

Wabanaki Alliance

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Return to Wabanaki Alliance, 95 Main Street, Orono, Maine 04473.

Published by Diocesan Human Relations Services, Inc.

March 1980

Land claims pact debated

AUGUSTA — Proposed legislation that would resolve the decade of struggle in the Maine Indian land claims case was debated for seven hours straight, this month, at a state Legislature-sponsored public hearing.

About 200 persons gathered at Augusta Civic Center, many of them Indian people, and many staying for seven hours of debate and rhetoric on the merits of the \$81.5 million negotiated settlement.

"We're united on it and I really don't see how Congress can shoot it down," said Penobscot Andrew Akins, chairman of the joint Penobscot-Passamaquoddy negotiating team. "Once it's passed we'll all be united here," he said, starting off a round of speeches.

Akins maintained "the tribes have in good faith passed these agreements," and amendments would not be considered.

Not agreeing with Akins' assessment were about two dozen tribal members, most of them Penobscot, who oppose the negotiated settlement on grounds it gives up too much; and that tribes did not legally ratify it.

Dana Mitchell, Penobscot, said a vote at Indian Island was termed an advisory referendum, not a binding vote, and he said tribal members were in many cases not notified of the referendum, held this month on the reservation.

Mitchell called the proposed settlement "a very gross misrepresentation to the

(Continued on page 9)



DUCK! — The photographer didn't, and was hit squarely by the snowball — one of the last of season — delivered by five-year-old Melissa Homan, daughter of Lisa Homan, at Pleasant Point Passamaquoddy reservation. At left is new house, at right, health and social services building.

Tribe acquires former drug-running yacht

FLEASANT POINT — How would you like a 78 foot wooden yacht? Or perhaps a steel 86-footer would be more your style?

Well, the Passamaquoddy tribal government here has chosen both, plus two other vessels. All of them are former drug smuggling boats seized, and later berthed in Florida. Tribal officials traveled to Florida recently (probably with no great reluctance) to view the possibilities.

Lt. Gov. Cliv Dore, an experienced fisherman, helped choose the 42-foot Island Queen, pictured in this newspaper, which will be re-named Passamaquoddy I. She was delivered to Pleasant Point from Florida by Peter Bailey of the reservation, and Bob Hart of Cape Cod.

Island Queen was built in 1975 as a sportfisherman, and possesses much ma-

gnogany and brass. She sleeps four, has a width of 12 feet, draft of five feet, and is wooden-hulled. The Marine Trades Center of EMVTI, Eastport, will maintain the boat in exchange for using her in navigation lessons.

Not yet delivered to Pleasant Point are the 73 foot, wooden-hulled Miss Selena, which sleeps six, draws nine feet and is 18 feet wide. Also anticipated is arrival of the 65 foot steel *Chechee Boy* (to be re-named Passamaquoddy II).

That's not all. The tribe has also selected the 88 foot Santa Magdalena, a vessel that Dore says can be used for offshore fishing on Georges Bank.

The vessels were obtained from the federal government at no cost to the Passamaquoddy Tribe.

An overview

Settlement set for state, federal vote

Kept behind closed doors for months and even years, Maine Indian land claims emerged in the public arena, and scrutiny, this month, after a Penobscot tribal member provided copies of the proposed settlement to the Bangor Daily News.

The Maine Legislature was expected to ratify the agreement the first week in April.

Meanwhile, the Passamaquoddy Tribe and Penobscot Nation voted to approve the package, in separate referendums. Toward the end of the month, activity snowballed, with anticipated presentations to the state Legislature and U.S. Congress. Congress will ultimately ratify, or reject the \$81.5 million negotiated settlement, that provides a \$27 million trust fund for the two tribes, and \$54.5

million to purchase 300,000 acres, to be split evenly between Penobscots and Passamaquoddis.

Also, the settlement provides 5,000 acres for Maliseet Indians in the Houlton area. The land purchased will be Indian territory, and as such will be subject to special jurisdiction and cannot be sold. (See summary of settlement on this page)

The proposed settlement represents 1/250th of the original claim brought by the tribes: \$25 billion in "back rent" on aboriginal lands, plus return of 12.5 million acres — the northern two-thirds of Maine.

The Passamaquoddy Tribe at Indian Township reportedly voted heavily in favor of approving the settlement, although voter turnout was small, and

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THE NEGOTIATORS — Seated in two rows at Augusta civic center for land claims hearing is most of the joint tribal negotiating team, from left, lower row: Terry Polchies (a Maliseet, not a member of team), Albert Dana, George Stevens, Carl Nicholas, Wally Pehrson, Cliv Dore. Upper row from left, Timothy Love, Tom Tureen, James Sappier, Guy "Butch" Phillips, Clayton Cleaves, Andrew Akins [chairman].

Last paper for non-subscribers

ORONO — Will this be your last copy of this newspaper?

Wabanaki Alliance recently began charging a subscription fee. The newspaper's board of directors, representing Maine's four tribes, reached the decision with reluctance.

The subscriptions have been rolling in, and it looks as though the paper's goals will be met. The response has been encouraging. Many people have sent in donations above the basic subscription rate.

Beginning with the April issue, Wabanaki Alliance will only be sent to those who have subscribed. This is the final issue readers will receive at no cost. (See clip-out coupon page 17).

Wabanaki Alliance will continue to provide its readers with stimulating and informative news of Maine's Indian community.

Anyone who has not yet subscribed is urged to do so now. Make checks payable to Wabanaki Alliance, and mail to 95 Main Street, Orono, Maine 04473.

editorials

Bounty or bitter fruit?

Over a decade ago, a white man walked into the garden of an Indian Township family and planted a stake to mark the boundary of a road he intended to extend from his property.

The family protested, and out of that garden grew the Maine Indian land claims case.

It appears that at long last, after years of patient and arduous nurturing, the claims are about to bear fruit. A few acres of contested land have blossomed into 300,000 acres and provided enough money for the tribes to produce their own income.

For some, the land claims have born bitter fruit. They have called the settlement proposal a sell-out. We doubt that the people who have worked on the claims for so long, the tribal negotiators, tribal attorney, Tom Tureen, and all the others who offered advice and support, would have settled for less than they thought the tribes could get. It seems unlikely that people who have worked for so long would be working toward a sellout. Whether people agree with what they have come up with or not, they deserve the appreciation of the people for whom they have worked.

The settlement proposal is complex. After little more than a week of public disclosure the state of Maine has scarcely begun to understand its meaning; yet, in some cases tribal members were asked to vote on the package with less than a few hours to consider it.

At one reservation the tribal clerk was specifically told to omit the fact that following an informational meeting the tribe was expected to vote on the package. It was only by accident that this was learned and corrected and a second leaflet distributed announcing the vote.

There is little indication that the Passamaquoddy received much in the way of preparation for their votes. Certainly, off-reservation Passamaquoddy had little say in the final decision. Although the Penobscots, both on and off reservation, in most cases had more time to view the proposal, many have complained that there was not



HARVEST OF THE SEA — Philip Nicholas, who despite medical problems takes his spade and digs clams one day each week, gets an early morning start at Pleasant Point, where he is a member of the Passamaquoddy Tribe. He said he will be 68 next Christmas eve.

enough time, and that there was no opportunity for general discussion.

Tom Tureen called the Indian Island vote "advisory" and said that a general debate was up to the governor and council's discretion. The Passamaquoddy vote was described as a "courtesy vote" by a tribal official, who said the tribes had already given their sanction by approving a minimum package last year in March.

That package differed in some fundamental ways from the present proposal. At that time much was made of the need for tribal approval. Many injustices have resulted in the past, when treaties were made with a few individuals purporting to represent the feelings of an entire tribe.

The tribal negotiators, Tureen, and others who have worked close to the claims are in a far better position to grasp fully the implication of the settlement proposal, and they are certainly able guides for the tribes. Indeed, for those people who had the opportunity to vote, a large majority favored the plan.

While tribal officials no doubt feel they are doing what is best for their people by trying to get the settlement passed with as little opposition as possible, what do the people feel?



EDITOR'S NOTE: L.D. 2037, the state's land claims settlement bill, omitted mention of Pleasant Point Passamaquoddy reservation at Perry, an area of 100 acres. The reservation will not be left out, however, as the error was discovered prior to legislative action on the bill.

letters

Precious link

Sinclair

To the editor:
Please find check enclosed for my subscription to the paper. I was at Peter Dana Point when Wabanaki Alliance started and wondered what good it could do! Since then I have moved and see the paper as a precious link with all my friends back on the reservations; Indian Island, Pleasant Point and my former home, Dana Point! Keep it coming.

Also I wish you and yours a Happy Easter. By your life and work, may you all "Wisanaqsik naka knaci yahaniya witapi eli apatawsit!" (Hurry and go tell His friends He has risen!)

Wolivon,
pabtoliyas Raymond Picard

Interesting

Cape Breton,
Nova Scotia

To the editor:
I have read your newspaper for almost a year and I have really enjoyed it very much.

I find it very interesting and informative. I also wish to continue my subscription for one year.

Levi J. Joe
Eskasoni Band

Overseas interest

Rendalen, Norway

To the editor:
I'm a 17½-year-old student from Rendalen in Norway.

Ever since 1972 I have been interested in reading about the Red Indians. I have collected and examined all the information I have come across in newspapers, weeklies, books, etc.

When I received a letter from the Native American Center in Minnesota, they gave me, for one thing, your address.

I thought at once that I perhaps should subscribe to Indian newspapers so I could learn more about this interesting people.

I suppose "Wabanaki Alliance" is one of the best Indian publications, so it would be fine if you could give me some information about this publication, and tell me how much a year's subscription costs.

Tore Brønnodden



JOINING JOB CORPS — Martin Dana, left, and Brenda Dana, of Indian Township Passamaquoddy reservation, fill out applications to join the new federally-funded Jobs Corps Center, located in converted Dow Air Force Base barracks in Bangor. The residential training program opened this month, and takes students for up to two years.

The picture stone

Boothbay Harbor

To the editor:

I just wanted you to know that even an Anglo like myself finds Wabanaki Alliance to be very informative. I read and study every issue completely from cover to cover.

In one of the past issues, a request was made regarding suggestions for future news articles. I have a subject that may be of interest to your readers if someone on your staff could research it. At the mouth of the Machias River in the region of Machiasport, there exists along the shore, a large flat, glacially polished stone that is literally covered with hundreds of ancient pictographs. This rock, known locally by the natives as "the picture stone," is deteriorating rapidly (the lower portion is covered by the tide) and the figures and symbols will eventually be lost to erosion. I'm wondering if anyone in the Passamaquoddy Nation can interpret this piece of Indian art and determine its significance. My guess is that it is Etechemin Art of the Openango Tribe and as such, it should be of direct cultural interest to the Passamaquoddis.

Enclosed, please find a check to cover my subscription for the next year. Keep up the good work.

Ted Creaser

Keep it coming

Sacramento, Ca.

To the editor:

I am enclosing a check for \$5. for my Wabanaki subscription. Please keep the paper coming. I really look forward to reading about my people and news of home.

Rita Verdugo

Hello to CMIA

Ventura, Ca.

To the editor:

Thank you for 2½ years of Wabanaki Alliance. My subscription and donation are enclosed. Please keep it going.

I love it. It brings home to me. Hi to everyone at CMIA.

Lizz Hill

Suggestions

Lewisburg, Pa.

To the editor:

I am a Passamaquoddy Indian, on the legal register at Pleasant Point. I received your paper this month for the first time, and I noticed your letter informing your subscribers that you'd have to start charging a \$5 fee for your newspaper.

After reading your paper, which I think is very informative, and enjoy reading very much, I tried to figure out a way in which to help lower the price of \$5, I then picked up your paper once again and started to read it through once again. I was about ¾ of the way through it this second time, when it dawned on me, that there was no classified section in this paper.

I believe if a person handled this right that the money, that you could earn through a classified section could diminish this \$5. charge considerably. This is just a thought, and I hope that maybe it will help.

I have a few ideas on how to make this work, and if you should decide to take this on, I'd be more than glad to help in any way possible. Thank you for your time.

Frederick L. Thurlow II
P.S. I also think that this charge of \$5. should be void to an Indian that is doing time in any kind of an institution, such as myself.

EDITOR'S NOTE: These are good suggestions. We will gladly waive the subscription fee for inmates or anyone else unable to afford the \$5. charge.

Last full bloods

To the editor:

My people: I like the paper very much. It's my whole life. I have been away from my people 18 years. But my whole heart is with them at home. In this paper, I know what is going on at home. You see my family is the only full-blooded family that's left on the Island. I'm very proud of it.

Arthur J. Neptune

letters

Amazing progress

Easley, S.C.

To the editor:

It's amazing how progress has been made in so many areas of tribal development in the last ten years, as compared to when I was growing up on Indian Island. The changes are very noticeable every time I come home to visit. In the meantime, I rely on the Wabanaki Alliance to keep me up to date on the news and happenings of my friends and relatives. Although I'm a long way from Indian Island, your paper brings me home once a month.

Herb "Hubba" Albert

Priceless

Mt. Dora, Fla.

To the editor:

Enclosed find check for my subscription for one year.

I just wish to say that your newspaper is priceless to me. It allows me to touch my heritage and to share the joys and sorrows of a great people.

Rachel McGillybray

Visits childhood home

San Rafael, Ca.

To the editor:

I recently had the pleasure of visiting Maine and to see many relatives in Old Town and on Indian Island that I had not, since childhood, had any communication with. Several of these relatives receive your paper and suggested that I and my other brothers and sisters here in California might like to subscribe. After reading a copy I definitely would like to subscribe. I'm sending a check for \$10.00. Please let me know what is appropriate for mailing the paper to California.

I also would like to have the paper sent to my brother who is serving time in San Quentin prison. He belongs to the American Indian Cultural Group there but he says there is no information or literature concerning the east coast tribes, especially the Penobscots of which we are members.

Laurel M. Bartholomew

Through Indian eyes

Orono

To the editor:

I'm sending you a note to compliment you on your February issue. The most impressive thing for me is the amount of native contributors.

The poems, articles and photographs are of good quality and I appreciate the chance to see the world through the eyes of Maine natives. I especially thank Brenda Polchies for sharing her memories and feelings for her grandfather.

Jay Kent

A question...

Ft. Lauderdale, Fla.

To the editor:

Wabanaki, how do you do it! Fantastic! Super interesting news.

Florence Mitchell Herskind

A cooking corner?

Hartford, Ct.

To the editor:

We have enjoyed every issue of your monthly paper. It's like a letter from home. My apologies for not sending the subscription fee sooner. Maybe the small donation I'm including with this note will help.

If I may make a suggestion for issues in the future. A recipe corner? Subscribers could contribute information. The recipes would of course be Native American.

Joan Tomah
Pat Tomah

Wabanaki Alliance

Vol. 4, No. 3

March 1980

Published monthly by the Division of Indian Services (DIS) at the Indian Resource Center, 95 Main St., Orono, Maine 04473. Telephone (207) 866-4903. Typeset by Old Town/Orono Times. Printed by Ellsworth American.



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DIS is an agency of Diocesan Human Relations Services, Inc. of Maine. Subscriptions to this newspaper are available by writing to Wabanaki Alliance, 95 Main St., Orono, Me. 04473. Diocesan Human Relations Services and DIS are a non-profit corporation. Contributions are deductible for income tax purposes. Rates: \$5 per year (12 issues); \$6 Canada and overseas; \$10 for institutions (schools, government, business, etc.)

Will history repeat itself?

