

# MAINE INDIAN NEWSLETTER

VOLUME 2, NUMBER 8

MARCH 1968  
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FRIDAY - SATURDAY - SUNDAY

July 12 - 13 - 14



SECOND ANNUAL NEW ENGLAND INDIAN POWWOW

Circle 9 Ranch, Rte. 28, Epsom, New Hampshire.

All Indians and Hobbyist's are cordially invited to attend the 2nd Annual New England Indian Powwow. Here, you will find a beautiful woodland glen, set against a backdrop of green mountains. The spacious grounds provide an area with more than ample space for parking and camping. Also, all facilities are available on the premises.

**PROGRAM:** A vast variety of activities await you. There will be the largest and most beautiful Tipi Village in the entire East, Art & Craft workshops, Indian Foods, Indian Dancing and Songs. Also, many articles for sale, which have been handcrafted by Indians. Only American Indian made goods will be offered for sale. There will be Powwow dancing of all types and the music will again be supplied by:

"THE MEDICINE DRUM SINGERS & DANCERS OF NEW YORK"

Continuous activities until early morn.

**CAMPING:** Tipi's and tents may be set up beginning Friday, the 12th, after 10 A.M. All tipi's will be grouped in the village area and all other type tents will be located in an adjacent area. Campers will supply their own bedding, food, fuel, etc.

Good housekeeping will be the direct responsibility of each and every camper. Motels, Resturants, Groceries and other stores are within easy reach. There will be a food concession on the grounds operated by our gracious host, Clyde Joy.

**PRIZES:** This year the prize money has been more than doubled and more categories have been added to make this year's Powwow more attractive to all participants.

	<u>1st</u>	<u>2nd</u>	<u>3rd</u>	<u>4th</u>	<u>5th</u>
Traditional Dancing:					
Senior	20.00	10.00	5.00		
Junior	10.00	5.00	3.00		

(Cont'd on page 2)

(POWWOW, Cont'd from page 1)

	<u>1st</u>	<u>2nd</u>	<u>3rd</u>	<u>4th</u>	<u>5th</u>
Fancy Dancing:					
Senior	20.00	10.00	5.00		
Junior	10.00	5.00	3.00		
Women's Dancing: All	10.00	5.00	3.00		
Tiny Tot's: All	10.00	5.00	3.00		
Tipi Contest	25.00	20.00	15.00	10.00	5.00

-1968 NEW ENGLIND INDIAN DANCE CHAMIONSHIPS-

Ribbons will also be awarded along with the prize money. Also, an added attraction, for all, who work many months making their own Indian regalia: AN INDIAN STYLE SHOW, which will include the following categories: Eastern Men and Women's and Western Men and Women's.

For Reservations or  
Information, write:  
N.E.P.A.  
P.O. Box 47  
North Weare, N. H. 03281

Sponsored by the:  
New England Powwow Association, Inc.  
Deering-P.O. Box 47  
North Weare, N. H. 03281

COMM. HINCKLEY EXPLAINS CUTS IN INDIAN SERVICES

Commisioner Hinckley held a meeting at St. Ann's School in Peter Dana Point to explain what the cuts in Indian services were and why it was necessary to make temporary cuts. In brief, these are the cuts made. Effective on March 1st.

1. No collect calls at the Indian office.
2. No milk deliveries.
3. No clothing orders.
4. No prescriptions or visits to the doctor's office will be paid.
5. No transportation to the doctor's office will be paid.

Hinckley expalined that these cuts were necessary because the Dept. of Indian Affairs has only \$30,000 to last it till July when a new fiscal year begins. The Department didn't have enough money because of these three reasons; no guidelines on how the money was to be spent, unexpected repairs, and the increased cost of medical supplies. From now on, Indian fund money will be doled out in the form of budgets which will be set up for everyone getting assistance from the Department of Indian Affairs.

There is a chance that some services will be restored when the next fiscal year begins in July.

(From the Wigwam Weekly, Indian Township, Maine, 3/16/68)

NEWS FROM ALASKA

Howard Rock is an Eskimo from the tiny village of Point Hope, Alaska. He was the first person from his village to attend college. After four years at the University of Washington and a short career as an ivory carver, he went home to Point Hope to find his people worried about government plans to explode an atomic bomb to make a harbor. He helped

(Continued on page 6)

INDIANS ON WARPATH IN BAY STATE COURTS  
 by William Williamson, Maine Sunday Telegram  
 and Robert L. Turner, Boston Sunday Globe

On Christmas eve, 1776, George Washington warned the Passamaquoddy Indians never to "turn your hearts against me and your brethren of this country." After 174 years of poverty and hopelessness, Maine's Passamaquoddy Indians are on the warpath again. The 600 Indians are all that is left of the once powerful Passamaquoddy tribe which used to own a big chunk of northern and eastern Maine.

With the aid of two lawyers, the Indians have filed a court suit seeking more than \$150 million cash and other damages. Their legal counsel is Eastport attorney Don C. Gellers, who has been working more than five years in preparation of the law suit. To try the case, Gellers has enlisted the aid of Boston lawyer John S. Bottomley, who served as an assistant Massachusetts attorney general under Edward Brooke, now a U. S. Senator. Gellers has tried for several years to make Massachusetts officials listen to his argument. He even visited the office of Edward W. Brooke when he was attorney general. His efforts were fruitless until he contacted John S. Bottomley. Gellers and Bottomley worked out the suit filed Friday in Suffolk County Superior Court.

During the American Revolution, no less, a revolutionary than Gen. George Washington called upon the Passamaquoddy tribe to aid the colonies in their battle for independence. They responded to the call and are credited with a number of victories over the English. But after the Revolution, all was not peace and harmony between the Indians and their white neighbors, and by 1790 it became obvious that previous agreements were insufficient to ensure good relations. The result was the treaty of 1794 between the Indians and the state of Massachusetts. In those days, Maine was merely a district of the Bay State.

Under its terms, the Indians were given 15 islands in the Schoodic (now St. Croix) River; the Indians also retained a 23,000-acre township near Princeton; 10-acre Lewey's Island facing the township; 100-acre Mencass Point adjoining the township; 150-acre Pine Island, off Nemcass Point; and 10-acres on Pleasant Point in Perry. The treaty also assigned to the Indians fishing rights on both branches of the St. Croix River and perpetual rights to use a 50-acre site near Lubec as a meeting and "sitting down" place. Subsequent to the treaty, in 1801, the Massachusetts General Court deeded an additional 94 acres at Pleasant Point to the tribe, giving the Indians just over 100 acres there. The only exception to Indian sovereignty on these lands was a treaty stipulation that Massachusetts could take "pine trees fit for masts" from reservation lands. The Indians were to be paid for any such trees taken.

All other lands previously considered by the Indians to be theirs went to Massachusetts under the treaty - millions of acres comprising what is now Washington County, and most of Hancock and Aroostook Counties.

