

Wabanaki Alliance

January 1978

Indian parent wages custody fight



UNITED — Martin A. Neptune, Penobscot Indian, relaxes with his three children and his second wife, Blanche, near their Indian Island home. The kids are from left, John, Naomi and Chris. [Cartwright Photo]

By Steve Cartwright

INDIAN ISLAND — Martin A. Neptune has carried a large paper bag around with him for months, filled with papers, letters, photos and documents.

A saga of his struggle to win custody of his three children is in that bag, but so far the 26-year-old Penobscot Indian father hasn't won. Nor has he given up.

In the latest turn of events, Martin's ex-wife Kathleen drove from Florida to the Neptune home on Oak Hill, Indian Island, and picked up the two younger children, Christopher, four, and Naomi, three. John, six, has stayed with his father as specified in the original court divorce decree.

Martin Neptune, a quiet-spoken, articulate man who heads a Maine Indian wilderness program, still hopes to reunite his three children on the Penobscot Nation, where he lives with his non-Indian wife, Blanche.

Martin's divorce from Kathleen, a non-Indian, was granted last March 21 at district court in Bangor. The couple had been married about five years. The judge granted the divorce on grounds of cruel and abusive treatment but defendant Martin said no such treatment ever occurred in the Neptune household.

One day after the divorce decree, Kathleen Neptune took all three children and their belongings and fled to Florida.

There the children remained, mostly out of touch with their father, until Martin drove to Daytona Beach last July and returned to Maine with his children by his side. He had planned to file a new motion for custody of the two younger children in district court.

The children were together with their father for five months until under the threat of extradition to Florida, and pressure through a personal call from Maine Gov. James B. Longley, Martin complied with officials and the latest Florida trip was arranged.

Apparent discrimination

Martin Neptune's story might be just a chronicle of personal struggle and family problems, but that the case involved highly-

(Continued on page 4)

Letter claims tribal governor hires kin

INDIAN TOWNSHIP — A petition bearing 57 names has been brought to the tribal governor here, alleging he has filled jobs with his relatives.

Allen J. Sockabasin and other Passamaquoddy Indian signers of the petition say "It seems that most of the employment positions available are filled by the tribal governor's family and by non-Indians."

Passamaquoddy Tribal Gov. John Stevens flatly denies the charge. First of all, he said, "a personnel committee does all the hiring. The department heads are the only ones I hire and none of them are my relatives." But Stevens did acknowledge some persons hired by the committee are his relatives.

The petition lists Stevens' relatives by name, claiming they are currently employed by the reservation government. Stevens maintains that a number of these persons no longer work for the tribe, for one reason or another.

The petition also refers to a "recent shooting of Allen Sockabasin's residence." It says two of Stevens' nephews, George Sabattus and Howard Stevens, were on the police department payroll until that incident.

Governor Stevens said he did not condone the shooting incident, in which Allen Sockabasin's wife was reportedly injured by broken glass. Stevens said Sockabasin has himself been involved in shooting incidents.

According to the petition, many of the jobs in question are federally funded

through an Indian CETA program, or a Washington County CETA agency. "Most government programs have guidelines to prevent conflicts of interest, but they are being ignored by tribal administrators."

"This problem exists in all phases of tribal operations including the housing authority and the school system," the petition says. Stevens, who received a copy of the petition, said he does not have jurisdiction over those areas.

The petitioners say they are mostly unemployed, and their unemployment benefits have run out.

"When presented with our complaints in the past, tribal officials have stated that our complaints were without merit, or that we lacked the majority, or had not support from the news media which published biased news reports," the petition says.

"Our intention in this (petition) is not to gain the support of the news media, or to gain majority support, or to make statements that are not factual. Our intention is for the tribal governor and council to look at the problem as it exists and try to resolve it."

CMIA sets meeting

ORONO — Central Maine Indian Association (CMIA) has scheduled a regular general membership meeting for Thursday, Feb. 9, at its offices, 95 Main St., Orono.

The meeting starts at 7 p.m. A previous meeting, slated last month, was cancelled.

Picard transfers

INDIAN ISLAND — The Rev. Raymond Picard has been transferred from St. Ann's Parish, Peter Dana Point and assigned as Pastor of St. Joseph's Parish in Sinclair and Holy Family Parish in Daigle.

Picard served at St. Ann's for the past year. According to Clarence F. McKay, Director of the Bureau of Diocesan Information, Picard's position at St. Ann's will be filled by a Jesuit priest from the Boston area.

Picard, 37, is a Biddeford native. He was instrumental in sponsoring a Cursillo religious education program.

Discrimination case upheld

INDIAN ISLAND — The Maine Human Rights Commission has upheld a claim of discrimination brought by a Penobscot Indian here.

Dana Mitchell, a 36-year-old steelworker, had complained to the commission that Ironworkers Local Number 496, of which he is a member, had failed to find him work or protect him on the job.