Tribal resources pose challenge

By A. David Lester

The current energy crisis is of concern to all Americans, including Native Americans. For the American Indian—and especially for those Indian tribes identified as having much-needed energy resources—this crisis presents both an opportunity and a danger. The opportunity is awesome: the chance to use valuable tribal resources of oil, coal or uranium as the basis for economic self-sufficiency, thereby enriching the lives of people who for so long have known only the most extreme poverty and hardship. But the danger is that history will repeat itself. That, like much of the land and gold of Indian tribes past, today's most prized energy resources will by-pass their rightful owners, enriching those who come only to take and not to share. Today, the responsibility of tribal governments is also a challenge: to assure tribal control of the development of energy-rich lands. Giant steps in this direction have already been taken by the formation of CERT—the Council of Energy Resource Tribes (See story in this issue). The goals are clear: jobs for Indians, both on and off the reservation, social and institutional development which keeps pace with economic development, conversion of resources without destroying either the Indian way of life or the environment. Timing is crucial. The opportunity is now. Opportunities once lost are rarely regained. The American Indian cannot afford to lose this opportunity. Too much is at stake. Losing means despoilation of the land, an overload of social problems in a boom town fever and cultural erosion, not to mention the obvious—

exploitation of a people. The lessons of history show that economic development without social development leads to exploitation, that social development without economic development leads to dependency. The American Indian has had enough of both. The Administration for Native Americans is joining with other organizations, public and private, to help energy resource tribes make the most of the current opportunity and to reduce the threat of exploitation to the tribe and to the individual. The key to success will be the extent to which stronger and more vigorous tribal institutions, beginning with tribal governments, look after the social and economic well being of tribal members. The sovereignty of Indian tribes and their special relationship to the federal government are unique factors that distinguish tribes from all other ethnic minority groups in the United States. (See the Americans for Indian Opportunity *Red Paper* reprinted in this issue.) The governmental authority which ensues from tribal sovereignty is an old and obvious notion, but the exercise of this authority is a newly developing area. This authority extends to adopting and enforcing its codes and ordinances, zoning its neighborhoods, licensing its vendors, and doing all the other activities normally do. The capacity of

the Indian tribe to exercise its governmental authority must be strengthened and supported to meet the demands of energy resource development. ANA views Indian tribal governments as enduring institutions with the right—and the responsibility—to set the pace and direction of social and economic development on Indian reservations. Furthermore, the Indian tribal government has the responsibility to redistribute the wealth and benefits obtained from economic progress to its members. These benefits include more jobs, better housing, improved communities, increased social services to meet increased needs.

Community development is critical, not only for energy resource tribes, but for those without such resources. The rising cost of heating oil and electricity is having a tremendous impact, but the solution to this problem is very similar to that of the energy resource tribes. They must have substantial economic development to be able to pay for their needs and achieve the goal of self-sufficiency, both as individuals and as communities. What ANA is doing—and a motivating factor in the restructuring of its own programs—is to facilitate an awareness of the relationship between social and economic goals and to help Indian tribes achieve a balance in their economic and social development.



A. David Lester, ANA commissioner.

The Administration for Native Americans is helping tribes shape and direct the forces toward self-sufficiency through support of CERT and projects such as the Tribal Energy and Social Development Offices and the Tribal Employment Rights Offices. With Indian tribes determining their own destiny and controlling their own resources, development does not have to mean disaster. It can be a way to move from survival to prosperity for now and in the future. The reasoned development of Indian-held energy resources—and any other resource—and the fostering of tribal and individual self-sufficiency will be a boon, not only to the Indian, but in the long run, to the nation.

NOTE: A. David Lester, an Oklahoma-born Creek Indian, has been ANA Commissioner since April 1978.

Penobscots ban budworm spraying

By Larry Lack

INDIAN ISLAND—The Penobscot tribal council has resolved to stop all spruce budworm spraying within the Penobscot portion of the 12.5 million acre Indian land claim area, until questions about human health effects are settled.

The Penobscot council resolution, passed by a vote of 10-1, and signed by Gov. Wilfred Pehrson Jan. 21, says the Penobscots "must take the necessary steps to halt the spruce budworm spray program indefinitely until these serious health hazards are resolved".

The resolution says that about 75 per cent of the budworm spraying planned by the state for 1980 would take place within the Penobscot River watershed which the Penobscots claim as aboriginal territory never lawfully transferred to the United States or Maine.

On Feb. 8 Pehrson sent a copy of the Jan. 21 tribal resolution and a letter further explaining the tribe's position on budworm spraying to Robert Raisch, Director of the U.S. Forest Service office in Broomall, Pa. This is the office of the Forest Service which is responsible for the decision as to whether the Maine budworm spraying effort should be subsidized by the federal government.

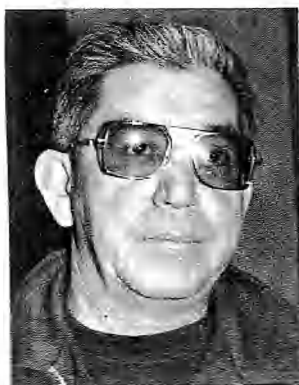
In the letter to Raisch, which will be the tribe's official comment on the U.S. Forest Service Draft

Environmental Impact Statement on proposed budworm spraying in Maine in 1980, Pehrson said that "The Land, air and water, and the living creatures which inhabit these realms, are interwoven with and essential to human life. Man may take what is needed, even that which will add to his comfort and enjoyment of life. The taking must be done, however, with a sense of respect and responsibility. For mankind to use up or poison the natural resources upon which he depends is not only unlawful, but suicidal.

"We have observed with ever growing concern the annual spraying of our aboriginal lands with insecticides...One insecticide after another has been used in the spruce

budworm spraying program only to be withdrawn later, after the accumulation of evidence affecting health and the environment..."

The letter goes on to make reference to recent UMO research which "reported evidence that Sevin-4-Oil may have viral enhancing effects", and states that the committee of medical experts appointed by the state to evaluate this finding "recommended that Sevin-4-Oil be withdrawn from use pending further studies" (in fact the committee's recommendations, which Pehrson enclosed with his letter to Raisch, was that there should be no "uninformed, unconsented human exposures during a forest spray operation").



NEWSPAPER BOARD—Carroll Stevens of Orrington, a Passamaquoddy native of Indian Township, has been elected to the Division of Indian Services Board of Directors, responsible for overseeing publication of Wabanaki Alliance. He was elected at a recent Central Maine Indian Association meeting, to represent that organization on the board. A graduate of St. Ann's School on the reservation, he attended Princeton High School. He has worked as a truck driver, and was the first CMEA worker, and the first Wabanaki Corp. alcoholism counselor. He is currently a shipping clerk at W. S. Emerson in Brewer. He is married and has two children living in Bangor.

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The warmth of family togetherness shows in this Micmac family from Caribou. From left, the Labobe family is Ben, Beth Ann, 13, Shirley, and Ben Jr., 12. New paneling covers scars of their fire-gutted home.

Family finds meaning of good neighbors

CARIBOU — "When you think it's the end and there's someone there to help, it sure feels good."

That's how Ben Labobe reacts, more than two years after fire almost destroyed his self-built A-frame house in the Woodland section of Caribou. Today, he and wife Shirley are thankful for a healthy family, but especially grateful to area residents who wasted no time in extending love and assistance to the temporarily homeless family.

Labobe was at work, on Feb. 2, 1978, as was his wife. Ben works as a bus driver for Maine Indian Transportation Association, through Association of Aroostook Indians (AAI) in Caribou. He is a Micmac, and his wife, a non-Indian, is a nurse at Carey Medical Center, Caribou.

The kids arrived home first, on the school bus, and found smoke coming from the house Ben and Shirley built five months earlier.

As Shirley recalled, "They had worked on it right along with us, so he (Ben Jr.) tried to put out the fire. My daughter was screaming and hollering at him to get out, and thank God he listened to him."

Ben remembered the fire was reported about 3:30 p.m., and he tried to speed home, but "my damn car would only go 15 miles per hour. I kid you not. The gas line was all messed up."

Remarkably, the shell of the house could be saved, "and by the end of April we had cleaned it out, and bought the materials, and rebuilt the house," Ben said. The fire had apparently started from a kerosene pot burner.

"After the fire we drove down the road and we each of us sat in our place, and we

just cried. I didn't even know where we were going," Ben said. He lost his treasured guitar in the fire, and had considered risking his life to try to rescue it.

Times were hard on the Labobes, who had no insurance. "Everyone got together and brought clothes," Shirley said. The Woodland school principal organized a drive that brought in money and goods.

"Our next door neighbors were really good. They went all over and collected money and clothes. People offered us furniture — we didn't even know who they were," said Ben, adding, "a lot of people from Loring Air Force Base brought things. And one little old lady (Helen Beveridge) made us a cake. I'll never forget it. She said her house burned down 12 years ago and she wanted to do something. We sat and talked with her and her husband and it was just like we'd known them."

"On the first house we didn't have much money. We had about \$1,000 between us. We went to AAI and got shingles for the roof, and ACAP (Aroostook Community Action Program) furnished my insulation and sheetrock," Ben said.

"The second time I did not dare to come back to them, so I went after a loan." He obtained \$5,000.

Last summer the Labobes built a new wing on their house, providing separate bedrooms for the children. Help was received from AAI.

Ben grew up in Houlton; Shirley is a Caribou native. "I've been to Illinois and I've been to New York. I don't think they're good places to raise kids," Ben said.



The Labobes rebuilt their A-frame house after fire, adding new wing. It wouldn't have been possible without help from neighbors.

Vote on settlement slated

(Continued from page 1)

no off-reservation tribal members voted. They were not notified of the referendum.

On-reservation Passamaquoddy at Pleasant Point voted 54-27 to accept the claims settlement. Fifteen Pleasant Point residents abstained.

Indian Island voted approval 234-118, in on-reservation balloting, and 77-7 in favor, through ballots of off-reservation tribal members.

Both at Pleasant Point, and especially at Indian Island Penobscot reservation, there were strong objections to the method in which referendums were conducted.

Gary Attean, Penobscot, sought an injunction in Penobscot tribal court to stall the referendum, on grounds that tribal members did not receive notice of the vote seven days in advance, as required under tribal statute.

However, tribal Judge Andrew Mead denied the injunction, after land claims lawyer Tom Tureen acknowledged the referendum was purely advisory, and not required prior to submission to the state legislature.

Also, the statute refers to an elected representative presenting a bill to the legislature, and Tureen said the state, not an Indian representative, would present the settlement.

The tribes have options to purchase sawmills at Princeton, and Old Town. The Penobscot Nation attempted

to reach off-reservation members by mail, and conducted workshops on the land claims in southern Maine, Boston and Connecticut.

Penobscot Gov. Wilfred Pehrson wrote in a letter to tribal members accompanying the settlement package: "The settlement will allow the Nation to work towards becoming economically self-sufficient and, not only will we alive today reap the benefits but so will our children and theirs and so on. The Penobscot Nation will not have to look to the future by depending on government contracts and grants. The settlement will allow all of us to determine our own future, and the means and methods to reach our goals."

Tureen and members of the tribal negotiating team (which includes governors of the three reservations) are concerned about how Congress will react to the settlement, in view of budget cuts and the fact that Congress shoulders the full financial burden of the claims.

But President Carter has vowed to support an out-of-court settlement in Maine, and Congress has reportedly "set aside" about \$62 million for the Maine Indian claims. Indian negotiators will work closely with the Maine Congressional delegation in the next few weeks. The entire settlement may be ratified and signed into law by early June.

High school girls launch newsletter

INDIAN TOWNSHIP — Newsletters come and go at the Township, but the people are seldom without one for long.

Beginning with Sylvia Sopieli's Mawiw Kilum, newsletters have proved their popularity. When Mawiw Kilum ended last year, due to lack of funding, the short-lived Passamaquoddy Spirit appeared, but lasted only a few issues.

Now Dawn Fitch and Jeannie LaCoute, two Township teenagers, have started a new one with the no-nonsense name of Passamaquoddy News Letter. It contains interviews with tribal members, sports, poetry and short stories, reservation news notes, and some art work.

Dawn Fitch worked with Sylvia Sopieli on Mawiw Kilum. She has continued that newsletter's popular feature, Beating the Drums, which contains short bits of news and gossip. Also, reflecting Dawn's experience on Mawiw Kilum is the regular column 'Thoughts for the Week, a page of sayings and one-liners.

Both girls are sophomores at Calais High School. Dawn said she hopes to attend University of New Mexico Art School and study journalism as well. Jeannie is considering becoming a legal secretary.

Dawn said she and Jeannie devote forty hours a week to the paper. She said it's



Dawn Fitch, newsletter editor.

not difficult to find news at the Township. "This is a small community. We know everybody," she said. That should be handy for the new "Dear Abby"-like column the girls are planning.

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New staff at Indian Township health center, from left, Ray Allard, Judy Clark, Pat Bailey.

Tribe eyes new business

PLEASANT POINT — There is a strong possibility the long-dormant fish processing plant may finally see action.

Built over two years ago, the plant has only been used for storage. According to Pleasant Point Lt. Governor Cliv Dore, within the month the plant will be processing fish, probably ground fish.

Dore said that if the tribe can get a grant, it will add quick freeze and storage space and begin the operation itself. Otherwise it will lease the plant to an off-reservation firm which has expressed interest in it.

The tribe is also completing plans to purchase the Eastport Water Works, Dore said. The cost is \$2.5 million. The tribe seized the purchase when the city of Eastport declined its option to buy the utility. The tribe will be picking up the loan Eastport had available to it.

Dore, who said he has been studying the purchase for more than a year, said the fact that the plant is being sold is not a sign that it can not be run at a profit. He

explained that the former owner was a large conglomerate in Philadelphia, which owns numerous small water companies across the U.S. and extracts large profits at the executive level by charging high rates.

Dore said current EPA standards would have forced the company to raise its rates to unrealistic levels to maintain its profit margin. He said the company could be run at the local level without a large rate increase.

According to Dore, the staff currently running the water works will be kept on.

A third industry which may come onto the reservation is Digital Electronics. According to tribal planner Charley Lewis the company would subcontract piece work to the tribe.

The old schoolhouse is being considered as a site for the operation. The work requires a two-week training period and would begin by employing around six people. "We're starting small," Lewis said.

Bar Harbor Airlines to start daily flights to Princeton, Houlton

INDIAN TOWNSHIP — Bar Harbor Airlines plans to initiate daily flights between Bangor, Princeton (Indian Township) and Houlton by September, Wabanaki Alliance has learned.

The service to Princeton apparently reflects new needs and affluence of the Passamaquoddy Tribe, according to tribal official Roger Gabriel. Two to three flights per day are being considered, he said.

Gabriel and fellow tribal employees John Stevens, Brian Bowden and Maurice Bean have worked with Princeton Town Manager David L. Holt to attract Bar Harbor's service. "We've had a great hand in it," Gabriel said. "The tribal staff and administration are traveling consistently and that two-hour drive over the 'Airline' (Route 91) isn't very convenient," he said.

Holt said in an interview that Gabriel "was extremely instrumental" in getting a grant for Princeton to repair and update its airport. Holt said regular air service was proposed as early as 1960. The air strip was built during World War II as an auxiliary to Bangor's air field.

Holt said \$500,000 worth of work has been done at the town airport, including restoring a railroad station as a terminal building, setting up a weather station and paving a ramp. Local business, National Guard, and state and federal agencies assisted.

Asked about the town's relationship with the adjacent reservation, Holt said, "I don't think anybody's kidding anybody. There's points of contention on both sides. My personal feeling is we're all going to be here together, and I think it would be irresponsible not to promote better relationships."