Massachusetts recognized that this massive land loss by the Indians severely limited their ability to pursue their traditional means of gaining a living. So the treaty included a further boon. In return for giving up their lands, the Indians were promised everlasting support for themselves and their heirs. Massachusetts agreed to provide each year the tribe's necessities. That was in 1794 and that's when all of the present trouble really began.

In the first place, the 15 islands deeded to the Indians didn't belong to Massachusetts. They'd been sold the year before to one William Bingham.

Also, after the treaty had been ratified by the General Court, Massachusetts began allowing non-Indians to cut timber from reservation lands, whether "pine trees fit for masts" or not, the Indians claim. And they were never paid for any of these timber losses, they add.

In addition, the suit claims, the Indians have never seen a penny of the \$37,471.03 given by Massachusetts to Maine in 1822 to establish a trust fund for them. Added to this sum is another \$30,000 paid by Massachusetts to Maine

(Continued from Page 3)

to allow the new state to honor the 1794 treaty obligations. In 1819 the Massachusetts General Court approved the creation of the state of Maine via a Compact of Separation. Among its many other provisions, the Compact states: "The new state shall assume and perform all the duties and obligations of this Commonwealth towards the Indians, whether the same arise from treaties or otherwise." It adds that Maine must "obtain the assent of said Indians and their release to this Commonwealth of claims and stipulations arising under the treaty existing with said Indians." Thus Maine agreed to assume all treaty obligations and to get a release from the Indians freeing Massachusetts from any further responsibility.

Maine did neither. Although it did obtain a release from the Penobscots and signed its own treaty with them, no such release was ever gotten from the Passamaquoddy tribe. The Passamaquoddies did not approve the transfer and therefore feel they still have a legal claim against Massachusetts.

Having placed the \$30,000 from Massachusetts in its general fund, Maine then faced the problem of meeting the support obligation it had agreed to assume. Maine came up with such funds by leasing out timber-cutting rights on Indian reservation lands, which the Indians claim was in direct violation of the 1794 treaty which Maine had vowed to honor. Massachusetts happily sold off Nemass Point and Pine Island to a non-Indian without any compensation to the tribe.

Maine sold off parcels of the 23,000 acres at Indian Township, totaling 7,960 acres, to non-Indians and today about 30 individuals have title to these lands. About 2,970 acres of the township have been flooded and submerged by dams built in conjunction with non-Indian logging operations on the reservation. The Indians also cite violation of their treaty lands in other ways. Although most of the alleged treaty violations were committed under Maine's auspices, the tribe claims that Massachusetts, as the party that made the 1794 treaty, is legally responsible for all its woes. Had Maine obtained a release from the Indians freeing Massachusetts from its treaty obligations, the Bay State would be in the clear, at least since 1820. But no release was ever obtained.

By far the largest portion of the monetary claim against Massachusetts is contained in a single item - the \$34,471 fund that Massachusetts set aside in 1822, to cover "all debts, annuities and Indian subsidies or claims due by the Commonwealth." Since it was a trust fund, the Indians say they are entitled not only to the sum itself but to compound interest as well. And since 1822, the original \$37,471 figure would be worth in excess of \$150 million today at a 6% investment return rate.

Should Massachusetts lose the case and be held liable for multi-million dollar damages, there seems little doubt that Maine in turn would find itself in court. Since Maine agreed to accept all of Massachusetts' obligations under the 1794 treaty when it became a state, the Bay State can claim improper action by Maine if the Indians win the current case. Although Maine can claim sovereign immunity in a case against the state by the Indians, it can't do so if Massachusetts wants to bring suit. Massachusetts can sue Maine for damages in the U.S. Supreme Court.

Although the complaint filed Friday in Suffolk County Superior Court doesn't name specific damage amounts, it is possible to put a fairly close dollar value on a number of its claims. These will probably be aired when the case is being argued.

It is reliably reported that the Indians will seek \$500,000 for the islands they were promised in the treaty, even though Massachusetts had already sold them at treaty time.

They plan to seek another \$1 million for lost fishing rights; about \$2 million for the 7,960 acres of reservation land sold to non-Indians by

(Continued on Page 5)

(Continued from Page 4)

Maine; and \$1.5 million for the lands submerged by non-Indian lumber operations.

They'll ask principal and compound interest on the \$2,486 taken from their trust fund by Maine and given as damages in the case naming them as trespassers on one of the St. Croix River Islands. That would come to more than \$400,000.

Lost hunting rights are named as reason for damages of about \$750,000, and another \$400,000 will be asked in damages for the loss of voting and civil rights the Indians claim.

The tribe is also seeking a court ordered accounting for the loss of timber from reservation lands as well as an accounting for the loss of gravel taken by the state. It is also seeking an accounting of the \$30,000 that Massachusetts gave Maine in 1820 to compensate the new state for its obligations to the Indians.

In all, the total damages being sought by the tribe range between \$150 and \$200 million dollars. Although some of Maine's Indians are too overwhelmed by the magnitude of the case to grasp the effect a legal victory could have on the tribe, John Stevens, chief of the Indian Township Reservation, remains unperturbed. Stevens smiled recently when asked how he felt about the upcoming litigation.

"I feel damned good about it. A long time ago we sold Massachusetts a whole lot of real estate, and they never paid us. We think they're going to have to now. We may lose, I know that, but we don't think we're going to. And if we win, well that'll be the end of a long wait for us, and we'll begin to live and work the way we should've been able to for the last 175 years. This is the first real chance we've had, and we're thankful for it."

Bottomley said Saturday, "I have great confidence in the fairness and objectivity of our court system and I think the record is clear that there has been a consistent breach of contract over a long period of years." He said he knew the amount of money involved would make the case a political issue but added that he is "naive enough" to believe that the amount would not affect the court's decision.

The Passamaquoddy tribe will have to wait a while longer before it learns the fate of its venture in the courts. But the waiting is different now, because it is accompanied by hope.

Further action in the case has been put off until May 27, when Massachusetts Attorney General Elliot L. Richardson will be required to file answers to the suit's allegations.

(From the Boston Sunday Globe, 3/10/68, and the Maine Sunday Telegram, 3/10/68)

#### INDIAN AFFAIRS COMMITTEE CHAIRMAN SEEKS HOUSE SEAT

EASTPORT - Sen. Herald J. Beckett of Eastport will seek the Republican nomination in the June Primary for Representative to the Legislature. He hopes to represent the towns of Eastport, Perry, Robbinston, Charlotte, Meddybemps, and all towns north of Indian Township to Danforth. (Under the reapportionment act passed by the 103rd Legislature, the Pleasant Point and Indian Township Voting Districts are also included in this area. - Ed.)