The commission voted recently in Augusta that "reasonable grounds" for the complaint exist. The commission will next propose a conciliation agreement between Mitchell and the union, and if that fails, may refer the case to the Attorney General's office for court action, a commission spokesman said.

Mitchell, who says he "can hang iron just like any of them," claims he was unjustly laid off from a Scott Paper Co. job at Hinkley, and from a Central Maine Power Co. job at Cousins Island. He said in those

cases, and also when he received a hand injury on the job, his union gave him no support.

Mitchell said he hoped the commission's ruling on his case will boost an awareness of affirmative action guidelines on hiring minorities throughout the state. "This is what I've been looking for," he said, adding, "it's taken me over a year to get them to act on this case."

Although Mitchell said the commission "dragged its feet," he said he was pleased that Atty. Gen. Joseph Brennan acted on his behalf in the case. Mitchell pointed out that Brennan opposes Penobscot Indians in the current land claims case, but that he nevertheless backed Mitchell's discrimination complaint.

Union business managers Bill Shirland of Old Town, contacted prior to the Human Rights Commission action, said Mitchell's claims were groundless. "In this business (work) is a temporary situation," he said,

editorials

Housing Indians

A great deal is going on in the Indian housing business. New projects are springing up on Maine's three reservations every year, and the whole appearance of communities is in flux.

That appearance is more than cosmetic. New housing can change the whole quality of home life, and that, after all, is where life is based. The benefits are obvious: safe, warm, spacious, attractive houses mean healthier, happier families. Or that should be the case, anyway.

Perhaps all this new construction is indeed a blessing, but we wonder if its longer range effects are under scrutiny. Certainly the new housing projects are a blessing for contractors, most of whom are non-Indian.

But what of the Indians who live in these \$50,000 houses? First of all, if a family moves from a cramped, drafty dwelling to a spanking new conventional suburban type home, the mere physical comforts spell improvement.

But taking a closer look, we see these expensive new homes are not in the least bit Indian in character, and reflect nothing of native American heritage. Further, many of the houses built to date are not environmentally or aesthetically adapted to Maine.

An exception is Pleasant Point Passamaquoddy reservation with its demonstration project for solar heated homes. But what about woodstoves, roofs pitched to handle a snow load, and a home that somehow harmonizes with the rugged weather and natural habitat of the northeast?

Many new Indian homes lack these things, and we don't know who is responsible, who calls the shots. If tribal housing authorities have surveyed Indians and learned that the kind of houses being built are exactly what Indians want, well and good.

But we doubt Indians are completely satisfied with what's going on.

We doubt Maine Indians want to sit back and watch the Indian-ness of their communities obliterated by outside forces, however well-intentioned these forces may be. (We're not so sure about good intentions; there's a lot of money to be made in the housing industry, and more than one reservation job shows shoddy workmanship.)

Housing is more than four walls and a roof. Think for a moment how much one can learn about someone by visiting that person's home. When federal grant money becomes available to meet housing shortages, the pressure is on to build, build, build. But is this construction in the best interests of Indians? Should Indians worry about how new houses affect their lives and the character of the community?

Shelter is a necessity of life, but it is much more than that. A home is a spiritual center, a base for learning and growth. There is a difference between a house and a home, and perhaps still another difference between a home and an Indian home.

These things are subtle and less tangible than bricks and mortar, but are the foundation of Indian society.

The commissioner

Whatever happened to the Commissioner of the Maine Department of Indian Affairs, one might ask.

Many, but not all Maine Indians are now federally recognized and eligible for Bureau of Indian Affairs (BIA) funds and services. That may or may not alter the status of Maine's Indian commissioner. What may have had more affect recently is the Indian land claims issue, in which the State unilaterally opposes the Passamaquoddy and Penobscots.

The State, briefly, is not on the best of terms with Indians. Also, the State is a political body and Gov. James B. Longley doesn't want any clouds in his political future. He seems to be sitting tight on the question of a commissioner.

There hasn't been a permanent commissioner since George M. Mitchell, the second Indian to hold the post, quit over a dispute with the Governor. The controversy arose from the land claims issue — Mitchell said he couldn't be neutral.

After Mitchell resigned, Longley named political consultant Charles W. Rhynard as interim commissioner. Chuck Rhynard was dubbed the "90 day wonder" by some Indians, although he has overstayed his original tenure.

Rhynard said Longley asked him to stay longer than the mutually agreed upon 90 day term, and Rhynard accepted on condition he be part time. He was to work part time until a replacement was named, but there aren't any successors on the horizon.

Perhaps Longley and other officials are hoping the problem will just go away. Apparently, a number of candidates for the job were interviewed, but that's the last we heard of it.