New staff, program at Indian Township

INDIAN TOWNSHIP — Three new staff have been added to Indian Township Health Center, and with them have come many new programs, including sex education counseling.

Ray Allard, new mental health coordinator for the center, said he has received "unanimous parental consent" for the sex education program, adding that all classes in the program will be previewed by Township parents.

The program is geared to children in the fifth through eighth grades. Due to resistance from Indian Township School the courses will probably be held at the health center. According to Allard, girls and boys at first will be counseled separately in groups of five and, later, will be taught in coeducational groups.

Allard is also in charge of preventive alcoholism counseling on the reservation. He said he plans to emphasize educating Township youth. "After people have been drinking for ten years (as alcoholics), you're not going to save most of them," he said.

Allard has an M.S. in health planning and was an alcoholism counselor with Connecticut State Dept. of Mental Health Services, Alcohol Division. He has also completed courses at Rutgers Summer School of Alcohol Studies and New England Institute of Alcoholism Studies.

Expanded alcoholism services are in the Township's future, Allard predicted. He said Boston Public Health Service offers free patient services to Indians, although he said the distance would present some problems. He also said Bureau of Indian Affairs (BIA) and Indian Health Services (IHS) will soon be making payments directly to alcoholism rehabilitation units such as at Eastern Maine Medical Center, rather than funneling money through Maine's intertribal alcoholism agency, Wabanaki Corporation. Although the health center currently is working with Wabanaki Corporation, he predicted that next year National Institute of Alcoholism and Alcohol Abuse (NIAAA), which funds Wabanaki Corporation, will fund the alcoholism program at the health center directly, in cooperation with IHS.

Among Allard's other duties is management of the reservation's social security, Medicare and Medicaid, and Women, Infant Care (WIC) programs. He also provides child and marriage counseling services.

Working with Allard in preparing some of the programs, such as sex education, is the new community health educator, Judith Clark, a resident of Grand Lake Stream. Also included in Clark's educa-

tional duties is putting out the health center's newsletter.

As a registered nurse, Clark also is responsible for making home health visits and conducting health clinics such as diabetes testing in the school. She is also an emergency medical technician (EMT) and has been instrumental in obtaining and outfitting the reservation's new ambulance scheduled to arrive this month.

The third new member of the health center is Pat Bailey, a resident of Princeton. She is in charge of the ambulance team at the Township. Bailey, who received her EMT training in Calais, said two Township residents, Matthew Dans and Doris Chapman, have just received their EMT certification. Two more, Cheryl Bacon and Linda Norton, are expected to finish their training in April. Certification as an EMT requires 100 hours of training.

Bailey said she will be on duty at the reservation from 10 p.m. to 6 a.m. five days a week. The rest of the time, she said, the Princeton team will be covering the reservation.

Eventually, Township teams will man the ambulance, but even those with EMT certificates must have "hands on training first," she said.

Pipeline easement could yield \$10 million

The Northern Tier Pipeline Company has offered to pay the Confederated Kootenai and Salish Tribes at least \$10 million over a 20-year period for an easement to route the firm's proposed crude oil pipeline through the Flathead Reservation. The offer was made to the tribal council in early March. It included a down payment of more than \$1 million and payment of more than \$1 million and annual payments of more than \$400,000 during the contract period. He said Northern Tier's offer would contain an inflation clause, based on a cost-of-living adjustment to be negotiated every five years. The tribal council did not act on the offer but agreed to consider it.



CLERK OF TRIBAL COURT — Dorothy Foster, a Bangor native with eight years' experience in state and federal courts, has been hired by Penobscot Nation tribal court. A graduate of Bangor High School, she is married and has four children; two grandchildren. She has taken courses at Husson College and Bangor Community College.

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INDIAN ISLAND

Tribal business policy irks Passamaquoddies

By Bill O'Neal

PLEASANT POINT — "Federal money is being used to kill self-sufficiency." This is the opinion of tribal member Ralph Dana, an out-spoken advocate of free enterprise on this Passamaquoddy reservation.

Opposition to continued dependence on federal dollars to provide employment and fund nearly every aspect of tribal administration has come from divergent sides ranging from businessmen such as Dana to traditionalists, who view the dependence as demeaning.

Dana cited the tribe's trucking business as an example of federal money stifling individual efforts. He described Tribal Trucking, Inc. as "a dummy corporation being used to siphon off money from HUD (U.S. Dept. of Housing and Urban Development) to the tribal council."

According to Dana, who operates a private trucking business, he offered the use of his trucks at a rate of \$2.25 per cu. yd. in the building of part of the reservation's large HUD housing project. Instead, he said the tribe used Tribal Trucking at a rate of \$2.75 per cu. yd.

Dana said he told tribal officials he could save the housing project at least \$10,000, but that "they said they were going to let Tribal Trucking handle the contract, even if it was more expensive."

Dana blames the present inability of the Housing Authority to complete at least ten of its houses on such non-competitive practices.

In a letter to HUD officials Dana wrote, "Better housing is being jeopardized by the anti-competitive practices being exercised by the local Housing Authority. This is in a sense killing free enterprise with federal dollars."

Another tribal member, who was laid off when the tribe ran out of housing money, said he pointed out numerous examples of waste to tribal officials, but was told that the force account was a training program and had been budgeted to accommodate some waste. Shortly after that, he said the money ran out.

Basket Co-op

As another example of tribal individuals being driven out of business, Dana mentioned the federally subsidized basket co-op run in the early 1970's under Office of Economic Opportunity (OEO). In this tribal project Office of Minority Business bought basket materials for the co-op, supplied consultants, and paid administrative expenses. Dept. of Labor paid each basketmaker in the co-op a minimum wage.

Dana, who took over as director of the project in 1973, said reservation basket makers came to him and said, "Ralph, we can't compete with you." According to Dana, the project went bankrupt because the wages the government had paid had been unrealistically high, and the business could not support them. In the process, he said, basketmakers not in the co-op had had to find other work.

Dana disputes the contention that tribal running of businesses results in better employment, pointing out that because of the housing problems, unemployment may be as high as 73% on the reservation.

He said in his business, he uses Indian labor. He charged that the administration has hired non-Indians to perform work, when people on the reservation could do it. Again, he cited his trucking company as an example.

Several years ago, he said, the tribe had awarded a garbage collection contract to an off-reservation non-Indian, related to a council member. When Dana protested, the contract was opened to bids, and Dana outbid the three other contractors. When his contract came up for renewal in Nov. of last year, however, Dana was told that the Tribal Trucking Company was now going to take over garbage collection. According to Dana, garbage collection is now being handled by an off-reservation company.

Dana admitted that tribal government had recently contacted him to see if his trucks were running. Dana had replied that they were operable, but not registered. "When I saw the trash on the streets, I put two and two together," and called back. He was given the impression that his trucks would only be needed once, so he declined, since the cost of getting the trucks registered would not have been worth it. He said he would have asked for the job if he had been told it was for an extended period.

Another tribal member, Daniel Francis said he has had similar problems getting the tribe to use his services. Francis, who has experience as a cement pourer, tried on several occasions, he said, to contract with the tribe for construction work, but was turned down. Outside contractors were given the job, he complained. The tribe "wouldn't talk to me about a bid."

Off reservation

Both Dana and Francis were born at Pleasant Point, but moved away to find work. Dana said he has been criticized for leaving the reservation, by people who say he didn't "pay his dues." A tribal official asked him, "Where were you when the going was tough?"

"Well, I'm a lot older than he is," Dana said, "and I was here when the going was tougher."

"We came back because we want to work. The welfare groups are in power. We came back to help the reservation. Both me and my wife were making more money off the reservation," he said.

Although Dana says he prefers private enterprise, he said he would support tribally-owned businesses, but that based on past records he doesn't trust them. "Everything they have touched has failed," he said. "The laundromat, the fish processing plant, the basket co-op, the truck business. The tribe could have developed tons of business for the trucks," he said.

Tribal store

Others on the reservation share Dana's distrust of tribally-run businesses. Dana said that last year he and eight other investors had raised \$51,000 to start a store on the reservation. At least three of them refused to invest if the tribe had anything to do with the store, he said. According to Dana he persuaded them to seek council involvement, because the tribe had to grant a permit and approve a location. After tribal council agreed to consider the store, Dana said, tribal officials repeatedly failed to show up for scheduled meetings with the investors, who consequently dropped out in disgust. Dana was told soon thereafter that the tribe had decided to start a co-op store that would involve the whole reservation, not just your group.

"Tribal officials have said that the store has not materialized because of opposition from communities near the reservation, who have complained to the federal agencies which would have supplied money to begin the store."

According to a tribal official, plans are underway to start a store on the reservation which would be free of tribal government control (see story elsewhere in this issue) and which would not rely on government grants.

Indian rights being felt

DENVER — Agitation for laws to abrogate treaties with Indians is evidence that Indians are making progress in asserting their legal rights, said U.S. Interior Under Secretary James A. Joseph, during recent swearing-in ceremonies for Bureau of Indian Affairs chief William E. Hallett.

Hallett, a Red Lake Chippewa, was nominated by President Carter on September 28 to be the Bureau's 42nd commissioner, and was confirmed by the U.S. Senate on November 16.

Many people favor tribally-owned enterprises, but object to the heavy use of federal dollars to run them. Former tribal planner Robert Mendoza has voiced opposition to the tribe's continued use of HUD money to build houses. He thinks the tribe "should try to get away from dependency."

Another opinion

As a planner Mendoza proposed that the tribe should "turn away from large HUD-financed projects." He recommended that houses be built, emphasizing passive solar heat, and be designed for particular families, with each family

taking part in the design, siting, and construction of its home.

He further proposed that the tribe begin a small saw and planer mill and a tribal construction company, as well as establishing a design and engineering department. He recommended that a tribal revolving fund, stumpage money, and various loans be used to build the houses.

"Housing has changed the whole character of the reservation," he said. "It has led to many of the problems we are having. It was a good idea on the short term, but not in the long run."



Ahoy, Passamaquoddy I

The 42-foot Island Queen, valued at \$125,000, is a former drug-running boat seized near Florida. The Passamaquoddy tribe obtained the vessel free from the federal government, and will re-name the sportfisherman Passamaquoddy I. (See story, front page)

New funding tack considered

INDIAN TOWNSHIP — Tribal officials are considering a new method of federal funding to cut down on paper work.

According to tribal planner John Stevens, the tribe is negotiating with various federal agencies to try a "consolidation" approach to funding.

Under this system, rather than apply to one agency for a grant to fund an entire project, such as housing, the tribe would

present its needs to a consortium of agencies, which would then decide among themselves how much each agency would contribute toward the project.

"Core salaries are the only thing we have submitted so far," Stevens said. "We are looking at this as a first step," he added. If it is successful, Stevens said the tribe would use this technique for much of its funding.

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Tekakwitha: 'Someday she'll be a saint'



Mildred Akins, 69, of Indian Island, displays plaque she received recently for her work in furthering the cause of Kateri Tekakwitha, a 17th century Mohawk Indian who is a candidate for sainthood in the Catholic Church. The plaque reads: "For generous, faithful, enduring dedication to the cause of the Lily of the Mohawks."

INDIAN ISLAND — Mildred Akins is not one to sit around the house. She always has a million-and-one things to do, and, believe it or not, gets most of them done. Including caring for grandchildren and baking her delicious fry bread.

One thing that never gets left out is religion. Mrs. Akins is especially proud to be associated with the movement to make a 17th century Mohawk woman a saint. For years now, she has traveled to Auriesville, N.Y., to attend worship at the Kateri Tekakwitha shrine there.

April 17, 1980, will be the 300th anniversary of Kateri's death at age 24.

"One of my ambitions in life," Mrs. Akins said, "is to make her known, and I'll go anywhere to talk about her. She'll be a saint someday anyway, whether I intercede or not. I know of that."

Last fall Mildred Akins was presented with a special plaque for her "enduring dedication" to the cause of Kateri — the Lily of the Mohawks.

"I pray every day now, maybe more since Watie (her husband) died," Mrs. Akins said. She is a member of a prayer group at Indian Island that meets Wednesday evenings, at St. Ann's Parish. Interested persons are welcome to attend, she said.

Mrs. Akins has a 20-minute film strip on Kateri's life, at her home, and it is available on request, she said. It describes how Kateri suffered from disease and persecution by her tribe, but later took a vow of virginity, saw a vision, and gave her life to Christ.

An account of her last hour

"At three o'clock her agony began," the most gentle agony in the world. A little later, she lost the power of speech while uttering the names of Jesus and Mary. She could still hear very well, her two biographers remark, and was fully conscious. It was evident that she was trying to make, at least interiorly, the acts suggested to her. At last, about half past three, she peacefully expired, just as if she had gone quietly to sleep.

"This was on Wednesday in Holy Week, 17 April, 1680. Catherine Tekakwitha was in her twenty-fourth year. Father Olivaint, S.J., martyr of the Commune, was fond of repeating that 'it needs less time than courage to become a saint.'"

"A quarter of an hour after Catherine's death, a change took place in her which was a cause of great astonishment to the missionaries and everyone in the village.

"Father Cholonee himself will tell us about this astounding event:

"At four years of age," he says, 'Catherine's face had been pitted with small-pox; her infirmities and mortifications had also helped to disfigure her. But this face, so very swarthy and emaciated, changed suddenly about a quarter of an hour after her death, and became in a moment so fair and beautiful that, noticing the change (for I was praying beside her), I cried out in surprise and called the Father who was working on the Repository for Maundy Thursday. He and all the Indians came in a hurry on hearing of this miracle, which we were able to contemplate until she was buried."

— From "Catherine Tekakwitha" by Edouard LeCompte, S.J., 1932.



Kateri Tekakwitha: 1656-1680

1656 — Born an Algonquin-Mohawk Indian at Ossernenon (Auriesville) State of New York.

1676 — Baptized on Easter Sunday, April 5th at St. Peter's Mission near Fonda, N.Y. (now Fonda Tekakwitha Shrine).

1677 — Persecuted for her faith Kateri fled to St. Francis Xavier Mission, Caughnawaga, Canada. There she received her first holy communion on Christmas in 1677.

1679 — She pronounced her vow of virginity, the first of her race to do so, on March 25, 1679.

1680 — Kateri died on April 17, at the age of 24.

1943 — Proclaimed venerable by Pope Pius XII on January 3, 1943.

1976 — Tricentennial of her baptism.

Cutler, of claims fame, quits OMB job

WASHINGTON — A Bangor native who worked on a federal solution to Maine Indian land claims has resigned his job as associate director of the Office of Management and Budget (OMB).

Eliot R. Cutler, 33, became a familiar name to Indians when in 1978 the so-called White House work group, of which he was a member, proposed a \$27 million plus

100,000 acre settlement of Penobscot-Passamaquoddy claims. The proposal placed the financial burden on the federal government — as in the current pending claims package — but Indians rejected the plan.

Cutler, a Harvard graduate, has joined a Washington law firm.

Vicaire voted CMIA president

ORONO — Tom Vicaire of Mattawamkeag was elected president of the board of directors, at a meeting this month of Central Maine Indian Association (CMIA).

Vicaire, former CMIA executive director, was also named representative to Federal Regional Council Indian Task Force, by unanimous vote.

In other action, Carol Farrenkopf of Bangor, Vicaire, and John Isaac of Millinocket were named to the advisory board of an Indian film project called "We're Still Here."

Tom Thurlow, CMIA staff member, was elected a representative to the Wabanaki Corporation board. Carrol Stevens of Orrington was voted to the advisory board of this newspaper.