As a senator in the present 103rd Legislature, Beckett was chairman of the Committee on Indian Affairs, chairman of the Committee on Liquor Control, a member of the Sea and Shore Fisheries Committee and a member of the Committee on Engrossed Bills. While a member, he presented a bill which removed all tolls from Jonesport-Beals Bridge. Beckett presented another bill regarding district court costs. He is credited with playing a large role in saving from defeat a bill authorizing a bond issue for minimum improvement on sewerage, sanitation on one Indian reservation and improvement and additional school classrooms on all three Maine Indian reservations. This bond issue will be voted on at the June 17 Primary Election. (Bangor Daily News, 3/22/68)

(News from Alaska, continued from page 2)

organize a protest which stalled the plans. He saw from that experience that his people needed a newspaper. Communication was difficult because of the great distances in Alaska. So, with some financial help from a doctor in Massachusetts, Rock started the Tundra Times.

Now the Tundra Times, published weekly in Fairbanks, is thriving. It has been instrumental in uniting the Eskimo, Indian, and Aleut peoples in Alaska, and in getting them representation in the State Legislature. More than anything, the paper reflects its constituency. It is a rare chronicle of an old and gentle civilization attempting to cope with new and strange problems.

To a distant observer, the paper is quaint, but the problems are real. Even the desire for progress isn't unanimous.

"School, school, school," a reader from Nulato, Alaska, complains, "that's all I ever read every time I pick up your paper. ...We need something more than schooling in our villages, cold storage, water well, instead of throwing money away for schooling. Too much schooling is no good; you get too smart for nothing and lazy. You live longer if you use your muscles like me."

Tundra Times, Box 1287, Fairbanks, Alaska, 99701, 25 cents per copy \$8 a year by regular mail, \$19 by airmail.

(From the Village Voice, New York, 3/14/68)

#### LAW SCHOOL SCHOLARSHIPS FOR INDIANS

Special scholarships in law are being offered to American Indians again this year by the University of New Mexico.

The UNM Law School is presenting, for the second year, the Special Scholarship Program in Law for American Indians. The program will consist of an eight-week "pre-law" program, beginning June 17. Students selected to continue in the program after the summer session will enroll in law school as regular students in the fall.

The purpose of the program is to encourage Indians to enter law school and to help them obtain this objective.

Students selected for participation will receive substantial scholarship grants. Each student selected will be awarded a tuition scholarship, travel and book allowances, and a grant for living expenses. The amount of the grants will depend upon the student's need, but it is anticipated they will range from \$1,000 to \$1,500 for the eight-week summer session, and from \$2,500 to \$6,000 for the academic year.

The great need for Indian lawyers is evidenced by the fact that there are no Indians practicing law in either Arizona or New Mexico even though the Indian population of the two states is probably close to 200,000.

It is hoped that the New Mexico program will attract Indians who are presently in their third or fourth year of college, those who will graduate this June, and individuals who have graduated during the past five years.

Since the program has no prescribed college pre-law program, students majoring in any subject are eligible.

Last year, in the first year of the program, 18 applicants representing 13 tribes were accepted for the summer portion. Seven of these were undergraduate students who had not completed undergraduate work. Of the 18, nine were eligible for law school last September, and seven were accepted and are now regular law students. Those interested in making application should contact Professor F.M.Hart, University of New Mexico Law School, Albuquerque, New Mexico, 87106.

## E D I T O R I A L S

## THE MAINE INDIAN NEWSLETTER

EDITOR: Eugenia (Thomas) Thompson  
(Penobscot)

News and stories may be submitted to the Newsletter for publication at the following addresses:

news items	Pine Street
opinions	Freeport, Maine 04032
statements	or
stories	Mary Yarmal
ideas	Plesant Point Reservation
jokes	Perry, Maine 04667
cartoons	or
information	Morris Brooks
recipes	Indian Township
hints	Princeton, Maine 04668
memos	or
remedies	Carol Dana
suggestions	Indian Island
complaints	Old Town, Maine 04468
gripes	
predictions	

## THE HORSE IS STOLEN, NOW WHAT...

You've heard that expression of putting the lock on the door, after the horse is stolen. We would like to apply this expression to the recent fire that occurred on the Pleasant Point Reservation. What this means is the fire equipment was made ready after the house burned down.

Mary Yarmal, our reporter from Pleasant Point, and her six children were left homeless following the fire which was caused by a flooded oil burner. (See story on page 17.) There was no volunteer fire company at Pleasant Point Reservation. The nearest one at Perry,  $2\frac{1}{2}$  miles away took an half-an-hour to arrive, and the volunteer fire company at Eastport took 45 to 50 minutes to arrive.

The pump truck from Perry, failed to function properly. The hydrant failed to function because it was clogged with mud and debris.

I was present at the hearing at the State House, a year ago, and heard Louis Jalbert, Rep. from Lewiston, assure the Indian governor that the fire fighting equipment could be obtained from the Civil Defense with no problem. This alternative was given when Mr. Jalbert explained that appropriations would not be approved as requested by the Commissioner.

In the present case it is difficult to find any one person to blame for what happened. Everyone is to blame.

Perry obviously lacks pride in keeping its fire equipment in proper shape. Eastport feels no compulsion to respond quickly to an out of town call. And a fire hydrant filled with mud? I don't know whose fault this is.

I haven't heard any complaints over the past year from the Indians failing to obtain fire equipment. But the problem was just as serious at the Penobscot Reservation in Old Town where less than a year ago, a tragedy occurred because the Old Town fire company did not arrive in time. Several of the Indians present at the time were certain it could have saved a child's life if they had their own equipment.

(Continued on page 8)

(Continued from page 7)

Why didn't they have their own equipment? Because Health and Welfare officials took it away, and gave it to the Old Town fire company several years ago, telling them that they did not need this equipment and that Old Town was close enough to do the job.

There are many federal, state programs to help with tribal problems but you can keep pulling rabbits out of a hat only so long... If this necessary equipment cannot be obtained from any of these programs then the reservations should feel compelled to raise the money themselves if necessary to obtain the equipment. Many small communities throughout Maine have done just that and have not had to pay out a great a. gr. deal of money.

In other words, many problems became evident during this last fire, and it should be clear that the Reservations can no longer depend upon outsiders for help in meeting such emergencies. It's time we thought about getting some of our own equipment even though it means sacrificing in some other areas. Perhaps then future tragedies can be prevented.

#### LETTERS TO THE EDITOR

Gentlemen:

Pertaining to the Maine Indian Newsletter, I would appreciate receiving the regular monthly issue.

I came from Peter Dana Point, Princeton, Maine. I live here in Cambridge, Mass., with my two children and my darling wife.

On the reservation, I am better known as, (flaming arrow) or (War Cloud). Here in Mass, I work, and play sports on my spare time, sports such as Golf, Basketball, Boxing, Track, and Hurdles, and also three trophies, one from Boxing, one from Track, and one from Hurdles.

The Maine Indian Newsletter, (to me), will be of great help to my people in the near future. Thank you.

Dennis Tomah

Dear Mrs. Thompson:

Enclosed a money order for the Indian Newsletter.