In fairness to Rhynard, he could have resigned and left the department in the lurch. He hasn't. But the Department of Indian Affairs is on a skeleton crew, and wading in paperwork.

Set up in 1965 by then Gov. John Reed, the department was for a time headed by John Stevens, a Passamaquoddy Indian and new governor of Indian Township reservation.

The department and the commissioner's role can be a great plus to Maine Indians, both as an official voice and as a contact with State-level politics and policies.

If the Governor and the Legislature, when they convene, do not do something about appointing a commissioner and maintaining the Department of Indian Affairs, they should have to answer for it.

Wampanoag claims

There is no direct link between the Mashpee, Mass. Indian claims and those of the Penobscot and Passamaquoddy tribes in Maine, but there are actual as well as important symbolic similarities.

In both states, native Americans are seeking some redress for lands illegally taken from them, and ultimately, they are trying to preserve their battered cultural customs and traditions.

Ironically, it is the very abuse of Indian ways and the break-up of Indian community that formed the basis of the recent verdict in U.S. District Court, Boston. The all-white jury said the Wampanoags do not constitute a tribe.

Why aren't the Wampanoags a tribe? Because whites took over their lands, intermarried, and because Indians were assimilated into the white culture. That's what former Nixon lawyer James St. Clair argues, adding that Wampanoags have no unifying culture.

St. Clair represents the town and non-Indian landowners, a town built on former Indian land. St. Clair says he sees no tribe, even though Indians stand before him.

How would St. Clair know what a tribe is? The Wampanoag Indians are a tribe that has survived as best they could in a system that usually wants them extinct, or at least wants their culture exterminated. No matter how few Indians there are, or how many white ways they have adopted, they have a right to their cultural identity.

In Maine, the Penobscots and Passamaquoddy won federal recognition as a tribe. But obviously they are tribes with or without that federal stamp of approval.

Thank God, or the Great Spirit, that the Wampanoags have persevered through wars, discrimination and white assimilation tactics to stand tall in 1978 — two centuries of survival — and call themselves a tribe.

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letters

Alliance criticized

Bangor

To the editor:

As one who believes that unremitting praise tends to make one overly confident in performance, I wish to offer some questions and criticisms to obviate such an occurrence.

Firstly, I wonder why the editor began anew with "Vol. 1" since there have been other editions of the Wabanaki Alliance?

Secondly, though not questioning his enthusiasm and interest in the Indian community, and realizing that he was perhaps approved by the all-Indian DIS Board, I wonder how effective the non-Indian assistant editor will be in relating to the Indian community?

Thirdly, the omission of the colorful logo that introduced previous volumes is blindingly evident. Just how "brightly colored" is the mural pictured in black and white on page 3 of the Dec. issue? Is the cost of color prohibitive, especially where the paper issues monthly?

Fourthly, though I realize that news about Indians outside of Maine may be interesting, I yet question its inclusion to such an extent in a paper geared toward Maine Indians. Perhaps as much as one-half of December's issue relates in content or authorship to non-Maine Indians. And I question the policy of publishing articles submitted by those who wish to remain anonymous.

Paul A. Francis, Jr.

Return collar, cuff

Old Town

To the editor:

In the November 1977 issue of your paper, there was another letter to the editor concerning a picture. In the letter, Eunice Baumann made inquiries concerning the collar and cuff set belonging to the Penobscot Indian Nation.

I have heard from several people that the last Governor to wear the collar and cuff set at inauguration was Francis Ranco and the last person to wear the medallion was John Mitchell.

These are Tribal belongings and a part of our lost traditions. They should be turned over to some caretaker for future governors. They were never meant for an individual.

Karen Rhine

Really proud

Boston

To the editor:

I would like to receive the Wabanaki Paper. I am Penobscot and Maliseet from Indian Island. I've read the paper and I'm really proud that they got people together and published a fine paper.

Also, could you please say hello to my aunt Vivian Massey for me.

Carla Francis

Sadly needed

Bass Harbor

To the editor:

Thank you for putting me on your mailing list. You do not mention a subscription price, but I enclose my check for five dollars. As I do not think I should receive it for nothing.

Such a publication is sadly needed in Maine, and I hope it continues to reach a wider and wider audience. I have great admiration for what you are trying to do, to establish the Indian identity and way of life which has been so cruelly denied for so long.

I think there is more of an audience now for the Indian ethic than in the past, if it could just be reached. I hope the Wabanaki Alliance can contribute to that outreach, as this country has much to learn for its benefit from the "Indian way."

Right on!

Hollis Piatt

Distressed

Mattawamkeag

To the editor:

Thank you very much for sending me Wabanaki Alliance. I am more than a little distressed by many of the articles, but realize the truth must be faced and accepted. Please continue to send me the paper as there are also many brighter sides in the picture of Indian affairs.