Bridget Woodward, secretary, was directed to write a letter to Martin Deveau, a CMIA board member who has not been able to attend board meetings.

Donna Loring reported \$4,958 in CETA funds has been allocated to CMIA by Penobscot Nation.



Taking care of business at Central Maine Indian Association meeting are from left, Ramona Stackhouse, Jeannette LaPlante, John Isaac, Tom Vicaire, Bridget Woodward.

WABANAKI CORPORATION ALCOHOLISM COUNSELORS AND THEIR LOCATIONS:

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Rosalie Clark	866-5577
Clarence Francis	866-5577
Pleasant Point	
Grace Roderick	853-2537
Ralph Dana	853-2537
Northern Maine	
Alfred Dana	866-5577
Caribou Area	
Pious Perley	532-7317
Harriet Perley	532-7317
Portland Area	
George Paul	499-7589
Indian Township	
Bernard Stevens	796-2301
James Mitchell	796-2301

Claims stir debate

(Continued from page 1)

Indian people, one of the biggest mistakes to have ever been done to the Indian people of Maine."

Penobscot Sam Sapial called it "one of the biggest swindles in U.S. history," and complained it was "a loss of sovereignty."

Eunice Crowley, Penobscot, echoed the group's sentiments. "We are losing our rights," she declared.

"Why are they rushing it? We're not lawyers but we're people with common sense. We know when we're being snowed. Please don't take any more rights away," said Ann Pardilla, Penobscot.

"If this bill gets passed, we will cease to give thanks. We will cease to dance in thanksgiving," said Sisyis, a Penobscot. Dolly Smith, Passamaquoddy, called the settlement "a way to extinguish our rights as a sovereign people."

"It's being pushed without our people understanding it," said Smith, explaining that at Pleasant Point, her home, only 96 out of 823 eligible voters cast a ballot in a land claims referendum this month.

Neena Neptune, Penobscot, stated, "my people have come here to state their opinions. We tried it with our governor and council and it fell on deaf ears."

Later, Ned Phillips, Penobscot, asked tribal lawyer Tom Tureen if he had stated the reservation vote was "advisory," and if the people would have a chance for a final vote "so they can either affirm it, or throw it out."

Tureen said although the vote was advisory, it was sufficient, and in any case, it would be the decision of tribal governor and council to hold another vote.

Isabelle Shay, Miamae, said she had "questions you cannot answer." "If Maine is a sovereign state, then we are a sovereign nation," she said.

Sen. Samuel Collins, who conducted the hearing, asked Tureen about the disconnection with the settlement.

"Not everyone is happy with that, but at least it's a negotiated settlement," Tureen said.

Atty. Gen. Richard Cohen, principal negotiator for the state, warned that if the \$2.5 million per land claim went to court, results would be "catastrophic." He said it would take five to six years, cost the state \$1 million in fees, and cause "serious economic and social disruption with land titles." Also, it would adversely affect bond ratings in municipalities in two thirds of the state.

"This proposed settlement does not create a nation within a nation," announced Cohen, borrowing a phrase from former governor James Longley, a persistent critic of the Indian claims. Cohen mentioned recent federal jurisdiction rulings that favor Maine Indians.

"If the Indians won in court, not only would we lose the land, but we would probably be unable to enforce state laws on Indian lands. I believe that situation would be intolerable," Cohen declared. He said 18 months of talks with the negotiating team had produced a settlement that is "sound and true, and very favorable to the state and its citizens."

"If this proposal fails, we should be prepared to go to court. If this proposal fails, we should be prepared to raise \$1 million for defense of the claim," Cohen said.

David Flanagan, legal counsel to Gov. Joseph Brennan, said the proposed settlement "offers a whole new basis for building a relationship with our Indian citizens. This bill imposes more state authority," he said, adding, it represents "no significant compromise of the state's sovereignty at all."

The Indian communities will be treated as municipalities, Flanagan asserted.

The settlement will "totally and completely extinguish" Indian claims in the state, he said.

Former lawyer for President Nixon,

James D. St. Clair, speaking as counsel to the state, pointed out "the U.S. must be a party to the overall settlement. This act will not be effective until federal legislation is enacted that effectively disposes of all Indian claims in Maine."

St. Clair cited his work in opposing Wampabog Indian claims in Mashpee, Mass., where a "preliminary issue" (whether Mashpee Indians constituted a tribe) took three months to try, and two years to review. "When it is suggested to you that it would take five to six years, that is a very reasonable estimate," St. Clair said.

Despite advocating the state settle with the tribes, St. Clair said the very basis of tribal claims — the 1790 Trade and Non-intercourse Act — does not apply to eastern states, and was never intended to do so. In recent years, however, federal district court rulings in Maine indicate otherwise.

St. Clair asserted the settlement will recover for the state the sovereignty that was eroded by the Sockabasin-Dana case last summer, in which a federal judge ruled that Indians in Indian territory are not subject to state criminal jurisdiction.

"It may not bring peace and harmony right away, but I believe eventually it will," St. Clair said.

Tureen, the lawyer who has built, launched and steered the land claims through successful court rulings and dozens of negotiating sessions, stated the plan "is very much a compromise." He said 300,000 acres to be purchased by the tribes with federal funds is not an arbitrary figure, but was reached after much discussion.

Indians will also purchase two sawmills, one in Princeton and another in Old Town, and a small blueberry farm. "These going businesses should help the Indians," in economic respects, Tureen said.

Donald Perkins, lawyer for major landholders who have agreed to sell acreage to Indians at about \$180 per acre, warned that if the settlement fails, "we will have a lawyer's dream."

Perkins said, "in our opinion your state officials have done a good job."

The public hearing was conducted by the chairman of a joint Maine House-Senate select committee charged with studying the claims legislation and making a recommendation to the Legislature. An affirmative vote by the state will send a bill to Congress, where final ratification is anticipated. Some sources question whether Congress — in its present budget-cutting mood — will want to foot the entire \$61 million cost of the Penobscot-Passamaquoddy settlement.

Chairing the committee were Senator Collins of Rockland, and Rep. Bonnie Post of Owls Head.

Speaking briefly on behalf of "the Houlton Band of Maliseets," which will receive 5,000 acres in the proposed settlement, was Terry Pulchies of Association of Aroostook Indians.

Ellsworth American editor and publisher J. Russell Wiggins complained at the hearing that there was "no discussion of the real merits of the land claims case," such as "what the odds are." (Earlier, a spokesman for the state estimated odds at 60-40, in favor of Maine, but Indians dispute that figure.)

Wiggins maintains Penobscots and Passamaquoddy "forfeited" aboriginal lands, and he referred to Andrew Jackson, who at one time "deplored the fact that the U.S. government was conducting the business of Georgia's Indians, while the state of Maine was conducting the business of its own Indians."

Wiggins argued a 100 years of warfare in a "savage wilderness" left Indians without a claim.

Hunting, fishing and rights of existing camp owners were questioned by concerned individuals, who were told they



ON THE MOVE — Approaching civic center in Augusta for public hearing on land claims are from left, Penobscot Gov. Wilfred Pehrson, Passamaquoddy Lt. Gov. Carl Nicholas [partly hidden], Passamaquoddy Gov. Harold Lewey, lawyer Thomas Tureen, and Penobscot Tribal Administrator Andrew Akins, spokesman for the joint tribal negotiating committee. See more photos and story on inside pages.

could expect to continue their activities. Existing camp lots may be purchased from current owners for a few hundred dollars.

A number of persons spoke for and against the claim, but mostly favored the settlement. Lawyer James Mitchell said the proposal proves "justice can be obtained... the system works."

Merrill Bank president William Bullock declared, "the federal government got us into this sea of worms, and it's their responsibility to get us out." Millinocket Town Manager William Ayoub, and Northeast Bank official Claude Carboneau, supported the settlement as a means of

clearing loans and land titles.

Collins, who said he had a memo from Longley, asked Tureen why settlement could not be reached through the U.S. Court of Claims, which happens to award money, not land.

Tureen told him such action would be "fundamentally unfair... a violation of human rights and certainly a violation of legal rights."

The joint select committee was expected to vote on a recommendation to the Legislature, and the state house and senate were expected to in turn vote on the settlement in the next few days.

Cases slated for trial in tribal court

INDIAN ISLAND — Trial dates were set in the cases of several Indians appearing at a recent session of the first tribal court in Maine, established by the Penobscot Nation. Judge Andrew Mead presided.

Philip Guimond pleaded innocent to a charge of speeding, 30 mph in a 15 mph school zone, Jan. 22, and a charge of operating after suspension the same date. He also pleaded not guilty to an operating after suspension charge alleged Feb. 16. The cases were continued for trial to April 2.

Eloise Francis pleaded innocent to charges of criminal mischief, and assault, Aug. 25, 1979. The case was continued to April 2 for trial.

Also charged in connection with an incident Aug. 25, 1979, was Newell F. Lewey of Mars Hill, who has failed to appear in court. However, the court has had difficulty contacting the accused.

Janet Dana Alvater pleaded innocent to charges of assault and criminal mischief, Aug. 25, 1979; case continued to April 2.

Timothy Neptune pleaded innocent to a charge of assault on an officer, March 4. He was released on \$100 cash bond; case continued to May 14 for trial.

The case of Dorothy Nelson, charged with obstructing government administration, and failure to stop for a police officer, March 14, continued to May 14.

Carl Mitchell pleaded innocent to a stop sign violation charge, alleged March 4, and his case was continued for trial to April 2.

James Sappier, charged with parking to as to obstruct traffic, Jan. 20, pleaded innocent and requested trial. Trial date was set April 16.

Susie Neptune, charged with parking so as to obstruct traffic, Jan. 27, pleaded innocent, and trial date of April 16 was set.

Mark Mitchell pleaded guilty to speeding, 26 mph in a 20 mph zone, Jan. 28, and was fined \$10.

Alice Francis, charged with operating under the influence of liquor, Aug. 25, 1979, pleaded innocent. Her case was continued to April 2 for trial.

Barbara Francis pleaded guilty to operating after suspension, Jan. 23, and was fined \$75.

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April 18, 1980



Following the debate at land claims hearing are tribal negotiating team members Timothy Love, left, Gov. Robert Newell, Joseph Nicholas [not a member], Allen Sockabasin.



Perhaps the youngest Indian taking notes at public hearing is this youngster, whose seatmate, even younger, gets a little nourishment.

Views of public he



HASTY HUDDLE — Penobscot-Passamaquoddy land claims negotiating committee meets informally with lawyer Tom Tureen [center, dark suit, facing away from camera]. Other members of the team are from left, Albert Dana, unidentified man, George Stevens [face hidden], Gov. Harold Lewey, Allen Sockabasin, Andrew Akins, Guy Phillips, Tureen, Lt. Gov. Cliv Dore, Terry Polchies, Gov. Robert Newell, Clayton Cleaves.



James D. Wherry, left, anthropologist working with Association of Aroostook Indians [AAI], and Reid P. Chambers of Washington, D.C., right, lawyer for AAI, listen at hearing on land claims.

A summary of land claim legislation

By Thomas N. Tureen
Tribal Attorney

The settlement legislation provides for a total appropriation of \$81,500,000, of which \$54,500,000 is to be used by the U.S. Secretary of the Interior to acquire land for the tribes.

These new lands cannot be acquired without the consent of the tribes. The negotiating committee has secured options whereby various sellers are committed to selling three hundred thousand acres for the settlement. These lands include a large contiguous area with approximately one hundred miles of lake frontage midway between Old Town and Indian Township. Sufficient funds to acquire five thousand acres are set aside for the Houlton Band of Maliseet Indians, but the settlement provides that these lands will be divided and held in trust for the Passamaquoddy Tribe and the Penobscot Nation in the event the Houlton Band ever ceases to exist as a band.

\$7,000 per day, each tribe

The legislation provides for a trust fund of \$27,000,000 to be held in trust by the United States and administered on terms set forth by the Tribes. The Secretary must make the income from this trust available to the tribes every three

months. This income, together with income from other trust assets will generate an estimated \$2,555,000 per year (\$7,000 per day) for each tribe. The use of this income will not be subject to regulation by the government, however, the settlement requires each Tribe to expend at least 7.4% of this amount (the income from \$1,000,000) for the benefit of its members over 60. If this amount were paid as a pension it would result in an estimated monthly payment of approximately \$150 to \$200 for each elderly tribal member. The legislation provides that no payments under the settlement can be taken into consideration or used to reduce the amounts that the tribe or any of its members might otherwise receive under any federal program, including, for example, Social Security.

The settlement provides the tribes will be fully federally recognized tribes for purposes of all federal benefits and will also be eligible to receive a variety of state programs.

General Principles: The settlement is based on the following basic principles: Protection of internal tribal matters from state or federal interference, adoption of certain state laws by the tribes, protection of Indian lands through the trust relationship, and elimination of federal restric-

tions and controls over internal tribal affairs and management of property.

No land can be sold

Property: The newly acquired land under the settlement will be held in trust by the United States, and the existing reservations will be subject to a federal restriction against alienation. No lands, either existing or new, can ever be sold without the consent of the tribes and even with the consent of the tribes, can only be sold to accomplish a land swap. No lands can even be taken for taxes. While the federal government will have trust responsibility to protect the land from ever being lost, it will not have the kind of power that the federal government has on the federal reservations in the west to dictate how the land is to be managed. The settlement legislation specifically provides the land will be managed in accordance with a plan prepared by the tribes. The power of the State to ever take tribal land for a public use is severely limited.

Taxes: Under the settlement the tribes will be immune from federal corporate taxes on tribal enterprises and the trust fund will be immune from all forms of taxation, state and federal. State personal income and sales taxes will apply, and the tribes will make payments in lieu of taxes for County property taxes.

Courts: Each reservation may establish tribal courts, and the courts will operate laws relevant to courts on federal Indian reservations. The tribes will use the State's definitions of crimes. The jurisdiction of the courts will extend to Indian vs. Indian offenses. The tribal courts may also exercise civil jurisdiction over matters such as domestic relations, child custody and small claims.

Hunting and fishing

Hunting, trapping and fishing: The tribes will control hunting and trapping throughout all of their lands. The regulations for any commercial hunting or trapping must apply equally to Indians and non-Indians, but non-Indians can be excluded entirely from any such commercial activity. Regulations for subsistence hunting or trapping, by Indians, however, can be different for Indians and non-Indians. The tribes will control subsistence fishing by Indians on all waters within the existing reservations. Fishing on lakes and rivers within newly acquired lands which had more than 10 acres of surface area in their natural state, will be regulated by a Tribal/State commission. All of the hunting and fishing provisions are subject to the condition that Indian practices not substantially diminish stocks on adjacent non-Indian lands.

earing on claims



ANTI-SETTLEMENT — Penobscot Dana Mitchell, flanked by supporters, speaks out against proposed Penobscot-Passamaquoddy negotiated settlement of land claims, at Legislative public hearing in Augusta. [See text of Mitchell's remarks in these pages.]



Serious looks characterize faces at public hearing on land claims. At right are Carole Polchies and her father, Dr. Peter Paul, Maliseets from Woodstock Indian Reserve, New Brunswick.



Lawyer for the state, James D. St. Clair, second from left, confers with associate, while Maine Atty. Gen. Richard Cohen, far right, listens to Deputy Atty. Gen. John Paterson.



Stanley Neptune, right, listens to debate on claims proposal at public hearing, an eagle feather in his hand.

Indian lawyer finds fault with proposed settlement

INDIAN ISLAND — The proposed resolution of Penobscot-Passamaquoddy land claims is a "sell-out," according to a Washington, D.C. lawyer who briefly visited the reservation and met with a group of traditionalists and sympathizers who oppose the current settlement plan.