We all enjoy reading it very much, keeps us informed on what's going on at the three Reservations.

My son S.E.C. Francis J. Nicholas arrived from Viet Nam. He has been on voluntary duty for 18 months, normal duty is 12 months, he's a Special Forces man, We thank God for his safe return.

I read Mr. Edward Hinckley gave an order: No more milk. No fuel. No more medication or Dr. Bills will be paid.

How can one Man give such an order??

I read in the January Newsletter that he, Mr. Hinckley told the Legislators and State Officials, he would let the Indians decide where the cuts shall be made. He said, quote "I plan to let the Indians decide where the cuts shall be made; they are the ones who are going to be hurt.

Hurt we will be, for the poor. I remember two cases, where a man, Noel Francis, a woman, Mrs. Myra Dana, died, because they has no authorization from the Indian Agent. They were not admitted in the Hospital. I am afraid the same will happen now, if no one isn't allowed to enter the hospital.

What's happening in our Reserve reminds me so much of what happened in 1943. When Hitler gave an order to the thousands of Jewish people, to take steam baths, instead of steam baths, they walked (naked) men, women, and children into the gas chambers.

(Continued on page 9)



(Continued from page 8)

I also believe we made a very serious mistake when we transferred from Health and Welfare to Indian Department.

We have never been deprived of medication, fuel, etc before.

We jumped from the frying pan into the the fire. I could tell Mr. Edward Hinckley where the cut should be made. Cut his salary and his staffs, and he should let the Governor and Council (Indians) decide where the cuts shall be made. In his own words, we are the ones who will be hurt.

Yours truly,  
Mrs. Margaret A. Nicholas  
Spring Lake, N.C.

Sirs:

Your attention is called to the following announcement which appeared in Indian Voices, winter 1968, p. 30.

"A bill has recently been passed by Congress and signed by the President which is designed to give financial aid to local school districts where there are students who speak another language than English in the home and whose families have a low income. Specifically, this program will aid schools in setting up curriculum in both English and the native language.

Anyone interested in this program for their local area and who wants more information about it should write to:

Dr. Samuel L. Stanley  
Office of Anthropology  
Smithsonian Institution  
Washington, D.C. 20560"

Sincerely yours,  
Willard Walker

Dear Sir:

Please send the "Maine Indian Newsletter" to S/Sgt H.J. Lewey,

Sgt. Lewey is the son of Delia Mitchell of The Strip, Princeton, Maine, and is now stationed at Long Benh, South Vietnam.

We enjoyed receiving the Newsletter while we were in the Canal Zone, and I know he will appreciate continuing to receive news from home during the coming year. Thank you.

Mrs. H.J. Leuey

(The following letter is from Descendants of American Indians of N.H. Inc. It regards the announcement on page one of this issue.)

Dear Mrs. Eugenia Thompson,  
Sago:

I have enjoyed your Newsletter very much and would like to anticipate the swapping of news. As you are probably aware, the N.E. Powwow we ran in Epsom, N. H., last summer was highly successful and plan even a bigger and better one this coming year. As there is no Indian Reserves or even a BIA here in N.H. I was very

(Continued on page 10)

(Continued from page 9)

surprised to find so many people here from all over the country and of so many various tribes.

Many of our 85 members are from Old Town, P.E.I., and even a full-blooded Navajo, who is an electronics engineer in Manchester.

With your approval, I would like to submit, to your newsletter, a brief history of our group for some future issue. If, this would be agreeable, please advise me and feel free to send us any news you would like to cover this area and I will make certain it is in our monthly newsletter.

Find enclosed my subscription and fee for the 1968 year; even though entitled to a free subscription, I know one cannot continually operate out of one's own pocket forever or spend hours out selling advertisement to cover costs.

Sincerely;

Oneh:

Hagewa Williams

(Editor's note: Our readers may look forward to reading about the above organization in a future issue.)

Dear Editor;

I am writing in reply to Helen H. Ross's letter of a couple of months ago. Miss Ross claims there "is more concerned in this issue than is generally known." She is perfectly right. She also suggests that Dr. Cox and Dr. Williamson, whose articles she claims to have read, should go to Eastport and find out more about what is concerned. "Go to Eastport and get some facts.", she says. However, she, in her letter, stated only vague insinuations, not facts. She left Eastport the 26th of August, a full week before the issue she refers to actually began.

Mr. Williamson has been to Eastport and the two Passamaquoddy reservations a good many times in the last couple of years and has gathered many, many facts. He has also travelled and called many other places all over New England in regards to this and other Indian issues. Furthermore, he has been asked to speak publicly and privately on a number of occasions as an authority on Maine's Indians. One series of articles which he wrote about the Indians for the Maine Sunday Telegram netted him an important press award.

I have also been to Eastport and Pleasant Point. The third night of my first visit to Washington County was quite an experience, in fact. I was rudely awakened by state police officers who had illegally entered the home of the family whose guest I was for the weekend. Three days later I wrote a letter to Governor Curtis and the Chief of State Police and requested an investigation of the matter. I was promptly promised an immediate investigation with personal notification of its results. But more than six months later I have received no results whatsoever. A second letter to the governor and a personal visit to state police headquarters in Augusta have been fruitless in getting a complete and satisfactory answer, although I was twice interrogated at great length by state police officials.

If I am not mistaken, Miss Ross is a former member of the Washington County Democratic Committee. I wonder how she feels about the governor's appointment of a Republican to replace the late Mr. Sprague, a Democrat like both herself and the governor. The very committee to which she once belonged unanimously supported Mr. Don Gellers, a Democrat, for the position, and repeatedly urged his appointment to the position.

(Continued on page 11)

(Continued from page 10)

Miss Ross asked Peter Cox in her letter, "Do you question the integrity of Gov. Curtis and the State Police?" Well, if these things aren't enough to make anyone question it, I'll remind her of something else she must remember reading in one of Mr. Williamson's articles or hearing on the radio or seeing on television.

I was dismissed from my teaching job two days after my first appearance as a witness for the defense in the trial of Daniel Bassett et al vs. the State of Maine, as the result of a phone call from the state attorney general's office in Augusta to my employer. That phone call was made the day following my court appearance.

Miss Ross does question the integrity of Mr. Gellers, the Indians attorney in the Bassett case and the tribal land suit against the State of Maine. Is he "working for the Indians or for himself?" she queries. If it's for himself, it is certainly not for financial or political gain. The only payment the Passamaquoddies are able to make him for his services is an occasional load of firewood, since the state government refused the tribe the use of its own trust fund money to pay an attorney in their land treaty case. And with the refusal of the governor to appoint him county attorney, Mr. Gellers is certainly not profiting politically.

Apparently Miss Ross feels a lot of disreputable people are to be found in the company of Mr. Gellers, although she doesn't come right out and say it. I have been to his home and office any number of times in the last six months, including my last leave from the military when my wife and I spent four days in Eastport. I have met quite a number of people there, but none "who have followed Mr. Gellers to Eastport" and I felt "right neighborly toward them" as Miss Ross puts it. The people I met there were mostly long-time residents of Eastport and Perry, Maine.