Shirley Potter Hanscom

Poetry

Conversing with Katahdin

It's true that at your peak I mostly felt
I'd done it then at last — I'd conquered you:
the fact that twice I'd nearly turned back
down,
that my whole body seethed with ache and
strain —
these things were lost beneath the spread
of joy
that came like spreading rain across
parched earth.

I revelled in the thought that everything
to see necessitated looking down —
far down the northern steps to Chimney
Pond,
or just down to the Knife Edge running
east —

but even as I did so I began
to feel my burgeoned sense of triumph wane.

And what this had to do with was your vast
indifference to terms like this of mine —
that I and others reached your highest point
was not the point than was the fear
that kept the Abenaki Indians
in olden days from climbing you at all.

For these same Indians chose legend as
the way to meet on truthful terms with you,
and even as I made my slow descent
the reason for this started coming clear
in that I knew your reach down into me
was no whit less than mine upwards to you.

As mists swirled by across the tableland
I realized suddenly the white-blazed trail
was now a lifeline of the frailest kind:
as thunder snarled and boomed I tried to
hear
just vacuum-filling air, but knew as well
I somehow heard Pamela voicing ire.

So I know now that I will always think
of you whenever I shall take stock of
the scope of my own dreams, the limits of
my strength, the kind of life in legend I
and my own people have, or do not have —
and thus our conversation, endless into time.

Richard Aldridge



Solar panels at Pleasant Point

These solar panels are in use at the Pleasant Point Passamaquoddy Reservation, as an experimental project of the tribal housing authority. Results won't be known until spring, according to housing officials.

Commentary: Prison life for an Apache-Micmac

By Bill O'Neal

NORFOLK PRISON, Mass. — A letter to the editor in the December issue of Wabanaki Alliance concerning prisoner David Brady, a Micmac Apache, prompted us to write to him about his experiences in prison. His reply detailed some of the tensions and even horrors which befall Indians entering prison and provides a tragic reminder of what society is like when a person, in prison or not, has surrendered or lost control of his rights and is subject to the will of others.

It was not necessary to open Brady's letter to see the first signs of the pressures under which he lives. He had taped all the sealed parts of the envelope to ensure that its contents could not be tampered with without being noticed.

In addition to having to tolerate the contempt of some of the prisoners, he has charged that he receives little better treatment from some of the guards. He states that he has received Disciplinary Reports for alleged infractions ranging from "putting too much butter on my bread to being a suspicious person in my sleep. I guess the guard thought in my dreams I was plotting against him. I have had verbal abuse thrown at me from guards as well as coits, but this is to be expected from an ignorant civilization." When his daughter was murdered in 1975, he received such remarks as, "The only good Indian is a dead Indian." Brady stated, "I have to keep reminding myself I'm in a civilized society."

Harrassment of Brady has gone beyond verbal abuse and threats. He alleges that in August of last year two individuals jammed the door of his cell while he was sleeping and hurled a blazing jar of gasoline onto the floor near him. Fortunately, he was able to get himself and two kittens which he was keeping to safety. This safety was short-lived, however. Several weeks later he was called out of his cell on what he considers to have been a "wild-goose chase." While there (in the office of the officer in charge), one of the civilized convicts in my block went into my cell, picked up my kitten, and proceeded to strangle her... then this individual put her in a paper bag and left her outside my cell door... I found her as she was left."

Although Brady feels that harassment from the guards and inmates is in part due to the fact that he is an Indian, his opinion of the prison superintendent is slightly dif-

ferent. "The superintendent discriminates against everybody here, guards as well as convicts. He has the viewpoint of he doesn't care if you're white, black, yellow, or red; you're below his standpoint whether you be convicts or guard... I am not sickening up for him. I am just facing reality in the whole situation."

Though plagued with enemies, Brady is not without some friends and support. "A lot of white convicts in my block and in the prison are behind me all the way, as well as white administration workers, so any discrimination is coming from a small group."

Still, there seems to be little he can do within the prison environment, where people with authority over him are free to make and break rules as they see fit. He stated that the prison infirmary recently denied him medication, which a doctor had told him he had to take on a regular basis. Fortunately, help from the outside in the form of his lawyer convinced the officials to reconsider.

Within prison there is little Brady can do to defend himself. He refuses to name the people who are persecuting him, "I won't and can't, as this type of thing is against all the principles I have been taught in life." He also could take a protective custody, which would remove him from most of the people harassing him, an alternative he refuses to accept. "I will not let a person who hasn't the guts to come to my face and fight like a man... make me run to a cell where I'll be locked up 23 hours a day. He also pointed out that of 26 prisoners killed in Walpole, Norfolk, and Bridgewater Prisons in Massachusetts in the last three years, 22 have died in protective custody. He stated that the only way his situation can improve is if he is moved to a minimum security institution.