Robert T. (Tim) Coulter, head of Indian Law Resource Center, maintains pending legislation to settle the land claims will "virtually terminate the sovereignty of the (Penobscot) Nation."

An effort by the joint tribal claims negotiating team to discredit Coulter included a "fact sheet" that suggested Coulter had CIA ties, and other questionable associations. It also said Coulter has never won a case for Indians.

Coulter listed the following "problems" with the current plan.

1. The draft Settlement Agreement on which the bills are based has not been made available for review nor made public.

2. There is no legal guarantee that Congress will appropriate the money to create the promised Settlement Fund and the Land Acquisition Fund. The bills would extinguish the claims, but without actually guaranteeing payment in return.

3. The bills will place the Penobscot National and its lands entirely under the jurisdiction of the State, except for certain internal matters. The Department of the Interior will have vastly increased bur-

eaucratic control over the Penobscot lands. The sovereignty of the Nation will be effectively terminated and the Nation changed into a form of municipal government.

4. All Penobscot lands and personal property will become effectively subject to State and local taxation. Furthermore, there will be no exemption from State sales and income taxes, and other State and local taxes as is enjoyed today here and on other Indian lands.

5. In exchange for extinguishing the Penobscot land claim and extinguishing Penobscot title to all claimed lands and resources outside the present reservation, the bills would authorize a Settlement Fund and a Land Acquisition Fund to be held and administered by the Secretary of the Interior. If Money is made available for the funds, the Secretary of the Interior will have the final say over the use of the funds, not the Nation. No money will be paid to the Nation except the income from one half of the settlement fund.

6. The lands to be purchased are not described or identified in any way. No particular lands and no specified amount or type of lands are assured by the bills.

7. Land purchased by the Secretary of the Interior using the Land Acquisition Fund will not have the same legal protection as Indian lands elsewhere.

— The lands will be subject to eminent domain taking.



Terry Polchies, Maliseet spokesman, listens intently.

Week in Boston exciting for Pleasant Point CYO

PLEASANT POINT — Ten young people belonging to St. Ann's CYO here, spent an eventful week in Boston and Cape Cod last month, accompanied by friend and guide, Brother Larry Smith, S.J., associate chaplain and deacon at St. Ann's Mission on the Passamaquoddy reservation.

The field trip was jointly sponsored by St. Ann's, Beatrice Rafferty School and Pleasant Point tribal council. Indian youth on the trip were Jackie Lola, Lynn Neptune, Lynn Bailey, Betty Soctomah, Margo Richter, Jiggs Mitchell, Rena Newell, Lori Lola, Justina Quinn, Joe Quinn.

The following log of the trip was written by Brother Larry Smith:

On Sunday, Feb. 17, the group arrived in Buzzard's Bay, Cape Cod, where they would stay at the home of Joe and Linda Augustine, Brother Larry's sister. We got in about midnight due to some mechanical problems with the school bus.

Monday was Linda's birthday, so after doing some grocery shopping and unpacking, we attended a small birthday party at the home of Brother Larry's parents in Brockton, and then took in a movie in the evening.

Tuesday was our busiest day of the trip. It began early in the morning, with a visit to the New England Aquarium in Boston. We parked the bus near Boston Common and travelled by subway — a new experience in itself for most of the kids.

We spent a couple of hours at the aquarium, enjoying especially the live dolphin show. After the aquarium it was back to the subway and a ride to Boston Garden for the Ice Follies, that spectacular variety show on ice.

The Ice Follies ended at 4 p.m., so after walking through the crowd we walked 5 or 6 blocks to the Quincy Market near historic Faneuil Hall, where we browsed at the many shops and eating places.

At about 7 p.m. it was back to the subway. As we walked past Boston's ultra-modern City Hall there was a young musician in one corner of the building blasting away on an electric guitar with huge amplifiers. He was "flying in a world all his own."

We arrived back at Boston Common and proceeded to the Colonial Theatre in Boston's theatre district, where we attended that wonderful long-running musical "Annie." It was one of the highlights of the trip. It was also a long and exhausting day.

Wednesday we slept in, and began the day with brunch. We then headed once

more for Boston and a visit to the top of the John Hancock building, the tallest building in Boston, for a spectacular view of the city.

First day of Lent

Wednesday was Ash Wednesday and the first day of Lent, so we hopped on the subway again for Boston Common and the Paulist Center Chapel, where we attended Mass and received the Ashes, to remind us all that we came from the dust of Mother Earth and will, so very soon, return to her embrace.

One of the girls had a profound theological insight: she whispered in my ear during the service that she thought the young priest was "cute."

After Mass, we re-boarded our bus, ate the sandwiches we had prepared, and drove over to Cambridge where we took in a movie and returned home.

Thursday, we began the educational part of our trip. It began with a tour of the laboratory and plant where Brother Larry's sister Linda works: the sewage treatment facility of the City of Brockton. It was interesting but a little smelly.

We drove to the other side of Brockton, where we had a guided tour by the assistant manager of the Howard Johnson's plant where they made the frozen foods, English muffins, and ice cream. It was a "filting" tour and the smells were delicious, especially the fried clams.

In the afternoon we had a guided tour of Boston College (which is actually a university).

A few of us managed to get lost, and as a result had a private guided tour of the School of Nursing and its library by the librarian.

Naturally we had to spend some money on souvenirs so we stopped at the University Bookstore. While waiting in the bus for some of the last minute shoppers one of Boston College's 2,000 students came hurrying over. She asked which part of Maine we were from. When we said Perry she said that she was from Calais and was so happy to see someone from home. She was a freshman, Noel Plourde, and had only praise for the school and college life. She stayed with us for about a half hour, telling all about college life and how wonderful it was.

After a stop at Friendly's ice cream, we headed home. The trip back to the Cape was spent singing songs, and the rest of the evening was spent telling stories in Passamaquoddy language, seeing how much we could all understand.

We finished up the evening with a session of quiet meditation and prayer.



Sightseeing on a recent field trip to Boston were these Passamaquoddy CYO members accompanied by Brother Larry Smith, S.J. Seen with Brother Larry, beside his sister's house on Cape Cod, are from left, Lynn Neptune, Rena Newell, Justina Quinn, Sabattis [Jiggs] Mitchell, Betty Soctomah, Joe Quinn, Margo Richter, Lori Lola, Lynn Bailey, Jackie Lola.

That's what we usually do at our C.Y.O. meetings back home.

Visit to Harvard

Our last full day was spent at Harvard University. In the morning we visited the Peabody Museum with all its exhibits, including the Ethnology and Zoological Museums, as well as the exhibit of the famous glass flowers.

The afternoon was spent at the Harvard Coop in the Record Department, getting lost and split up and generally frustrating Brother Larry.

We then drove back to Buzzards Bay for supper in "any restaurant of our choice." Some of us went Chinese, some went Kentucky Fried Chicken, and others Papa Gino's Pizza — real gourmets aren't we?

Saturday was our trip home. We all hated to leave and told Brother Larry we all wanted to stay for another two weeks. He only moaned and sighed.

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TO YOUR HEALTH — The new Pleasant Point Health Center will be occupied by mid-April and dedicated in early May. The \$225,000 complex was started last October. It is owned by the tribe and will be leased to Indian Health Services. The lease will be negotiated this month.

VETERANS ADMINISTRATION
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Fugitive jurisdiction case heard in superior court

BANGOR—A man who had been living on Indian Island told a court here he was a Miemac Indian, in an effort to avoid extradition on a fugitive from justice charge in California. He was serving time for murder.

The young man has at different times given his name as Michaelangelo Giovanni Benete, of Miemac-Sicilian descent; and as Michael Bennett, claiming his mother was Sicilian, his father, William Bennett, a Miemac.

At a recent superior court hearing, he used the name Bennett.

Bennett said he arrived at Indian Island in August 1979, and asked permission of "Wally" (Gov. Wilfred Pehrson) and Andrew Akins, tribal official, to stay at Indian Island in a tent. He said he was "getting ready" to work for Miles Francis of Indian Island, proprietor of Old Town Applicators.

Andrew Mead, recently hired tribal judge who had earlier represented Bennett as Benete, testified Bennett was arrested Sept. 19, 1979, at Indian Island, and that he (Mead) served a fugitive warrant Nov. 15, 1979.

Bennett claims to be a half-blood Miemac, and his new lawyer, Julio DeSanctis, argued that recent court decisions established that the state lacks jurisdiction over Indians. "I would submit that the defendant is an Indian. . . I would

prefer to have tribal rolls, but they are apparently not available," the lawyer said.

Prosecutor for the state, Margaret Kravchuk, countered that Bennett did not "set forth" he was Indian, and further, Miemacs are not affected by recent rulings that federal jurisdiction applies to Penobscot and Passamaquoddy tribes.

Allen Sockabasin, central figure in last summer's landmark jurisdiction case that said he was immune from state prosecution for arson because the crime was committed on Indian territory, took the stand and testified Bennett could speak Miemac.

Sockabasin said it was "very likely he (Bennett) is a member of that tribe."

Bennett told the court records of his ancestry were destroyed in "The Halifax fire." He said he was born in New York, and his grandparents are buried in a North Auburn cemetery.

DeSanctis claimed that delays in dealing with Bennett's case, and informing him of the charges, were not a proper way to handle the fugitive charge. But Kravchuk said the "defendant has been afforded due process by this hearing."

Asked by Kravchuk if he had been convicted of murder in California, and if he had subsequently fled that state, Bennett said he was convicted of "what they consider a crime." He said he left California in September 1978.

Hopi-Navajo land dispute resolved

WASHINGTON—The Navajo and Hopi Indian tribes have recently reached an agreement on the settlement of their century-old land dispute involving 1.8 million acres within the Navajo Reservation in northern Arizona.

Sam Pete, assistant to Navajo tribal Chairman Peter MacDonald, speaking on behalf of the Navajo Nation said, "We now have a possible solution to the 97 year old dispute that everyone, including Congressional leaders, said was needed. One that was negotiated and agreed upon by the two tribes involved." The two tribes will now submit the understanding to Congress for action. Both houses will soon meet in conference committee on legislation regarding the dispute.

Pete said the agreement will help the Hopi tribe get control of approximately 911,000 acres of disputed land, where 5,600 Navajos currently live. The Navajos, needing land on which to settle their displaced families, will acquire some 650,000 acres of

land adjacent to their reservation which includes parts of Arizona, New Mexico and Utah. Included in the additional Navajo land are 250,000 acres already designated by Congress in the Navajo-Hopi Land Dispute Act of 1974.

Paiutes get funds

WASHINGTON—Regulations to govern the preparation of a roll of Pyramid Lake Paiute Indians eligible to share in the distribution of judgment funds awarded to the tribe by the Indian Claims Commission are being published in the Federal Register, the Bureau of Indian Affairs announced.

The regulations, which will become effective upon publication, impose a July 15, 1980, deadline for applying for enrollment to share in the judgment funds.



RUSTIC STRUCTURE—This log style, Y-shaped building at Indian Island will eventually house an early childhood program for the school, and a Penobscot tribal museum. The Young Adult Conservation Corps [YACC] is assisting in construction.



Pleasant Point tribal judge, J. Hartley Nicholas, flanked by two of his daughters, Mary Norma Newell [left] of Pleasant Point and Ann Golfieri of Hartford, Connecticut.

Tribal court to fill void

PLEASANT POINT—The newly appointed tribal judge for Pleasant Point predicts that he will be presiding over the court within three months.

Hartley Nicholas, who will serve as the first Passamaquoddy tribal judge in the tribe's history said the recent transfer of jurisdiction from the state to the federal government has left a void in law enforcement.

Although the federal government will try felonies, with the loss of state jurisdiction, no court exists to handle misdemeanors committed on the reservation. The resulting legal vacuum has made things very difficult for law enforcement officials, Nicholas said.

Nicholas and Valerie Emery, the newly designated tribal prosecutor, have been studying tribal legal systems. Emery has had extensive paralegal training in Washington, D.C. Both just returned from observing a Choctaw tribal court in action in Mississippi. Nicholas said he will be attending legal workshops in Oklahoma City and Reno, Nev., to prepare him

further for his duties. He also expects to be briefed by tribal attorney Tom Turcotte.

Unlike the Penobscot tribe, which has chosen to write its own laws, fashioned after the Maine state ordinances, the Passamaquoddy have decided to adopt the Code of Federal Regulations (CFR), a body of laws developed by the federal government and used by some reservations out west.

Nicholas, a 1934 graduate of Sheaf Memorial High School, has lived away from the reservation for 25 years. While away he worked for Pratt & Whitney in Hartford, Conn. as an arc welder.

Nicholas said he recognized that he will be subject to charges of favoritism because of the strong family ties on the reservation, but he pointed out that in cases a question of conflict might exist, two associate judges, Shirley Bailey and Clayton Cleaves, will be available to preside.

"I don't intend to try to please anyone," Nicholas said. "I'm going to try to be fair, honest, and unbiased."

Summer camp offers scholarships

TENANTS HARBOR—A small, integrated co-ed summer camp here is making scholarships available to Indian youngsters for the coming season.

The coastal, b-based camp, called Blueberry Cove, has enrolled several Penobscot and Passamaquoddy children the past two summers, and their experiences have been happy

ones. Camp/Co-Director Ann Goldsmith says Blueberry Cove philosophy involves self-awareness, concern for others and an appreciation for the natural environment in a caring, lively setting. Blueberry Cove has both a camp for children ages six through 12, and a Teen Camp for ages 12-14, and 15-17. Activities include sailing, trips, mountain-climbing, swimming, fishing, backpacking, gardening, pottery, crafts, woodworking, photography and horseback riding. Eight and four week sessions begin in July and August, respectively. For more information call or write Carl Smith, Director, Blueberry Cove, Tenants Harbor, Maine 04860. Telephone (207) 372-6353.

Krulitz quits job

Leo M. Krulitz, Interior Department Solicitor since March, 1977 announced his resignation recently.

Krulitz was a member of a White House task force that in 1978 drafted a Maine Indian land claims settlement, subsequently rejected by the tribes. Other members were Elliot L. Cutler and A. Stephens Clay.

He received an opportunity in private industry which Krulitz, in a letter to President Carter, said, "I cannot afford to pass up in fairness to my family." Interior Secretary Cecil Andrus said, "Leo has been invaluable. . . I will miss his wise counsel very much." Attorneys at the Native American Rights Fund (NARF) in Boulder, expressed regret that Krulitz was leaving. They felt that he had taken the trouble to become involved and knowledgeable about the intricacies of Indian law and had been a good advocate for the Indian community on a number of tough issues.

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Wayne Mitchell, left, film director, discusses project with Russell Soboy of Houlton, center, and Project Indian Pride Director Joseph Nicholas.

Film lets Indians speak for selves

ORONO — A five minute segment of a planned 60-minute film on Maine Indians was screened here recently for a small audience of interested persons.

Called "We're Still Here," the film will be directed by Wayne Mitchell, a Penobscot, and produced by Jay Kent, who has secured a grant to fund the project. Among those attending the screening were Joseph Nicholas, director of Project Indian Pride, and Brother Larry Smith,

S.J., both of Pleasant Point Passamaquoddy reservation, and both involved in videotaping Indian culture.

Mitchell explained the film project, stating that "for so many years now, white-controlled media have spoken for the Indians. I think it's time we spoke through our own media." He said the rights of the film will be given to the tribes.

"We live in two cultures. We can show this; it's self-explanatory," Mitchell said.

