed at the request of the Indians. That the Indians were uprooted and their way of life changed almost beyond recognition is deplorable; but it was an inevitable consequence of a process called technological civilization which swept all before it, conquered and conqueror alike, grinding individuals into units for convenient classification and utilization in a manner roughly similar to the stockroom of the automobile factories whose machines would later conquer the vastness of the prairies.

Part II — Next Issue

### DID YOU KNOW ...

*Before Columbus or the white man set foot on American soil, there lived a great Indian prophet, a holy man by the name of Degonowega. He founded the first united nations in the world — the Iroquois Confederacy — an organization to do away with war and establish everlasting peace among mankind; it settled problems by council. The U.S. Government is patterned after the Indian form of government, not the European governments. European governments were not democratic, but monarchies in which the rights of a ruling king or queen were considered absolute.*

"Winds of Change"  
CBC Northern Service with  
Loyola College, Montreal.

## Letters to the Editor

I am amazed to see that there's little interest among the North-American Indians for the genocide going on among the Indians of the Amazon-forests. Nevertheless, the things that happen over there are beyond any imagination. In Europe, we have several groups of Indian-minded people, who want to do something about this. The first goal we're trying to achieve is not to "civilize" the Indians, as white people always tried to do, but to keep civilization away from them.

First, in our opinion, the Amazon-Indians should become aware of their own identity, their own cultural values. And then they should decide freely what parts of white culture they want to take over.

Nowadays the Indians are the victims of economic groups who kill them for their land. Often they also are the victims of missionaries and government officials, who destroy their culture, and make them psychologically ready for the man-hunt by land-hungry bandits.

Any Canadian Indian who is interested in this problem, who wants

to do something about it, or who simply wants to show us that we're wrong and that Canadian Indians indeed are doing something for their South-American brothers is invited to write to:

Stefaan Oplinus  
Heropbouwstraat 159  
B 8800 Roeselare  
Belgium.

Tony Belcourt  
The Indian News  
Ottawa, Canada.

Dear Mr. Belcourt,

I'm a "vanishing American" and you're a "non-person". Now right there we've got something in common. The Americans don't recognize our treaty rights, but they wouldn't dare violate a congressionally ratified treaty with a European power.

Now there are the two magic words: European and power. We cannot, and do not wish to be Europeans, but if we assume a mantle of unity, we can weld some power.

Vine Deloria Jr., the white man's

red man, may be an apple on many matters, but he has gotten to the crux of the matter in Indian vs Indian relations when he says, "... stay with the national organization and build it because you never know when you are going to need it."

A really strong national or central Indian organization ought to be able to coordinate information, if not activities, with other Indian organizations across North America (i.e. AIM, UNA, NIYC). Instead our brothers in Alberta and Saskatchewan would cause the NIB to dissolve in a dispute over the white man's money. It's the same old trick — divide and conquer — and I'm shocked that we're still responding to it in the age old manner.

If we don't unite and fight for our future soon, with the power of unity, we'll shortly end up with nothing left to fight for.

I am greatly interested in keeping in touch with the Native Council and the progress that you make in the Land Claims issue.

Remember Crazy Horse!!!

Mrs. Dealy Doe Eyes Maddux  
Johnston, New York.