With few places to turn within the prison, Brady has had to rely on his own resources and his culture to face the forces which are against him in the prison. He said he has done this by "being myself, as I was raised; by being proud of who I am and being proud of my people." In 1971 during the unrest in the Massachusetts prisons he along with three other Indian prisoners started the Indian Rights Group. Presently this group's outside sponsor is the Native American Indian Association, Worcester, Mass.

Last June, Brady's case was accepted in the Massachusetts State Supreme Court, and it is here that he has pinned his greatest hopes. "When out, I will go to South Dakota, pick up my wife and return to Canada, where I'm from," he said.

Indian custody fight

(Continued from page 1)

placed officials in Maine and Florida, and in Martin's opinion, involved substantial discrimination.

To Martin the discrimination is obvious: when Kathleen took the children to Florida, including John who was awarded to his father, the judicial system did nothing. But when he returned the children to Maine, authorities seemed to pounce on Martin with a new-found zeal.

When Longley received a request for Martin's extradition from Florida officials, he called Neptune and said he would wait ten days before signing them. He told Martin to return the two younger children to their mother within that time, and Martin did so.

Martin said he did everything he could to set matters straight, talking to district attorneys, his lawyers, the Maine Attorney General's office and the State Department of Indian Affairs. But it all appears to have been to no avail.

"Probably if I were white, middle or upper class, it would be a different story," said Martin.

"It started with the judge in Florida, who took a personal offense to me when he ordered me to stay in the State and I left. From there it went up to (Florida Gov.) Robin Askew (who contacted Longley)," he said.

Martin began to feel the Florida courts would not give him a fair hearing, and would favor Kathleen in deciding the custody case brought by the mother in that state. Martin was not encouraged when he learned the judge's name was Robert E. Lee, Jr.

When Kathleen brought her action in Florida court, her lawyer notified Martin of a hearing and said, "Your petitioner feels that the only reason the court in Maine would have awarded custody to the parties' minor child (John, to father) was because of the fact that (Martin) is an Indian, and there are discrimination problems with the Indian in Bangor, Maine."

Kathleen's lawyer, Donald C. Jacobson, also said that "during the proceedings of the divorce, (Martin) screamed and shouted 'discrimination.'"

A denial from judge

The judge who awarded the divorce settlement at Maine District Court in Bangor did not let the lawyer's allegations go unanswered.

Judge F. Davis Clark wrote in an open letter that "The allegations that Mr. Neptune was given custody because he is an Indian is unfounded. It was based upon the evidence. The allegation that (Neptune) screamed and shouted 'discrimination' during the proceedings is... unfounded. He did not."

Martin says Davis has been fair, and not unsympathetic to his case. He cannot say the same for other authorities.

Task force to study BIA

WASHINGTON — Under Secretary of the U.S. Department of Interior James A. Joseph announced today the appointment of a task force to develop recommendations for the Secretary on the reorganization of the Bureau of Indian Affairs.

"Secretary Andrus wants to insure that the trust responsibilities of the Federal Government are carried out effectively, that services to Native American people are provided efficiently and that tribal governments are strengthened," Joseph said.

"As part of a continuing effort to meet this objective a Task Force on the reorganization of the Bureau of Indian Affairs has been established to formulate and present recommendations to the Secretary for immediately improving the management, organization and practices of the Bureau."

Under Secretary Joseph said the study is to be comprehensive and the changes will be fundamental — not just cosmetic. He emphasized that the changes will be instituted in an orderly fashion to minimize any hard-

As Martin sees it, Maine was all too ready to bring a case against him through extradition to Florida, but when the tables were reversed, and Kathleen had broken the law, Maine officials refused to lift a finger for him.

"They're going all out to put me in jail, but they wouldn't do a thing to help me when I needed help," Martin said, adding that he believes his custody fight has taken on political dimensions and is not being considered on its own merits.

Martin goes further than his personal case to say that it's about time officials recognized there is a need for a national custody law, to prevent the chain of events he has undergone.

Martin's paper bag, which he finally replaced with a new one after the other gave out, contains considerable correspondence with parents undergoing similar custody hardships. He has also located organizations concerned with custody problems.

Martin Neptune has learned he is far from alone in his struggle.

But Martin is also Indian and male. He considers those facts two strikes against him in the custody fight.

'Screwed by system'

One Maine official agreed to comment publicly on Martin's case, and admitted Martin Neptune received poor treatment.

"There is no question he wasn't helped. He was screwed by the system," said Charles W. Rhynard, commissioner of the Maine Department of Indian Affairs.

"The system did not provide good or adequate service to Martin, and I think he's justified in his feelings," Rhynard said in a telephone conversation from his Augusta office. "The legal system didn't do anything to help him when he needed help," Rhynard continued.

But when asked if Maine officials could be blamed for the situation, Rhynard said that no, the Attorney General's office, and Governor Longley, "went the extra mile" on Martin Neptune's behalf.