The brief segment of film showed the joint Penobscot-Passamaquoddy land claims negotiating team, and at one point Pleasant Point tribal Gov. Robert Newell says: "Now we can spend more time on building our heritage and building human beings."

Mitchell added that Newell has stated exactly what the film can do.

Nicholas commented, "we want to develop a lot more of what we have . . . I can see there is a great danger in all these dollars and cents. We spend a lot on building a house and not a home."

Russell Soboy of Houlton commented, "to be Indian, to keep up with the times, I don't think it makes us any less of an Indian."

Bunny Ranco of Indian Island disagreed. He said Indians today are "too educated, too modern," and are losing touch with their history.

The film is expected to be completed in September of this year.



Clair Sabattis

Sabattis voted AAI president

HOULTON — Clair (A) Sabattis has been named president of Association of Aroostook Indians (AAI) by the off-reservation agency's 13-member board.

Sabattis will complete the term of former AAI president Maynard Polchies, who died earlier this month. The present term will last until Aug., 1981, when elections will be held.

Sabattis, 33, is a native of Woodstock, New Brunswick. He has a wife, Wendy, and two daughters, Clarissa and Blissa.

He was voted onto the AAI board of directors in Aug. 1979.

He is now a board member of this newspaper.



Booze killing off Eskimos

by Vince Lovett

A University of Pennsylvania researcher predicts the extinction of the Inupiat Eskimos of Alaska's North Slope in the next 30-35 years.

Dr. Samuel Klausner says that the Eskimos, whose culture has been overwhelmed by energy development activities are "practically committing suicide" by mass alcoholism. "Offshore oil development is expected to peak in 2010 or 2015," Klausner said. "We don't see the Eskimos surviving till then."

This is not a collection of individual alcoholics, but a society which is alcoholic, and therefore facing extinction." A report, "The Inupiat, Economics and Alcohol on the Alaskan North Slope" was issued by the Center for Research on the Acts of Man, located on the University of Pennsylvania campus. The study showed an alcoholism rate of 72 percent among the 2,000 natives of the village of Barrow — and an average consumption of alcohol more than twice the average for the United States. Drinking was never a problem in the area before the last decade.

The discovery of oil brought stores, a cash economy and a per capita income of \$20,000 per year to the Eskimos. Now accidents, murder and suicide account for nearly half of the deaths among the natives and investigators say that the incidence of cirrhosis of the liver and of various physical and mental disabilities in infants born to mothers who drink should increase dramatically over the next two years. The study was requested by members of the Eskimo community, Dr. Klausner said, after several attempts to control drinking and associated violence had failed.

Passamaquoddies plan joint business venture

INDIAN TOWNSHIP — A Maine electronics firm contracted with the Passamaquoddy tribe to establish an assembly plant in the town of Princeton.

According to tribal planner John Stevens, the tribe will hire 30 people (half from Indian Township, half from Princeton) to work in the plant.

Although Stevens declined to name the company, a source said it is probably Digital Electronics, a Lewiston firm which is considering a similar, but smaller business at Pleasant Point.

Stevens was not certain of when the operation will be ready, but said, "I hope by late summer or fall."



MEDALIST — Jeannette LaPlante, a Penobscot from Old Town, placed third in her age group in a recent 6.2 mile run at Irvine, California, where she was visiting her son. She crossed the finish line 526th, out of a field of 1,550 runners, racing in 68 degree weather. She is in the over-40 age group, and back home, runs several miles every morning. She received a bronze medal and T-shirt at the Irvine race.

Court rules Indian land can't be condemned

WASHINGTON — State and local governments may not take allotted Indian lands for public use without first going into court for condemnation proceedings, the Supreme Court ruled March 18. The court decided in favor of Bertha Mae Tabbylite, an Alaska Native who lives on an 160-acre plot of allotted land on the outskirts of Anchorage. In 1958, an adjoining property owner built a road over a portion of Mrs. Tabbylite's land. Three years later the town of Glen Alps took over the maintenance of the road and in 1976 the city of Anchorage annexed the town of Glen Alps. A Federal trial judge and the 9th U.S. Circuit Court of Appeals ruled that Mrs. Tabbylite was entitled to \$35,000 damages for trespass but that her land had been taken under the doctrine of eminent domain through "inverse condemnation." The Supreme Court, however, said that when Federal law authorizes the condemnation of lands, the term "condemned" refers to a formal condemnation proceeding instituted by the condemning authority.

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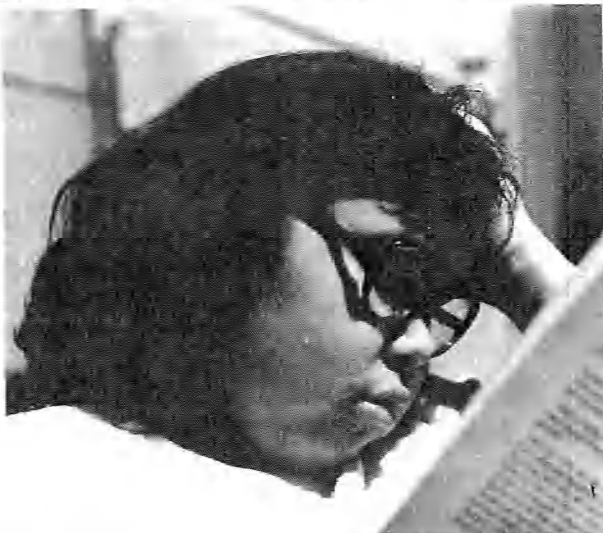
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DOING HOMEWORK — Cheryl Lafford, a Micmac living in Mapleton, seems so engrossed in her book that she didn't notice as photographer Don Sanipass snapped this candid.

Commentary

Anti-settlement view

By Dana Mitchell

Today the war is still being fought with the Indian people. It is still being done by using Indian people to destroy Indian people and to cause Indian people to totally blend into this melting pot of American people.

Today, the Indian people face many issues that are causing them to disappear. Today, here I find that we are being struck away by the stroke of a pen, by a body of state and federal governmental people, whose only interest is to justify their self-right or, as we look at it, a racist attitude.

The fear that these non-Indian people have toward Indian people is shown by the way these settlement bills are being stated. Why is it that these very same racist people who every day exploit the working persons, are also afraid of Indian people being self-dependent socially, economically or better yet, politically; by making the Indian people of Maine come under state and federal laws or, lower yet, a municipality, which isn't much for a sovereign people. It still causes the Indian people to be totally dependent upon the state and federal government for everything. And they will never be able to be the people who today could have the right to the sovereign people. Totally without any control or restrictions being placed by an illegal state government of Maine as they stand today, these Indian communities being forced to negotiate with the state are doing nothing but recognizing these illegal governments.

Yet we end up with nothing. The state does not have to contribute anything for the many years of exploiting the lands of the Indian people.

Today, when the people are all aware and concerned with human rights, where are the human rights of Indian people? We have no human rights. We are in the way of the greed of big businesses, as well as the greed and corruption of the state and federal governments. They do not practice what they put to law. They make sure that if one is to exercise these rights, especially Indian people, the law does not apply. Total denial of our human rights under the law is a clear cut intent on genocide of the Indian people by these state and federal governments.

Here today, there is this public hearing on these prepared bills which have no guarantees that we will be getting land or monies. One thing is certain, that we will no longer be sovereign people.

Our people have asked, as well as mandated our negotiating teams, that before anything is to be final, it would be brought back to the people at a general meeting. This has not happened. When the people continually asked for information, none was received. The Penobscot Tribal Governor has always participated in the negotiation process. The Penobscot Indian Representative has also been a full-time member of this negotiating team.

Today, these bills are here before you, for your consideration, yet our people have had to consider these bills without any in-depth legal understanding in only several days.

Illegal referendum

A referendum vote, which was called by the Tribal Governor and council, was an illegal referendum. A general meeting of the people is where it would be decided where and how these issues are approved or disapproved. By the time the notices were received of this vote, there were only four (4) days to consider (the proposal), less days for some.

The ballot stated that this is for final approval, yet Tom Tureen had stated in a hearing held on March 14, 1980, that this is an "advisory referendum." Advisory to whom, may I ask? This settlement officer:

The people had no say into it. They could not offer any changes, or make any changes to these bills. What is the purpose of negotiating if one cannot negotiate? This is a very one-sided deal. Our attorney is not on the side of the Indian people. We believe he must have been offered a top government job to get these bills passed by the Indian people. As it stands, he is already being paid by the federal government.

It is stated in our law, that any legislative material going to Legislature has to be approved by the people at a general meeting. This was never done. Our council approved this at a meeting of March 13, 1980, which is illegal, for they cannot approve this until the people have approved. The referendum voting took place on March 15, 1980.

There were many members of our nation, who did not receive this information. Let alone, receive a ballot to vote. So how can this be a vote of all the people? This whole process of where these bills are today is illegal; if this state Legislature approves these bills, they are doing so illegally, and without due process of law for the Indian people.

We have even petitioned the governor of the Penobscot Nation to bring this issue to a general meeting, also to ask for more time to consider these bills before approving them. He has not allowed any of this to happen.

The Penobscot Governor has promised our elders that they would receive over \$200 a month. Several people have used different methods to try and reach that figure, yet based upon the number of people eligible, the figure is nowhere near that. I am afraid it would be much less. He has also indicated that we would lose everything. I believe that this is a high pressure tactic used by people who are trying to do the Indian people wrong.

Myself, and others have requested, a second legal opinion, from the Indian Law Resource Center in Washington, D.C.

It will cost an extra million dollars-plus to pay NARF for representing these issues.

If the Governor and Tribal Council are allowed to bypass the procedure of bringing an issue of this magnitude before the tribe at a duly called general meeting, then what is to prevent them from bypassing the tribe on other issues in the near future? How will interest be drawn from the trust fund and spent? What land is to be bought and sold, how and what businesses are to be operated and purchased?

EDITOR'S NOTE: Dana Mitchell is a Penobscot tribal member. He read the above testimony at a public legislative hearing this month on a bill to resolve Penobscot-Passamaquoddy land claims. Mitchell is a resident of Indian Island.

New housing slated

INDIAN TOWNSHIP—Tribal officials are planning to build 35 new houses.

Seventeen will be started at Peter Dana Point, and 18 on the Strip.

The tribe is reportedly going to use a force account approach in which tribal members are hired for the construction.

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STUDYING CLAIMS—Penobscot tribal council member Joseph Francis, standing, reviews settlement of Penobscot-Passamaquoddy land claims with tribal Gov. Wilfred Pehrson following a vote of the tribe in favor of the negotiated pact, 234-118 [on reservation], plus 77-7 [off reservation, by absentee ballot].

Indians subject of Presque Isle meeting

BRUNSWICK—American Friends Service Committee is sponsoring a conference at the University of Maine in Presque Isle, May 10, from 9 a.m. to 4 p.m., called Learning & Teaching About Indians in Maine.

The committee is offering the conference because it is concerned with how little good, accurate information on Native Americans is available. Although the conference is

open to everyone, it should be especially informative for teachers, guidance counselors, and librarians.

Participants are encouraged to bring along materials they use to share and discuss with resource people. There will be displays of crafts, books, and classroom materials, with an opportunity to purchase them in the afternoon. A powwow with Indian dancing and music is planned at 4 p.m.

Basket-making classes scheduled

HOULTON—The Department of Indian Affairs in Houlton is now sponsoring basket-making classes to be conducted out of the Association of Aroostook Indians building on Bowdoin Street.

Instructor for the class is Gabe Polchies, a Maliseet, of Woodstock.

New Brunswick. The classes will run for at least 16 weeks and will be held, hopefully, twice a week. There is no charge for the class and materials will be made available. Anyone wishing to sign up for a class can call the Department of Indian Affairs at tel. 532-6577.



Voting on his future

Penobscot tribal member Roger Ranco casts his ballot in referendum on land claims at Indian Island, assisted by ballot clerk Edwina Sapiel.

Township homeowners refusing to make payments

INDIAN TOWNSHIP — Delinquent payments by homeowners threaten future housing, according to a report submitted recently to the Tribal Governor's office here.

The report, submitted by Tribal Housing Authority Chairman Roger Gabriel, indicated wide-spread delinquencies in three federal Housing and Urban Development (HUD) housing projects built within the last several years. HUD office is reportedly watching the situation very closely. Gabriel warns that if definitive measures are not taken immediately to improve the housing management of these projects, it would force a cut-off of federal housing subsidies to Indian Township and postpone indefinitely funds for a 85-unit housing project scheduled for construction in mid-summer of this year.

An apparent reason for the widespread delinquency was the questionable legal status of jurisdiction during that period of time when the land claims-related changes were taking place. Enforcement capabilities were not always absolutely certain. Thus, the possibility of eviction was not considered as a deterrent to delinquency by either the Housing Authority or the housing occupants. That question now having been settled in favor of tribal and federal jurisdiction, tenant eviction is at least possible, though it is still not to be a deterrent simply because the measure has never yet been tested at Indian Township. With the very real prospect of losing HUD subsidies for existing projects — and worse, the potential loss of future housing, the tribe may have to consider as a last resort, a "sacrificial lamb" or do without future housing.

Other, more palatable measures exist, however. As many as 40 per cent of those delinquent in their house payments are gainfully employed by the tribal government in some capacity. A number of these have found adequate resources to pur-

chase automobiles, but have not found it convenient to make good on their house payments. Fortunately this is not entirely the case. A small number of tenants and homeowners have been making a consistent effort to pay their fair share. And an equally small number of those who had previously fallen behind have since requested an amount to be deducted from their weekly paycheck on a voluntary basis — an idea which the Tribal Council could make mandatory. It is most often the elders on a fixed income, however, who have made a consistent effort to make their house payments. The reason is simple. It is they who best remember the tarpaper shacks which the new federal housing replaced along Route 1, and throughout Peter Dana Point.

As for those who do not appreciate the benefit of new housing made available through the Tribal Housing Authority, it is obvious some action backed by tribal council may be required to deter further delinquency and to encourage those provided with federal housing to make their monthly house payments.

Several housing occupants have apparently adopted the position that they will not pay because of certain defects which still exist in their unit. Gabriel said the housing authority is well aware of each defect and has been seeking remedies for some time. Some of the more serious defects involve moisture problems and defective perimeter (foundation) drains, causing basements to leak. Since much of this was directly attributable to contractor error, Indian Township Housing Authority has retained legal counsel to file suit against IBEC Corporation, builder of the tribes' first HUD project. James Mitchell, former commissioner of the Maine State Housing Authority, is the legal counsel for the tribal housing authority. Through his assistance, HUD has agreed to provide funds to correct the

IBEC defects. The authority plans to undertake corrections as soon as an amended contract is formally approved by HUD.

The seriousness of the defects is not in question, says Gabriel. "It's ironic, however, that people on the reservation who have never had a basement are refusing to make house payments because their basement now leaks."

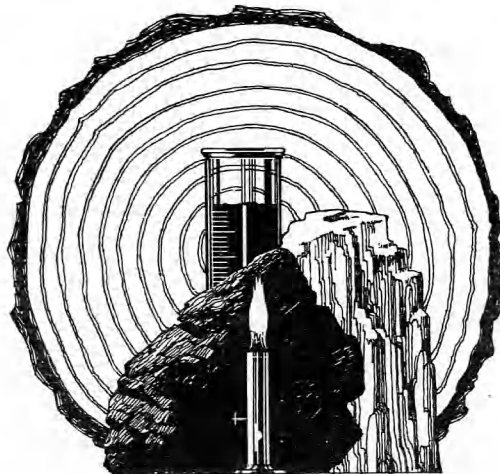
For less serious defects, there are HUD subsidies which could theoretically be used to make minor repairs. But since very few are making regular house payments, any subsidy received would be

necessary for housing management.