The point of Miss Ross's letter was not very well taken. In fact, it was not even very clear. It seemed to be just a vague slur against the efforts of attorney Gellers and those who have been reporting, quite equitably, I think, his efforts to untangle the legal problems of the Passamaquoddy Indians. I think she is the one who had better "go back to Eastport, get some facts, and quote both sides fairly." If she is unwilling to, perhaps it is just as well that August 26 marked the end of her residence in Washington County.

Sincerely yours,

Robert S. Howe, Airman, USAF

(More recently Mr. Howe sent us another letter which also has much merit, is self explanatory and follows. -Ed.)

Dear Editor:

In view of the fact that the Indian land treaty case has come out in court already and because of the other recent development which you are no doubt aware of, I feel it best that I retract my reply to the letter written by Helen Ross of a number of weeks ago.

The timing of the recent incident between Don Gellers and the state police was too significant to be coincidental. It's too bad that state officials and people like Miss Ross have this event to use as fuel for their fires which are already trying to burn all the bridges of progress made by and for the Passamaquoddies. Hopefully the land treaty case will not be damaged by Geller's arrest.

I will leave it to your discretion whether to publish my reply to the Ross letter, but in view of the circumstances I feel it would be

(Continued on page 12)

rather ineffectual.

I would like a subscription to the Newsletter. . . Thank you.

Robert S. Howe

(The following article taken from The Portland Press Herald on 3/12/68, explains the incident referred to in Mr. Howe's letter above. -Ed.)

Indians' Lawyer Held  
On Marijuana Charge

Augusta(AP) - Eastport attorney Don Cotesworth Gellers, 31, and Alfred Cox, 35, were arrested at Gellers' home Monday afternoon, state police reported, on charges of possession of marijuana.

The arrests were made by members of the state police Bureau of Criminal Investigation, state headquarters at Augusta said.

The men were taken before Judge John M. Dudley in District Court in Calais but were not asked to plead to the charge.

Dudley ordered arraignment held before him March 19 in District Court in Machias.

He set bail at \$2,000 surety or \$500 cash for each defendand.

Gellers posted bond and was released. Cox was taken to the Washington County Jail in Machias.

Gellers had no statement to make regarding rhe case except to say, "I am innocent."

Gellers has lived in Eastport about five years and has been devoting much of his time to representing the Passamaquoddy Tribe of Indians in legal affairs.

Last Friday he filed suit on the Indians' behalf against the Commonwealth of Massachusetts in Suffolk County Superior Court in Boston. The suit claims damages for alleged violation of treaties concerning land, water and timber rights.

Gellers also is defense counsel in a pending Washington County Superior Court case in which several Indians are accused of assaulting a state trooper. Countercharges of police brutality and unlawful search were made in the case and are under state investigation.

The state police said the arrests of Gellers and Cox followed an investigation that lasted several weeks.

Assistant Atty. Gen. Daniel F. Lilley of the attorney general's criminal division, said in Augusta that the police also seized at Geller's home "a substance which we believe to be marijuana."

He said it would be analyxed by a state chemist.

#### LAND CLAIMS

(Some Indians under Federal jurisdaction have been awarded \$33.5 million by the Indian Claims Commission during the past year, we learn from the Rosebud Sioux Herald. -Ed)

Six other groups, awarded in 1965 and 1967, are waiting for their claims to become final. They may get nearly \$21.4 million pending appeals or other legal action, the BIA report said.

Of the nearly \$55 million granted, \$15.3 has been appropriated by Congress.

The report said the appropriated funds earn interest for the tribes involved while they wait for final Congressional action and the pay-off.

As of Jan. 1, the Indian Claims Commission had granted 100 awards totaling nearly \$225.4 million.

(Continued on page 13)

(Continued from page 12)

1967

Awards granted in 1967 included:

- \$12,250,000 - Eastern or Mississippi Sioux (six awards for four groups).
- 8,500,000 - Mescalero Apache.
- 6,700,000 - Spokane.
- 3,500,000 - Colville.
- 899,408 - Sac and Fox.
- 771,441 - Kickapoo.
- 695,564 - Sac and Fox.
- 136,165 - Snohomish.
- 33,262 - Wea (Peoria).

1965 + 1967

Awards granted in 1965 and 1967 but not final:

- \$ 2,094,573 - Potawatomi.
- 965,560 - Sac and Fox.
- 935,000 - Northern Paiute.
- 15,699,000 - N. Paiute.
- 773,131 - Miami.
- 633,193 - Iowa.
- 171,896 - Peoria.

1966

Awards granted in 1966:

- \$ 4,431,622 - Flathead.
- 2,450,000 - Confederated Tribes of Oregon.
- 1,037,414 - Creek Nation.
- 11,511 - Kickapoo.
- 11,394 - Iowa.
- 4,479,498 - Utes (in the Court of Claims because it was pending before the Indians Claims Commission's birth.)

#### FAIR VALUE

Most of the claims are for fair value of Indian lands ceded to the U.S. or taken by the government in the past, the BIA report stated.

(Also from the Rosebud Sioux Herald, Rosebud, So. Dakota 3/11/68:)

NCAI Official Predicts Indian Rights, Trouble As Major 1968 Issues.

Constitutional rights, hunting and fishing rights, and trouble-makers on the reservations--these may be the major crises facing American Indians in 1968.

This is the word from the National Congress of American Indians as it goes into a campaign to get more individual and tribal memberships in this Indian organization.

NCAI Executive Director John Belindo sees a big job ahead, according to a campaign report.

He called attention to the Ervin Omnibus Bill to give Constitutional Rights to American Indians. It passed the Senate at the close of the past session.

"It will take a great deal of work to get this bill passed in the House of Representatives and signed by President Johnson," he predicted.

Belindo said NCAI has led the fight for these rights "for a number of years." - - -

He also said NCAI is the only national organization to voice an objection at this time to three bills which "would take away all Indian hunting and fishing rights by placing tribes under state control."

Those desiring more information should write: NCAI, 1346 Conn. Ave. N.W., Washington, D.C. 20036.

## FUND DRIVE FOR INDIAN LANDMARK GAINS MOMENTUM

Skowhegan's Tourist Hospitality Association is well underway to raise funds for the erection of the largest sculpture of an Indian in the world of its kind. Nationally-acclaimed painter and sculptor, Bernard Langlais of Cushing, Maine, has been constructing the wooden Indian, which will stand 45 feet in height, as a landmark for the Town of Skowhegan. Members of the Association have been conducting several fund-raising projects in an effort to provide the necessary money, estimated at approximately \$10,000.