Martin Neptune fights on. As of press time, he said he planned to visit the Maine Human Rights Commission, and possibly also an office of the U.S. Civil Rights Commission. He said he would continue to wage his battle with letters to officials and others. And a motion seeking custody of Chris and Naomi has been scheduled for a hearing in March, at district court, Bangor.

What Martin really wants is to know that his children can grow to maturity in a stable, loving home, not separated from one another.

Martin ended a letter to Asst. Maine Atty. Gen. Richard S. Cohen with the statement: "When each of my children were born, I committed my life to seeing that their happiness, well-being and potential were realized. This is of the utmost importance to me."

"No one will break that commitment."

Jury rejects Mashpee status

By Bill O'Neal

BOSTON — After a ten week trial, an all white jury has decided that the Wampanoag Indians of the town of Mashpee, Massachusetts did not constitute a tribe, when the Massachusetts Legislature in 1870 voted to change Mashpee from an Indian land district to a town, nor are they a tribe today.

The jury returned the decision in response to three questions delivered by Judge Walter J. Skinner during his instructions to the jury. The jury concluded that the Indians were a tribe in 1834 and 1842, but not in 1790, the date of the U.S. Non-intercourse Act, and 1870, when the land was converted into the town of Mashpee. Without tribal status there is little chance that the Mashpee Wampanoags can press their claim that forming the township was in violation of the 1790 Non-intercourse Act, which prohibited all land transactions with tribes without the sanction of the U.S. Congress.

Selectman George Benway of Mashpee, contacted by Wabanaki Alliance, said that the jury had been instructed by Judge Skinner that the burden of proof rested with the plaintiffs (the Indians) and that, if they felt there was insufficient evidence, they were to decide on the tribal issue in the negative. Benway said he felt the jury could not determine the tribal status of the Wampanoags around 1790 and, so, rendered a negative decision for that date. He further surmised that the jury had decided against the Indians for the 1869-1870 date based on defense arguments that the tribe had relinquished its tribal status at that time, when it requested the rights of town membership. He said that, "relinquishment has continued up to the time the suit was filed."

In an interview with Wabanaki Alliance, Russell Peters, president of the Mashpee Wampanoag Tribal Council, Inc., objected to Judge Skinner's instructions to the jury that the burden of proof rested with the Indians. He stated that this ran counter to all precedent in suits of this nature.

Peters characterized the jury's decision as "inconsistent" and "illogical." He stated that the jurors "didn't understand the issues" and that making such a decision was difficult for them after only "a crash course to learn Indian history and culture."

Peters also felt that the expert witnesses called by the defense were not well qualified to give testimony in the case. He stated that Dr. Jane Gullifant, a sociologist at Boston College, "just didn't know much about Wampanoag history." He added that she "drew her conclusions after three interviews down in Mashpee." Referring to a second defense witness, Dr. Frank Hutchinson, he said, "Until the last six months he was ignorant of eastern Indians."

The composition of the jury, all white, was also disturbing to Peters. Of the potential jurors, only one was black and only one claimed Indian heritage. Both were rejected. Peters stated, "Regardless of how well-meaning the jury was... a vote for us would mean white settlers would lose land in Mashpee."

He noted that the Indians had gone to Washington to try to negotiate a settlement which would remove the cloud from the property of homeowners and businessmen, "but the selectmen refused to go along." In his opinion real estate interests among certain of the town's selectmen influenced their decision to reject efforts to settle with private landowners. According to Peters these interests feared that "if a partial settlement let the homeowners off the hook," they would no longer continue to back the developers in the law suit. 80% of the land involved in the suit is undeveloped land.

It has been estimated that approximately \$600,000 has already been spent in the town's defense, approximately half of this being provided by "titled insurance companies with a national interest in defeating land claims."

Benway claimed that the Indians had stated from the outset that they were not interested in reimbursement for privately owned land, but that when U.S. Sen.

Edward Kennedy, D-Mass., proposed legislation to uncloud the land, "suddenly it had a price tag" of \$20 million dollars. According to Benway, this figure was "quickly changed to \$4 million," to be paid by the Federal government. He said Kennedy's attitude was one of, "What are you worried about? It's not your money."

Benway stated that the selectmen were not willing to accept the proposed package which would have unclouded private homeowners' land, if it did not include 1,500 acres of property which have been developed, but not actually built upon yet. He said this was necessary to restore the market value of the homes in Mashpee and to "bring the economy back." "We would have been run out of town, if we had accepted the offer," he added.

Charges of "racial tactics" were levelled by Peters at the methods used by the defense. He stated, "The defense was trying to say we weren't Indians; we were blacks." He added that the defense "didn't bring out that most intermarriage was to whites." Benway called the allegations of racism "a smokescreen."