HUD is reportedly monitoring housing management at all reservation locations at this time. And it seems that no one program is without its difficulties. Weekly meetings of the housing commissioners have begun at Indian Township, with the subject of delinquency as its primary focus. Thirty-five new units of housing are scheduled for construction at Indian Township later this year. Depending on the success of the housing authority in dealing with the delinquency problem, construction funds for the project may or may not be forthcoming.



FLOODWATERS — Passamaquoddy tribal official Roger Gabriel sees through a 2X4 at his Indian Township home in an attempt to avert flooding of his cellar from the melting snow.



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From 1737 to present

Outline of claim history

1737 — Penobscot tribe agrees to treaty with British, allowing English settlement in Thomaston area.

1740 — Penobscot and Passamaquoddy tribes retained and occupied their aboriginal lands; the Penobscots had the Penobscot River basin and territory to the north, the Passamaquoddy had the St. Croix River watershed, and several areas to the west.

1760 — Passamaquoddy sign treaty of peace and friendship with British. British General Pownall announces he has conquered Penobscots; attempts to have tribal members surrender as individuals, only four families do so.

1763 — An English surveyor draws line near Eddington, below which Penobscots apparently lost title to their land, while retaining lands to the north, above the Penobscot River's head of tide.

1775 — A revolutionary government in Massachusetts meets with Penobscot delegation at Watertown — and to win support in the struggle against Britain — says a 12-mile wide corridor along the Penobscot River from head of tide to the Canadian border would be reserved for the Penobscot Nation. That area totals 900,000 acres.

1777 — Passamaquoddy form alliance with federal government.

1783 — Passamaquoddy cede lands to U.S. in exchange for protection of hunting grounds; treaty not ratified by U.S.

1786 — Massachusetts tries to sign treaty with Penobscots; Indians refuse to sign.

1794 — Massachusetts and Passamaquoddy sign treaty giving all lands to U.S., in return for rights to Indian Township reservation (23,000 acres), a 100 acre island in Big Lake, 100 acres at Nemas Point, Lewis Island, islands totaling about 100 acres in St. Croix River, 10 acres at Pleasant Point.

1794 — Congress passes Nonintercourse Act, requiring all land deals with Indians be approved by the federal government.

1796 — Penobscots sell all lands along Penobscot River from head of tide upriver 30 miles.

1801 — Massachusetts sets aside additional 90 acres for Passamaquoddy at Pleasant Point.

1818 — Penobscots sell all lands to Massachusetts except islands in river above head of tide, plus four townships including what is now Millinocket.

1820 — Maine granted statehood, assumes responsibility for Indians.

1833 — Four Penobscot townships bought by state for \$50,000; money placed in state trust for tribes. Penobscots own only islands in river, which are reduced in size in later years as dams are built.

Following decades — Passamaquoddy lands sold off by state of Maine include 6,000-8,000 acres at Indian Township, Nemas Point.

1950's — Treaty discovered at Indian Township that led to study of alienated lots of Passamaquoddy reservation.

1968 — Lawyer Donald Gellers files claim for monetary damages against Massachusetts, on behalf of Passamaquoddy. Three years later Gellers fled the country following charges he was dealing drugs at the reservation. Some sources believe he was framed.

1971 — Lawyer Thomas N. Tureen, who had worked one summer with Gellers while a law school student, develops case that seeks return of all lands taken in violation of Nonintercourse Act. Tureen figured the two tribes' best hope was to involve the federal government on the Indian's behalf.

1972 — Passamaquoddy ask federal government to bring suit. U.S. Bureau of Indian Affairs (BIA) officials support suit. Interior Department authorities block suit, saying Nonintercourse Act applies only to federally recognized tribes.

1972 — Passamaquoddy sue federal government, requesting a ruling that Non-

intercourse Act applies to non-federally recognized tribes, and that Maine be sued before July 18, 1972, date of federal statute of limitations on filing claims.

1972 — Court orders federal government to file lawsuit before July 18, on behalf of Passamaquoddy. Federal government agrees to file another suit on behalf of Penobscots.

1975 — U.S. District Court, Portland, rules that Nonintercourse Act applies to all tribes, including those not federally recognized. Decision upheld by U.S. Court of Appeals.

1976 — Nonintercourse ruling is final; neither state of Maine nor federal government sought review of case.

1977 — Interior Department asks U.S. Justice Department to proceed with Penobscot-Passamaquoddy claims; Justice warns

it will go to court with claims, and advises President and Congress to seek settlement.

1977 — Judge William Gunter, retired from Georgia supreme court, is named advisor on claims by President. Gunter recommends federal payment of \$25 million in exchange for dropping all claims against private parties, plus an award of 100,000 acres in state land, in return for dropping claims against Maine. Gunter says state should continue annual \$1.2 million support to tribes, and Interior Department should help tribes secure options on additional 400,000 acres. Gunter suggests state should be sued for its 350,000 acres in claims area if it rejected the proposed settlement. Both state and tribes reject Gunter proposal.

1978 — White House negotiating team spends months meeting with Penobscot-Passamaquoddy negotiating team, and

drafts two part settlement plan. Part A said Congress appropriate \$25 million to extinguish tribal claims against small landowners (owning less than 50,000 acres) leaving 14 major timber companies to be sued. Part B defined settlement with that group of large landowners. The White House proposal said the 14 firms would not be sued if they agreed to sell 300,000 acres, plus options on another 200,000 acres. If landowners accepted part B, the President was to ask Congress to pay them \$1.5 million, plus \$3.5 million to the tribes. Claims against the state would be settled if Maine continued an annual payment of \$1.7 million to tribes, for 15 years. All lands acquired by the tribes would be treated like other federally held land, but the U.S. could terminate Maine's right to exercise civil and criminal jurisdiction over tribal lands within two years, should the tribes so desire.

1978 — Maine rejects White House proposal; large landholders willing to negotiate with Penobscots and Passamaquoddy based on fair market value for selected parcels of land.

1978 — (Summer) Congressman William S. Cohen of Maine, Gov. James B. Longley and Attorney General Joseph E. Brennan support proposal by Maine Congressional delegation to transfer the Penobscot-Passamaquoddy case to the U.S. Court of Claims. This proposal is turned down by tribes because they could recover only a fraction of total damages sought under rules of claims court.

1978 (October) Proposal introduced by Senator William D. Hathaway of Maine, providing \$27 million plus 100,000 acres to be divided evenly between the Penobscots and Passamaquoddy. A sum of \$10 million would be tagged for purchase of the acreage. State jurisdiction would apply to all new lands, but questions were unanswered about on-reservation jurisdiction. Hathaway proposal is endorsed by President Carter, Longley, Brennan, Maine Congressional delegation and large landowners.

1978 — (November) Tribal negotiating team considers revising Hathaway plan to include options on 250,000 acres, an additional \$10 million for capital improvements, plus \$15 million in guaranteed loans for business ventures.

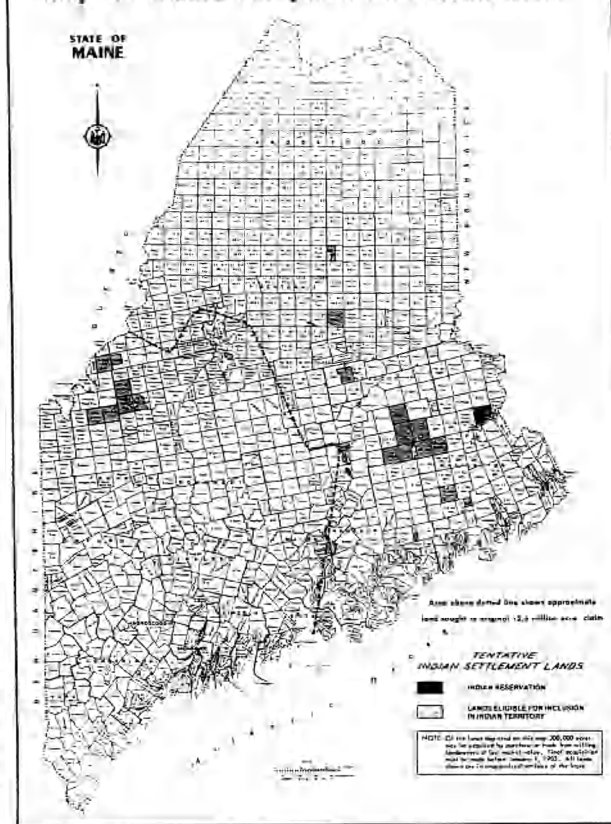
1979 — Negotiating team prepares options and final recommendations for out-of-court settlement, to be voted on by both tribes in separate referendums.

In spring of 1979, the principal historian working on behalf of the state, Prof. Ronald Banks of University of Maine, murdered in New Orleans.

1980 — Intense and frequent negotiation sessions held, involving state, federal and Indian leaders. Cloak of secrecy remained intact until a Penobscot woman from Indian Island leaked the contents of a final settlement proposal to the Bangor Daily News this month. Final draft approved by votes of the Passamaquoddy Tribe (Pleasant Point and Indian Township), and the Penobscot Nation at Indian Island. Settlement totals \$81.5 million, including \$54.5 million for purchase of 300,000 acres of privately held Maine land. At press time, proposal was being readied for presentation to state Legislature for ratification. Following a favorable vote, the proposal would be submitted to Congress by Maine Congressional delegation. Federal government to pay entire cost of settlement with Penobscot and Passamaquoddy tribes — plus an allocation of 5,000 acres for Maljets in the Houlton area.

Settlement ante is upped to 300,000 acres minimum, plus \$27 million cash award and a variety of loans, aid programs, construction projects. Meetings between Brennan (new Maine governor), tribes and federal authorities continue on an increasingly frequent basis.

Map of tentative land purchases in settlement



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Cohen's speech to Legislature

Attorney General defends claims legislation

The following is an excerpt from the text of Maine Atty. Gen. Richard Cohen's address this month to the state Legislature.

AUGUSTA—First, the proposal before you involves no state land or money. Contrary to some rumors, no state public lots will be sold or given to the tribes by the settlement. We propose that the federal government fund this settlement as it has elsewhere throughout the United States. In fact, the President himself, in proposing a settlement through Senator Hathaway in 1978, agreed that Maine's historic financial support of the Maine tribes relieved the state of any obligation to fund this settlement.

NOT OUT OF LINE

Second, the total cost of this settlement is consistent with the White House proposal of February 1978. That proposal had a total value to the tribes of approximately \$90 million. In addition, it was that proposal by the White House, which I understand was endorsed by the President, which indicated that 300,000 acres was a fair land settlement for the Maine tribes, the figures in the current proposal were not created out of whole cloth, but were based on an earlier proposal by the White House. Third, contrary to some rumors, no land will be sold to the tribes by eminent domain to sell to the tribes in this settlement. The lands owned by the tribes will be sold to the tribes by the tribes will be sold to the tribes at fair market value. These lands have not yet been sold upon but when they are, you will be able to review them before approving the legislation agreement. Fourth, contrary to some reports the paper companies will not make an unfair profit by this settlement. The proposed federal bill merely provides that the sellers pay no



Attorney General Richard Cohen

capital gains taxes, if and only if they reinvest any money received within three years in like property. If no reinvestment is made the seller pays all capital gains taxes. It should be noted that absent this provision there might be no agreement since there would be serious tax "Disincentives" to companies selling lands which have a very low tax basis. Since it is in our interest to encourage landowners to sell land to the tribes in order to facilitate the settlement, it is only fair that they not incur substantial tax liabilities when doing so. Fifth, the total cost of this settlement is comparable to other settlements throughout the country. For example, congress enacted and the President signed a bill to settle the Rhode Island Land Claim that provided \$3 million to settle a claim of roughly 3,000 acres. If that payment were extrapolated to Maine a far larger settlement would be called for here than that which is before you. In New York, the congress is now considering a bill supported by the administration to pay \$6 million to settle a claim less than one percent of

Maine's and for a tribe one-tenth as large. In Alaska, congress agreed to pay \$1 billion and gave 40 million acres of federal land to settle a claim. The proposal before you is certainly not out of line with those settlements. A

MODEL RELATIONSHIP?

Finally, the legal relationship between the state and the tribes is unique and may become a model to which other states may look in the future. It is based on the principle that all Maine laws must apply to all land and citizens within the state and that we must live under one system of laws which governs us all. Within this general framework, the settlement recognizes a legitimate measure of tribal autonomy on matters basically relating to internal tribal operations. In those few instances where special powers will be exercised by the tribes, such as in the regulation of hunting and fishing, those powers are subject to the residual supervisory authority of the state. Anyone remotely familiar with Indian-State jurisdictional issues is aware of the fact that throughout the country, states and tribes are in continual battles over whether state tax, environmental, land use, criminal and other laws apply on Indian lands. In most cases the Indian tribes are winning those lawsuits. This settlement gains for the state a measure of control over Indian lands unlike that in any other state. In addition, it will avoid the serious acrimony between Indian and Non-Indian communities, as well as the continuous and confusing litigation, which has occurred in other states.

HIGH RISK

Before closing, let me add a brief additional comment on the amount of federal money called for under the proposed settlement. \$81 million is a substantial sum of money by any

measure, especially in these times when we are all aware of the limits on the state and federal budgets. This figure must, however, be considered in the context of the potential liability in this case to the state and its citizens, including as much as 12.5 million acres of land and trespass damages which it has been estimated could amount to \$25 billion. In assessing the reasonableness of any settlement, it is impossible to ignore the extent of the potential liability.

My decision to recommend this settlement to the people of the State of Maine and to their elected representatives was not one which I made lightly. Rather, it was made after a very careful analysis of the land claim, the risks involved in proceeding to trial on that claim and the legal status of Indians in other parts of the country. When viewed against that backdrop, I believe the proposed settlement package is sound and prudent. As your Attorney General, I would not be standing before you today if I were not convinced that the proposed settlement is truly in the best interests of all of the people of our State.

Abenakis claim rock

A medicine society of the Abenaki tribe claims a 10 by 16 foot rock jutting from Lake Champlain is a religious site, and belongs to Indians.

According to a news story sent to Wabanaki Alliance by a reader, the rock represents the god Odjiozo to Abenakis. Lake Champlain, in all its splendor, was the last thing Odjiozo created. Kent Outmette, medicine society official, said the rock is "most sacred." An area historian agreed, saying that as late as the 1940's, Indians left offerings of tobacco at the rock.

Census questions answered for Indians

By Ruby Richter

PLEASANT POINT— Note: This census is not to be confused with our local Passamaquoddy census.

Questionnaires will be sent by mail to every household. There is a long form and a short form. Richard Ning, Community Services Specialist was here conducting a census workshop. He has told us that there will be questionnaires sent to each household of which 50 percent will get the long form and the other 50 percent get the short form.

People receiving a long form should hold the form after they have filled it out because a census taker will come in and bring in a Supplementary Questionnaire for American Indians. He will pick up the filled forms. It is our understanding that people receiving a long form in the mail will not get a supplementary questionnaire. The census taker is there to help you if you need help in filling out the supplementary questionnaire and form.

From the front of the 1980 census questionnaire, "The law under which

the census is taken protects the confidentiality of your answers. For the next 72 years—or April 1, 2052,—only sworn census workers have access to the individual records, and no one else may see them."

The Bureau of the Census is responsible for maintaining the confidentiality of census information collected under Title 13, U.S.C. (the Census Law). The following questions and answers are designed to indicate the extent of the Bureau's efforts to protect all persons whose names appear on census questionnaires from unauthorized disclosure.