Most of the members each contributed \$25 to start the project rolling, and William Philbrick of Skowhegan furnished the logs for the sculpture. Last summer, proceeds from the group's Antique Auto Parade went into the fund, and in the fall the group netted \$275 from sale of tickets for the movie, "The Sound of Music." Colorfully painted barrels marked "Help Build an Indian" were placed in the town for contributions from tourists and residents alike, and small leather cut-outs of an Indian head were on sale at the Tourist Information Center.

All of these projects have brought in a total of almost half the cost of the landmark....When the final goal is reached the dream of this group of people will be realized and Skowhegan will have a landmark unlike any other in the world. Plans are now being made to place the Indian on a knoll in Skowhegan's Coburn Park overlooking the Kennebec.

One of the reasons for the Indian's being unlike any other is the somewhat abstract design of the figure. In other words, it will hardly be a stereotype of any Indian, but will depict Indians in Maine prior to settlement by the colonists and will be authentic in every detail. Langlais has done considerable research in order to make it as authentic and accurate as possible. Assisting him in research have been the Maine Department of Indian Affairs as well as Indians from Maine reservations.

Since Maine Indians depended greatly on fishing for a livelihood, the Indian will be holding a fishing net and spear. The Indian itself is being constructed of four logs, each 30-some feet long and 18 to 20 inches in diameter at the small end. They are being seasoned and dyed. A metal shaft will be enclosed within the center for durability. After the dying and sculpturing has been completed, the wood will be chemically treated in order to be left untouched for twenty years or more.

A cement base, 10 feet high, will support the sculpture on its chosen spot in Coburn Park. During the night the Indian will be lighted to be seen at a distance from the highway.

The Tourist Hospitality Association has also made arrangements to make wooden scale models of the Indian for tourists visiting the area. In order that no models like them may be bought anywhere except in Skowhegan, the pattern is being copyrighted. Thus the Indian will be a major attraction to visitors, as well as a historical monument to our Indian forerunners.

(From the Somerset Reporter, Skowhegan, Maine, 2/15/68)

## PRESIDENT ASKS PLAN FOR INDIANS

WASHINGTON (UPI) - President Johnson asked Congress Wednesday for what amounted to a \$500 million civil rights-welfare program for American Indians. The White House said their plight "dwarfs the situation of any other Americans in the worst ghettos..."

In a special message Johnson asked for funds to give Indians improved economic, social and educational opportunities, a greater voice in their own affairs, and tribal rights to determine whether state criminal and civil laws shall apply on their reservations.

(Continued on Page 15)

PRESIDENT ASKS....  
 (Continued from Page 14)

But without waiting for Congress to act, Johnson issued an executive order creating a National Council on Indian Opportunity, headed by Vice President Hubert Humphrey and including six cabinet members, to seek improved living conditions among the nation's 600,000 Indians.

The message - the first one a President ever sent Congress on Indian problems - was the result of a special task force study begun two years ago. Johnson said it had disclosed a "shocking situation" existed among the Indian population, which includes 400,000 on or near reservations in 25 states. The President, who said his proposal would cost about \$500,000,000, asked that Congress take action to provide "a standard of living for the Indians equal to that of the country as a whole."

He also asked that they be given "an opportunity to remain in their homelands, if they choose, without surrendering their dignity; an opportunity to move to the towns and cities of America, if they choose, equipped with the skills to live in equality and dignity." Johnson said Indians should have "full participation in the life of modern America, with a full share of economic opportunity and social justice."....

(From the Bangor Daily News, 3/7/68. Asked to comment on the President's proposals, Maine's Commissioner of Indian Affairs, Edward Hinckley, explained that he doubted that the tribes of Maine, not being under the administrative jurisdiction of the Federal government, would benefit directly from the requested appropriations, but that he felt the national attention being focused on all American Indians would benefit the Passamaquoddy and Penobscot Tribes indirectly in many ways. He also commented that he was glad to see President Johnson following Maine's lead in involving the Indians more in the development of their own future. - Ed.)

NATION'S INDIAN POLICY DRAWING SHARP ATTACK

A study based on a still-secret White House task force report blasts the Federal Government for treating Indians as "simple minded children" and attacks the Johnson Administration's pending Indian aid bill as showing a "tragic misconception" of the real need.

The study was written for Congress' Joint Economic Committee by Herbert E. Striner of the W. E. Upjohn Institute for Employment Research. But Striner was reportedly a member of the White House task force and used many of the group's 1966 findings in his report.

U. S. Indian Affairs Commissioner Robert L. Bennett immediately took issue with the Striner study. He said progress was being made in improving Indian conditions and that the government is moving away from paternalism to letting Indian leaders make their own decisions.

Striner charged that the Administration's legislation, which was sent to Congress last year, "completely ignores Indian needs for education, training, housing, welfare and health. He said the level of funding needed was "never properly understood."...

He urged a phasing out of government boarding schools and establishment of local school boards and a national advisory board instead...Striner also said that the federal government should assure the Indians that present Federal protection and services will never be taken away unless a tribe specifically requests this step. The fear of the loss of government help has turned Indians against various new plans in the past...

(Bennett said) instead of getting new legislation for education, housing and other areas, the Administration has been seeking amendments to Great Society programs to increase their Indian coverage...

(From Community Development, Washington, D.C., March 1968)

## FUTURE OF MAINE INDIANS NEVER DISCUSSED WITH THE TRIBES

by Dick Plante

Members of the Auburn-Lewiston Kiwanis Club were told that there has too long been a lack of planning and beneficial participation in the Indian affairs in Maine. Edward C. Hinckley, head of the Maine Department of Indian Affairs, told the Kiwanians: "The Indians have been here for about 10,000 years but nobody bothered to discuss their future with them."

The speaker said he believes that the lack of planning was due to an assumption that the Indians, as a people, will disappear. But he said the theory is incorrect and he told his audience that Indian heritage should be looked upon as a premium rather than a liability...

The Indian expert said Maine set an example for other states in January of 1966 when it created its Department of Indian Affairs. Hinckley said it made the state a leader in the development of programs for the benefit of the Indians.

"Indians have no desire to become invisible or to disappear," Hinckley stated, as he pointed out to his audience that the Indian culture is as distinct as the culture of the many other nationalities which make up the American people.

The speaker told members of the club that there must be planning to aid the Indians in improving themselves and their communities. He said that many of the Indians prefer to remain on the reservations because of their relationship with "Mother Earth."

Hinckley said some steps toward improving the lot of the Indians have been taken. He said that he met only yesterday with representatives of the Passamaquoddy tribe and other state and federal officials about the feasibility of a comprehensive study of the needs and resources of the Indian community. (See February Newsletter, Page 18 - Ed.)...He stated that the Indians do have the ability to administer and manage their own problems if they are given the same assistance and opportunities available to other communities.

Hinckley also told Kiwanis that for the first time in many years the Legislature has approved a bond issue to make possible construction of school, water and sewerage facilities on the reservations. The speaker noted that the bond issue will go to Maine voters for approval June 17, and urged residents of Lewiston and Auburn to support the measure.