Lawrence Shubow, an attorney for the Mashpee Indians, elaborated on this aspect of the trial in a conversation with Wabanaki Alliance. He stated that false racial impressions were generated in part by an 1870 U.S. Census, introduced by the defense in evidence and describing the Indians as being largely Negro. Shubow termed this "historical nonsense." He continued that the Indians at one time had been referred to and had sometimes referred to themselves as "colored," but that the connotation bore no relationship to the Negro race, as it has in more recent times. He suggested that the defense was implying the Mashpee Indians were "black, so you can forget about them."

Shubow reiterated his definition of a tribe being in a recent United Press International release. "A body of Indians, of common ancestry, united under a community bond, under a government leadership, and common territory — that's what we think a tribe is," Shubow told Wabanaki Alliance the issue was not so much over the definition of a tribe, but over what constitutes leadership. He said the white concept of leadership "does not fit with the Indian's forms of decisions." He pointed out that leadership in Indian society is much more "democratic," with less emphasis on one person telling the rest what to do. He said that the improper definition of leadership "gave the jury the out they needed."

Buoyed by the results of the trial, Benway plans to urge U.S. Rep. Gerald Studd, D-Mass., and U.S. Sen. Edward W. Brooke, R-Mass., to introduce legislation exempting all private property from the Indian claim. Benway said he hopes this will "short-circuit" an appeal by the Indians. This would leave all but 1,500 acres of the disputed 13,000 acres with unclouded titles.

The jury's decision will only be viewed as a recommendation by Judge Skinner, who will reserve final judgement until both sides have submitted briefs this month, commenting on the verdict. According to Peters, "This trial is a long way from being over." He said that if the court decides against the Indians, an appeal will be made.

Shubow also mentioned the possibility of seeking to have a mistrial declared, if the jury's verdict is upheld. He stated that the jury, considering whether the Indians constituted a tribe on two different dates, using the same evidence for both dates, reached different conclusions. He stated, "There are elements of absurdity which the courts will have to straighten out."

When asked if he thought the results of the Mashpee trial would have any bearing on the land claims suits in Maine, he replied, "Absolutely not," although he added that there may be some psychological effects on both sides of the issue.

On the day the jury reached its verdict in the Mashpee case, Maine Attorney General Joseph Brennan's office announced that Brennan's request to reopen the question of the tribal status of Maine Indians had been denied by the U.S. Justice Department.

Nutrition Notes

By Natalie S. Mitchell

Everybody knows that food is vital to sustain life. However, what about food? What is it that makes it so important?

We'll start with the word, "vitamin." This means "Vital to Life." There are various vitamins contained in food and each has a function when consumed. Vitamin A, for instance is important for the formation of the mucous membranes (the lips, nasal mucosa, which also is the lining of organs, and digestive system). It is also necessary for the visual purple that prevents night blindness and increases resistance to infections.

Food sources that contain vitamin A are usually dark green and deep yellow vegetables. The dark green vegetables include kale, mustard greens, broccoli, spinach, turnip greens, and collards. The deep yellow vegetables include carrots, pumpkin, sweet potatoes, yellow squash, and some red peppers. Other excellent food sources for vitamin A are liver, milk, cheese, eggs, butter, cantaloupe, apricots and fortified margarine.

Your body does not get rid of vitamin A when ingested. It is stored in the liver. If you overload on this vitamin, the results can be toxic. By eating regular foods that contain vitamin A this will not happen.

The point is, don't take vitamin tablets unless your doctor prescribes them for you.



Natalie Mitchell

NOTE: Natalie Mitchell, a Penobscot, is food and nutrition coordinator for the Indian Island Health and Social Services Department. With this issue, she begins a monthly nutritional information column for this newspaper. Reader comment is welcome.

Wheel deals

By Kathy Porter

Tim Love, a Penobscot from Indian Island, purchased a 1976 Volvo station wagon from a Brewer auto dealer.

After buying the car in May of 1977 he suspected that the car had been in an accident and had had some repairs, but was not completely repaired. He noticed structural damage which he was unable to get repaired. Also the windshield leaks and the car shakes when driven.

Tim will be going to Northeast Combat, a consumer action group, for assistance to rectify legally what can be done. Tim feels that the dealer knowingly sold him a defective car.

These kinds of situations can be avoided. Northeast Combat is an agency that helps to educate the consumer in all areas of buying. They also deal directly with consumer problems. They are located on Idaho Avenue in Bangor.

They have just put out a booklet called, "Wheels, Deals and Lemon Peels." The booklet is designed to help the consumer become aware of his or her rights, avoid a bad purchase, and to get through the maze of slick sales people, confusing credit rates and flashy advertising.

The booklet is available for \$1.50 from Combat.

Dispute ended on water rights

WASHINGTON — Secretary of the Interior Cecil D. Andrus announced today approval of an agreement between the Gila River Pima-Maricopa Indian Community and the Kennecott Copper Corp. to settle a long-standing dispute over water rights in Arizona's Gila River watershed.