Q. Does the name and/or address of anyone on a Census Bureau questionnaire go into any government computer, including those of the Census Bureau?

A. No.

Q. Are Social Security numbers requested on a decennial census questionnaire?

A. No.

Q. Do other Federal agencies or courts have the power to obtain confidential information about

individuals from the census for purposes of taxes, police investigations, prosecution, deportation, etc?

A. No. The census law on confidentiality prohibits the Bureau of the Census from releasing personal information collected under census law to other Federal agencies for such purposes.

Q. How does the Bureau protect the personal information collected in the decennial census of Population and Housing?

A. The original census forms are put on microfilm which is kept under strict security in protected buildings. The information can be retrieved only by authorized persons. The original forms are maintained under tight security, with access only by sworn Bureau employees, until processing is complete, and then they are destroyed.

Q. How long is census information confidential?

A. For 12 years. At the time the microfilmed census records are turned over to the National Archives for permanent storage. People interested

in researching their family background often use these old census records.

The need for collecting statistics about America's minority populations has long been recognized by the Bureau of the Census. For example; information about blacks has been reported in each census since 1790.

In recent years, the Bureau has established a special Minority Statistics Program which seeks to inform members of minority communities of the purposes, uses, and importance of the decennial census, and to provide more data about the nation's minority population groups. The goal of this program is to obtain a higher response from minorities to the 1980 census than was achieved in the 1970 count.

In planning for the 1980 census, the Minority Statistics Program has developed a communications effort aimed at minorities as an integral part of the overall 1980 promotion effort. It will include community relations, public information and education, and marketing approaches, with emphasis on community relations.

Noah: A story in Passamaquoddy

Pihce, wisoki pihce, yut pomawsuwinuwok wikultuwok nikt yut skitkomiq. Eimocikultihtit, Kisiyuhkun itom: "Cwi yukt mechinhotuwok, 'sami ipocol mocikultuwok". Kenuk olu yukt pomawsuwinuwok yut eyulticok peskuss olu skitap eyit "koselomal naka 'ciksoituwal Kisiyuhkunol. Liawisu Nuwa. Neqt pemiskahk Kisiyuhkun 'tiyal Nuwawol: "Nacimihkuman yukt pomawsuwinuwok; nacyahan 'tahawi apenkatomoniya tan elimocinomawsultihtitpon". Itom Kisiyuhkun: "Npocitah'an metuweyik tpolutimok". Itom Kisiyuhkun: "Npocitahkan komiwon kakehsukoniw wolamkihkakompessok skitkomiq". "Yahan olopessultihtic naka moskeyultiniya tan aliwapololukhotihtit, alipomawsultihtit".

Kisiyuhkun 'tiyan Nuwawol: "Iiht natomokihqahk ktuloq; pecikompek ktiyan knicannuk naka knisuwiyeg ktepanasiniya wolam knisnopsiyukapa". Nuwa macehtun yut ktuloq. esq yut etolihtaq ktuloq 'kinuwehtuwa pomawsuwinu elikotikompek skitkomiq. Kenuk olu tehpu 'totoliwih'inuwawol; pesqon te mec elimocinomawsultihtit.

Mit Kisiyuhkun 'tiyan Nuwawol: "Maqenan ksiwiyik, maenan nisicposuwok weyossisek psite tama nolowiw, ktoliphan ktulokuk naka ktephlan". Uuuuu... eltaqok weskuweyultihtit. Mit Kisiyuhkun 'kapttehtun khakon. Nitte na peciwiskolan; etutolak. Pomawsuwinuwok 'totolihkotomoniya khakon, 'kakaalumaniya Nuwawol: "Nuwa ! Nuwa ! Apoteht khakon ! Apoteht khakon !". Kenuk olu Nuwa 'tasiteman, 'tiya: "Sami metsiw ! Kisiyuhkun kis 'hisikpotehtun khakon, on te na psite kompe skitkomiq". Psite mecikultiic pomawsuwinuwok 'kikpacumqossinultuwok, kenuk olu Nuwa naka 'siwi tehultuwok ktulokuk; mate akuwessultihtit irocol wolamsotuwal Kisiyuhkunol. Tokoc pomawsuwinok mocikultuwok tahalute neke Nuwa pemawit: Komtonahtuwok, kolusnultuwok, kotuhsmaltuwok, alankahtuwok, matonakhotuwok, nipskatuwok, 'toliphagalawa piluweya ehpilini. Mit ellukhotihtit yuktok pomawsuwinuwok tokoc; tan elikisiwapololukhotihtit. Mate 'kisiwicewawial Kisiyuhkunol.

Kisiyuhkun 'totoliwih'inukom colowessultinen, kenuk olu na ciksoituwawin. Kisiyuhkun mate 'tihiwon mocikuwakon; mawitahatomon mocikuwakon. Mocikultiyiq, ktaqewihc apenkatomonen. Kisiyuhkun ktiyukun solahkiw ktaqewi apenkatomonen eliwapololukhotiyiq. Tokoc oc pemimotuwuyu katok neke kisikompek skitkomiq. Wen mecikit naka mechinan lamkiw oliye, Kisiyuhkun 'tolikisehtun mate ktaqewi lapasiyewin nita, kenuk olu Sesuhs 'kisapenkatomon yut mocikuwakon. Kisiyuhkun 'cossol, nekom 'kisapenkatomon. Sesuhs meimehinan 'ciw bilun. Tokoc wen wolamsotuwal Sesuhsol nekom oc kisaposiya.

This is a transcription of the story of Noah from a phonograph record made by Walter J. Paul of St. Mary's, Fredericton, N.B. David Francis Sr. of Sipayik reviewed it and helped me with some words. A few changes have been made to conform to Passamaquoddy usage where it differs from Malisset. Potuk olu is changed to kenuk olu and nekomoqihqahk to natomokihqahk. All mistakes are my own and not the fault of Mr. Paul or Mr. Francis who both know their language extremely well.

Lloyd Leland
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A1A 2Y3.



Poetry

Le Loup qui Court
I am the wolf who runs,
lone, lean, and hungry,
loping through the starless night.

Once, in dreary days,
I walked the whiteman's ways:
upright, up-tight, puppetlike,
learned to wag my tail
and show my shining teeth,
seething silently underneath.

And I did well, wondrous beast!
Freak from out of the forest,
filled with wordly wisdom
and witty words.

But, the white woman,
she made some bars
that hid the stars
from my longing gaze,
weaving her web whose delicate feel
was tempered by time
into stuff stronger than steel.

It grew late. But, yet,
one day
I leapt away,
master of my soul,
four feet on the ground.

I am the wolf who runs,
lone, lean, and hungry,
but strong, through the moonless
night.

Dr. John Runningwolfe



Untitled
To be a tree never
complaining always
giving in strength
giving my brothers
and sisters a place
to live and grow.

May I always live
in Maine for it's
state is me.

Autumn Owl



Indian Drums
I sit quietly,
and straight,
before my drums.

I scream silently,
and wait,
but no one comes.

The drums thunder in throbbing pain
from the cruel, constant rain
of feathered hammers driven hard,
falling fast.

Drumbeat! Heartbeat!
Echo of sorrow,
Voice of my soul!

Dr. John Runningwolfe

... And in translation

Long long ago, these people lived here on earth; they were so bad that God said: "These ones must die because they are too wicked." However, where these people were, there was a man who loved and listened to God.

His name was Noah.

One day God said to Noah: "Go preach to these people; tell them they must pay for the bad way they have lived." God said: "I will send a hard judgement; I will send rain for many days which will flood the earth." "Tell them to change their ways and to repent their wrongdoing, the way they have lived."

God told Noah: "Build a big ship; when the flood comes, tell your children and your wife to go aboard and you will be saved."

Noah started to build the ship. While he was making the ship he warned the people that the earth would be flooded. However, they only laughed at him. They still lived in the same wicked way.

Then God said to Noah: "Gather your family, gather pairs of animals all around everywhere, bring them to the ship and put them aboard. Oooo... they made an awful noise and commotion!"

Then God shut the door. Then it began to rain. It rained very hard. The people pounded on the door, shouting to Noah: "Noah! Noah! Open the door! Open the door!"

But Noah answered them, he told them: "Too late! God has already shut the door and the earth is all being flooded."

All the wicked people were drowned, but Noah and his family were aboard the

ship. They did not disappear because they believed God.

Now the people are as bad as when Noah was alive: They steal, they lie, they drink, they gamble, they fight, they swear, they chase other women. That is what the people do now, whatever they can do wrong. They can't go with God.

God is calling us to change our ways, but we don't listen to him. God has no sin. He hates sin. If we are bad we shall have to pay. God tells us that sometime we shall have to pay for our wrongdoing. Now it will be harder than when the earth was flooded.

When somebody is bad and dies, he goes to Hell. God has arranged it that we don't have to go there. Jesus paid for this sin. God's son has paid for it. Jesus went and died for us. Now whoever believes Jesus can be saved.

Flashback photo



MAISETTS in Market Square, Houlton, circa 1910, assist a float for Dunn Furniture, still a prominent local business. Note the unusual wigwam made of evergreen boughs, instead of the more common birch bark or canvas. At left, standing, is Frank Francis. Leo Tomah is the boy behind row of children; others unidentified. (Original photo in possession of Dunn Funeral Home of Houlton; this photo courtesy of James D. Wherry, Association of Aroostook Indians.)

The first gift of spring

by Snowflake

This is a story about Mother Earth's cycle. It was told to me by Snowflake who lived millions of moons ago when Turtle Island was ruled by the Little People, they still live today making their presence known only to those native people who care to listen. Snowflake is one of their messengers.

It was the end of the winter cycle when I noticed her and her sister flakes flying outside my window. At first she danced alone in rhythm to the wind blowing and then other snowflakes joined in the dancing. No two were together, yet they all danced together.

I watched and listened intently. "Wo-oo-oo" sang the wind and the spring birds flew by, waving their wings at me.

"The Great Spirit has a gift for you," said Snowflake, but you must go to a certain apple tree to get it. I will show you the way."

I put on my hat and coat while Snowflake led me through the woods. The

snow was melting all around me. Water was gushing in the streams, and the birds were perched on the branches watching silently — so silent you could hear the sap running within the trees.

"Cut a small hole in the bark of that maple tree and wait," said Snowflake.

As soon as I cut the bark, the birds flew away and I watched them fly through the trees. They seemed to know where to go without bumping into each other. I think they were looking for a good place to build their nest and build a new community.

"That is what the native people used to do before they were put on reservations," said Snowflake. "That is called freedom."

I went over to the maple tree I had cut and saw that the sap was starting to flow. I kissed the tree where I had cut and tasted the sap. It tasted as sweet as life.

"This is the first gift of spring from the Creator," said Snowflake. Then she melted away.



CAUCUS — Michael Ranco of Indian Island, elected chairman of the Penobscot Democratic caucus, tallies votes for delegates. Ann Pardilla was named delegate for Presidential candidate Sen. Edward Kennedy. As the blackboard reveals, candidates Jimmy Carter and Jerry Brown didn't fare so well. At right, Emma Francis and James Francis look on. Twenty-three persons attended the caucus.

news notes

New tribal member

INDIAN ISLAND — A new member of the Penobscot Nation has arrived. He is Domekin (Penobscot for "early riser") Attean McDougall, son of Janice McDougall. He was born March 29, and weighed 8 pounds, 12 ounces. Domekin is the grandson of Irene and Bill McDougall, and the great-granddaughter of Eunice Crowley of Indian Island. A traditional Indian song was performed in honor of the new arrival.

Clarification

A story in last month's Wabanaki Alliance indicated that Passamaquoddy Representative to the State Legislature, Clayton Cleaves, had not attended during the session of the 109th. Cleaves pointed out that he did not attend because pending bills did not affect the tribe. He has recently attended Legislative meetings in Augusta in connection with the Indian land claims. His Penobscot counterpart, Rep. Timothy Love, has also attended these sessions.

A Penobscot seeks aid for palsy center

PORTLAND — Vicki Fulkerson, a Penobscot who is confined to a wheelchair and attends the Cerebral Palsy Center here, is coordinating a drive to collect soup and juice can labels to raise money for new equipment.

Needed are labels from Campbell's soup, Franco-American products (any size), and V-8 Juice. Labels can be mailed direct to Vicki Fulkerson, 85 Front St., Portland, Maine 04103. Vicki is the daughter of Angie Mitchell, who works at Central Maine Indian Association's branch office in Portland.

A girl wins the bee

INDIAN TOWNSHIP — A spelling bee held at the elementary school at Peter Dana Point ended in an all-girl winning combination. Taking first place was Roberta Smith; second place, Sherry Tinker; third, Sandra Yarmal. Both Pleasant Point and Indian Township youngsters joined the recent event.

Tribe, Eastport probe port

By Ruby Richter

PLEASANT POINT — The tribal governor and council met with the Eastport city council and state and federal people, on Dec. 3, 1979.

The city economic development planners asked for Indian support for their proposed port authority, to be built at the end of Kendall's Head. This project, hopefully, would benefit the surrounding area, they said.

If this comes through, the tribe understands there will be no oil tankers allowed to go through.

Hope springs anew for reservation store

PLEASANT POINT — As many as 100 people have expressed interest in investing in a tribal store, by one tribal official's estimate. About five percent of these are non-Indians in the neighboring areas.

According to tribal planner, Charles Lewis, the store could use around 50 more investors. Stock for the store has been purchased, but finishing the interior and exterior will probably require an SBA or FmHA loan, Lewis said.

Although a building will be leased from tribal government, Lewis stressed that the store will be run by the investors and not the reservation administration.

Polchies a man who will be missed

By Brenda Polchies

HOULTON — Maynard Polchias was a husband, a father, an Indian leader. He was all of these and more but he was also chosen to bear a burden. He was afflicted with painful, crippling rheumatoid arthritis for most of his life. This did not keep him from having a concern and wanting to do things for Indian people in Aroostook County.

He was a leader for more than 1,500 off-reservation Maliseet and Micmac Indians in northern Maine and he was very active and involved in policy-making decisions for his people. He directed a large staff of numerous programs on a daily basis. He was instrumental in making a major move and taking on tremendous responsibility when the Association of Aroostook Indians relocated their offices to larger quarters at the former Bowdoin Street School. He represented his people on the Northern Maine Regional Planning Commission, Tribal Governors, Inc., the Division of Indian Services, the National Council of Alcoholism in Maine. He was a member of the Wabanaki Corporation of Orono.

The Maliseet and Micmac Indians in Aroostook County have lost their first Indian leader through death, and this has created a void which will be very difficult to fill.

Obituary

HOULTON — Maynard S. Polchies, 44, died March 5, 1980, at a Houlton hospital. He was born at Woodstock, N.B., Feb. 1, 1936, the son of Alex and Grace Paul Polchies. He was a member of St. Mary's Catholic Church. He was president of the Association of Aroostook Indians, a member of the Tribal Governors Inc., the Northern Maine Regional Planning Commission, and the Division of Indian Services. He is survived by his wife, Marion Gramour Polchies, his father and step-mother, Mr. and Mrs. Alex Polchies of Woodstock, N.B.; two sons, Rodney and Mark, both of Houlton, three brothers, Terry of Bangor, Valentino and Robert of Woodstock, N.B.; two sisters, Miss Mavis Polchies of Bridgeport, Conn., Mrs. Beverly Boyce of Houlton; several nieces and nephews. Funeral Mass was celebrated at St. Mary's Church, with the Rev. Joseph W. Cahill officiating. Interment will be in St. Mary's Cemetery.

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