Hinckley told his audience that the ultimate goal of his department is to return the Indian to his former status - he said Indian communities, like other Maine communities, should be self-governing....

(From the Lewiston-Auburn Journal, 3/6/68)

## SLOW PROMOTION

We were proud to have what we believed to be the only full-blooded Cherokee in the submarine service. He was recognized as a highly competent yeoman first class, but couldn't pass the examination for chief petty officer. At the posting of the latest exam results, when he found that once again he had not made chief, he commented dryly, "If I'd stayed on the reservation, I'd have been chief two years ago."

(From the Readers Digest, January, 1968, by TM2 Richard T. Vannoy)

## ABBREVIATION

In Hamilton County, Ohio, the Board of Park Commissioners was looking for a name for a new 1,010-acre park. There was a suggestion that the commissioners might call the place what the Indians once did, Moqueghke Kitchokema Wehyahpi-hehrsehnhwah Sepe. After lengthy consideration, the commissioners chose Shawnee Lookout instead. Which seems pale-faced by comparison.

(From Sports Illustrated, 2/26/68)



## CURTIS ASKS HHH TO INCLUDE MAINE INDIANS IN PROGRAM

AUGUSTA - Gov. Kenneth M. Curtis has asked Vice President Humphrey to include Maine Indians in the half billion dollars in federal aid that has been requested by the administration.

In a letter to the Vice President, the Governor requested that the National Council on Indian Opportunity "also consider assisting Indians on State reservations in planning and recommending programs." President Johnson set up the council, named Humphrey its chairman, and has asked for a \$500 million appropriation that will be channeled largely through federal agencies to tribes under federal jurisdiction.

"We in Maine have three small Indian reservations and are attempting to improve the housing, educational and recreational facilities," the Governor said. "I hope it will prove possible for an increasing number of national Indian programs to be developed so as to include 'State' tribes as well as 'Federal' tribes," the Governor added.

Maine's three reservations are located near Perry, Princeton and Old Town. But because of the way Indian tribes came under government supervision, most of the Indians living east of the Mississippi are legally termed "State" Indians while most of those west of the river are under federal control.

This historic difference has, in recent years, caused problems for federal agencies seeking to determine whether State Indians can receive aid under the poverty programs that have been established in the past decade.

## FUEL OIL ANALYSIS ORDERED AFTER FIRE DESTROYS RESERVATION HOME

EASTPORT - As a result of a fire which left an Indian mother and her six children homeless, a state fire inspector Friday sent samples of fuel oil to the state laboratory for analysis. Indian officials here are also questioning the delays of Perry and Eastport Fire Departments in answering the call and other events connected with the fire.

Inspector Donald Bisset of Blue Hill said Friday night that he took several samples of fuel oil from homes on the Indian Reservation to determine whether the oil contains any explosive or foreign substances.

The fire at approximately 9:30 a.m. Thursday at the home of Mrs. Mary Yarmal was believed to have started as a result of a flooded oil burner in the living room of the home, according to the state inspector. Bisset added that after Mrs. Yarmal had taken the three youngest children to safety an explosion was heard inside the dwelling.

The Perry Volunteer Fire Department arrived about half an hour after the call was turned in, and Eastport's Volunteer Department arrived about 15 to 20 minutes after Perry, according to Governor Joseph Mitchell of the Pleasant Point Reservation. He also reported that the Perry pumper failed to function properly and secondly, the reservation's only fire hydrant was discovered "plugged with mud and other debris." Gov. Mitchell pointed out that the entire inside of the home was gutted by the fire, destroying all of the family's possessions.

"We have been trying to get a volunteer department started on the reservation during the past year and we are still trying to get the equipment," Mitchell said, adding that the Perry and Eastport Departments are repaid for all calls made to the reservation. The Perry Department is about 2½ miles away from the reservation, while Eastport's department is about 5 miles distance.

The Governor pointed out that several families on the reservation have been complaining lately of their fuel oil having a "sizzling" sound as it burns. Because of the reports, inspector Bisset was said to have taken the samples. Results were expected from the lab tests by Monday or Tuesday....

(From the Bangor Daily News, 3/23-24/68. See related story on next page.)

## INDIAN STOVE INSPECTION DEPENDS ON 3 FACTORS

AUGUSTA - An inspection of oil-burning stoves on Maine's three Indian reservations and cleaning and adjustment of the stoves where necessary will be ordered as the aftermath of a recent fire which destroyed a Pleasant Point home, the head of the Department of Indian Affairs said Tuesday, if:

- Money can be found to hire a licensed oil burner repairman for the job;
- Tribal Councils authorize the project, and;
- Individual homeowners give their consent.

Commissioner Edward C. Hinckley, told that a report by State Fire Inspector Donald Bissett of Ellsworth Tuesday states that chemical tests of fuel oil used on the Passamaquoddy Reservation at Perry showed no contamination, said he will attempt to find funds to finance the burner inspection.

In his report, Bissett said he believes a fire that destroyed the Pleasant Point home of Mrs. Mary Yarmal last week and burner flareups in other reservation homes were caused by maladjustments and dirt, and not the fuel....The Department of Indian Affairs called in the Fire Prevention Division after the Yarmal home burned and other reservation residents complained of oil burner flare-ups. Burners in several reservation homes were inspected...all of the burners were dirty and out of adjustment, Bissett reported.

The burners were of the barometric feed type, in which proper installation and maintenance is "very critical," the inspector pointed out. What is needed, he concluded, is for all the burners to be checked and serviced by qualified men and put back into safe running condition.

(From the Bangor Daily News, 3/27/68)

## HOUSING AND SANITATION PLANS CONTINUE TO ADVANCE

During the past month, the Penobscot Tribal Reservation Housing Authority received approval of a draft of its preliminary application to the Housing Assistance Administration, and the final version of the application will be sent to the New York regional office of HAA in the near future. This application will specify the number of housing "units" desired for the Penobscot Reservation initially, and will request preliminary funds so that planning, design and site location activities may be started.

An agreement is being negotiated between the Penobscot Housing Authority, the Old Town Water District, the Dept. of Indian Affairs and the Public Utilities Commission relative to the existing water system on Indian Island and a continuation of water services by the District, as a necessary preliminary to a request for funds to expand the system.

On March 18th the Pleasant Point Passamaquoddy Reservation Housing Authority received word, through Senator Muskie's office, that the Federal Water Pollution Control Agency has increased its share of the cost of a sewage treatment plant for Pleasant Point from 30% to 40%. The effect of this decision is that 70% of the funds necessary for the plant are now approved, through State and Federal funds; the remaining 30% of the cost of the plant has been requested of the Economic Development Administration.

Federal applications for sewage and water projects on the Pleasant Point and Indian Township Passamaquoddy Reservations have been submitted by the respective Tribal Housing Authorities, in the amount of \$380,800, including the 30% of the Pleasant Point treatment plan mentioned above. The total cost of these projects will be approximately \$670,000.

Both Passamaquoddy Tribal Housing Authorities are working on their preliminary applications to the Housing Assistance Administration, specifying the number of "units" desired and requesting initial funds similar to those being requested by the Penobscot Housing Authority.

## NEWS FROM HERE AND THERE

On March 18th, Mrs. Barbara Joy Kendall, of Princeton, began work as a Social Worker II for the Department of Indian Affairs' Calais field office. Her appointment followed a meeting of representatives of the Pleasant Point and Indian Township Passamaquoddy Tribal Councils on March 14th, at which time her application and appointment were unanimously approved by the tribal representatives present. Mrs. Kendall will be working with Mr. "Bud" Weston, whose appointment was approved by the joint Councils on January 11th. The new position was approved, effective January 1st, by the 103rd Legislature, due to the sizeable "case load" on the 2 Passamaquoddy Reservations, which is larger than a single field worker can effectively handle.

Passamaquoddy Community Action Program staff members John Nicholas (Pleasant Point) and Morris Fooks, (Indian Township) returned in late March from a 6-weeks CAP training program operated by the University of Wisconsin. While there they had a chance to visit Menominee County, Wisc., formerly the Menominee Reservation before termination of Federal Indian programs by the U. S. Bureau of Indian Affairs.

The Bangor Daily News of March 14th pictured Mrs. Jeanette Moore (Pleasant Point) instructing her weekly CAP-sponsored sewing class on the Reservation. The class has 16 women and girl students and operates under the direction of Community Action Aide Bessie Stanley; 3 sewing machines for the class were donated by the Portland ZONTA Club.

The News of March 22nd pictured Passamaquoddy CAP Director Archie LaCoote, Housing Aide and acting Assistant Director Andrew Dana, and Economic Opportunity Aide Daniel Francis discussing a proposal and application for an on-the-job training project for the two Passamaquoddy Reservations. It is hoped that through this program, men can be trained as oil burner and furnace repairmen, small motor repairment, carpenters, plumbers, electricians and heavy equipment operators.

The Rev. and Mrs. Fred Ludwig, missionaries to the Penobscot Indians on Indian Island, were guests of the Women's Missionary Society of the First Baptist Church in Portland, on March 19th. The couple spent 6 years in north central Congo, West Africa, and in 1961 were appointed to serve the Indians of the northeastern United States by the Conservative Baptist Home Mission Society.

NOT AVAILABLE - The fourth in a series of "fact sheets" distributed free-of-charge by the Maine State Dept. of Indian Affairs (State House, Augusta, Me. 04330). Entitled "The Catholic Indian Missions in Maine: 1611-1820," and written by Mrs. Sarah S. Hasbrouck, the 6-page publication describes contacts between the tribes of what is now Maine and the Catholic Church from the days of the first French explorations of the new world.

Others in the Indians of Maine series now available from the Department are "General Information," "Department of Indian Affairs," and "The Enduring Indian." Copies may be obtained on request by contacting the Department in Augusta.

Penobscot Tribal Governor John Mitchell and Indian Commissioner Edward Hinckley shared the program of the Orono-Old Town Kiwanis Club's meeting on February 29th with Mrs. J. Allen Broyles of Orono, a Cherokee Indian.

Vote YES - Vote YES - Vote YES - Vote YES - Vote YES - Vote YES - Vote YES - Vote

REFERENDUM QUESTION No. 1 - SPECIAL STATE-WIDE ELECTION - JUNE 17, 1968

SCHOOL IMPROVEMENTS ON 3 RESERVATIONS - SEWAGE AND WATER FOR INDIAN TOWNSHIP

## "STATE" INDIANS: FORGOTTEN PEOPLE

Governor Curtis' call to Vice President Hubert Humphrey not to overlook "State" Indians in planning and recommending development opportunities (See Page 17, this issue) focuses on a largely-ignored problem in the U.S. "State" Indians may be defined as members of tribes over which the Federal government, with its specially-designed Indian development programs, has - or exercises - no jurisdiction. Maine's Passamaquoddy and Penobscot Tribes are "State" Indians largely because the original treaty agreements made with these Tribes were conducted by the Massachusetts Bay Colony and, later, by the Commonwealth of Massachusetts before there was a national government or Congress. Other Tribes are barred from participating in national Indian programs for less clear reasons - the state of North Carolina includes some 45,000 Lumbee Indians. In 1956 Congress enacted legislation stipulating that this group "shall, from and after ratification of the Act, be known and designated as the Lumbee Indians of North Carolina" but emphasized that this legislation did not alter their status as persons ineligible to receive special services from the Federal Government on the basis of Indian blood.

These arbitrary restrictions on programming have limited states in attempting to devise programs aimed at improving the situations on State Reservations and with State Tribes - the tribes of Maine experienced such a set-back of more than a year in becoming qualified to apply for Community Action Programs under the "War on Poverty," though a waiver of this restriction was finally obtained from Sargent Shriver for the two Tribes of Maine.

Adding to the confusion of status are such statements as these, contained in a letter from the U. S. Commissioner of Indian Affairs to Maine State Representative Ralph O. Brewster, dated April 18, 1935:

"Assuredly, therefore, under this later doctrine the Indians of our eastern seaboard - meaning those east of the Mississippi River - are as much subject to the paramount authority and jurisdiction of the Federal government as those west of that river; bearing in mind in this connection, however, that the duties of this Office are largely administrative... It may further be said that the limited appropriations by Congress in behalf of the Indians are woefully insufficient for their present real needs and in the absence of substantially increased appropriations we lack sufficient funds to extend our activities into new fields or in behalf of those remnants of the Indian tribes on our eastern seaboard not heretofore expressly entrusted by Congress to our supervision..."

The points of this matter are as follows: 1) The country as a whole has a real debt, as well as moral and legal obligations, to American Indians as a whole, without regard to their current or past status as "State" or "Federal" Tribes. 2) States share this debt and these obligations, in ways too numerous (and hopefully too well-known) to describe here, in terms of the assistance provided the colonists by the local Tribes. 3) More and more programs which could potentially be of great benefit to Indians are being created by Congress, but with few exceptions - where they specify Indians as a particular group to benefit from them - these are limited to Federal Tribes and Reservations. 4) It is not necessary for the U. S. Bureau of Indian Affairs to extend its direct jurisdiction to State Tribes, but it is essential that new program legislation or administrative practice be re-defined so that State Tribes and/or Reservations may participate on the same basis as any other Indian community.

A summary of the scope of this problem is as follows: Eight states (Conn., Me., N.Y., Penn., R.I., S.C., Tex., Va.) have State Reservations and 27,300 State Indians. Fourteen additional states (Ala., Ark., Del., Geo., Ill., Ind., La., Md., Mass., N.H., N.J., N.C., Ohio, Tenn.) have no State Reservations and 67,500 State Indians. The source of these figures - the U.S. Bureau of Indian Affairs!

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