Under the agreement, the Indians consent to Kennecott's continued use of water from Mineral Creek, a tributary of the Gila River, in its mining operation upstream from the Indian Reservation.

In return, Kennecott agrees to pay the Indians \$1.5 million for past use of the water and to replace or pay for water it uses from that source in the future. The mining firm has committed itself to seeking an allocation of Central Arizona Project (CAP) water to exchange with the tribe for Gila River water. Until that is available, Kennecott will pay the Indians \$70 per acre foot of water used.

The provision for payment for Mineral Creek water expires when the CAP is completed or in 1990 with the possibility of a 10-year extension. Kennecott agrees to relinquish its claim to Mineral Creek water in 1990. The settlement also resolves a dispute over water Kennecott pumps from four deep wells in the area and the effect of that pumping on Gila River flows. Under the agreement, the Indians consent to the pumping until the year 2075; Kennecott agrees to pay \$70 an acre foot for a portion of the water it pumps.

"Anyone who has followed Western water disputes — particularly in the desert southwest — can only view this agreement as a major achievement," said Andrus. "I certainly commend both parties for reaching a sensible, mutually beneficial resolution without costly, time-consuming court suits which might also have seriously disrupted the state's economy."

While both sides were willing to litigate their claims if necessary, they agreed that would work to everyone's disadvantage. The Indians' prime concern is water, but they were reluctant to disrupt Kennecott's mining operations, a major force in Arizona's economy. Under the agreement, Kennecott will have the water so critical to its mining operations. The Indians have taken steps to ensure future water supplies to the reservation.

Although the parties pledge in the agreement not to sue each other over the disputed water rights, neither party abandons its claims, Andrus said.

Kennecott claims it is using water it is entitled to under the 1935 Gila Decree or water from its tributaries which were expressly excluded from the scope of that decree. The Indians counter that they were not a party to the decree, that it is not binding upon them and that, in any case, it does not settle the water rights to which they are entitled under the Winters Doctrine. The doctrine, developed by the courts over the years, holds that Indians are entitled to enough water to serve the purposes for which their reservations were created. The doctrine establishes a priority water right dated no later than the creation of the reservation.

The Gila River Indians have the longest history of irrigated farming in the nation through their Hohokam ancestors who used an extensive system of canals to irrigate the Gila River Valley lands. The reservation was established in 1859 and has been expanded since to its present 372,000 acres.

While Kennecott and the Indian Community are considered to be the major claimants in the watershed, they are not the only ones. Andrus said his approval of the agreement as trustee for Indian water rights implies no position on any water rights within the Gila River drainage, including those of the San Carlos (Irrigation and Drainage Dist.), a major agricultural user downstream of the water sources involved in the agreement.

In a letter to the Secretary, Alexander Lewis, Sr., Governor of the Indian Community, termed the approval of the agreement "a historic occasion."

"The agreement recognizes that we have always befriended non-Indians."

VISTA worker joins Alliance



Kathy A. Porter

ORONO — Wabanaki Alliance plans to publish a monthly column of consumer information, written by a new member of the staff who is a VISTA volunteer.

Kathy Porter, on a one year program with VISTA (Volunteers In Service to America).

may carry out other assignments at the newspaper, in addition to the consumer column. For her consumer research, she will use the resources of Northeast COMBAT, Inc., a Bangor non-profit consumer action group.

The consumer column will probably deal with a range of subjects such as shopping for used cars, homes, insurance and other issues of interest to Maine Indians and others. Questions and suggestions from readers will be most welcome as a guide to the column's content.

What the column does, and whether it's useful, will depend in part on reader response.

Kathy Porter will work under the direction of Wabanaki Alliance and Vivian Massey, supervisor of the Maine Indian section of the national VISTA program.

A native of Old Town where she currently resides, Kathy Porter, 20, graduated from Old Town High School and has worked with racing horses at Bass Park, Bangor, and with riding horses at Orono. She is interested in consumer affairs, and newspaper work in general.

Cote succeeds Daigle at island

INDIAN ISLAND — After two-and-one-half years of service at St. Ann's Mission, Indian Island, Old Town, the Rev. Donald R. J. Daigle has been appointed temporary administrator of St. Joseph's Parish at Wallagash, in Aroostook County.

Wabanaki Alliance talked with Father Daigle as he was preparing his papers for transfer to St. Joseph's. When asked what he felt his major emphasis had been, while on the reservation here, he said he had worked primarily with the youth. He said he felt that he had turned St. Ann's into more of an "open house," and that it was "no longer a sanctuary," inaccessible to the people it was designed to serve.

He said the Penobscot Indian people whom he served were "sincere and wise," but stressed the need for self-determination, saying they are "imprisoned, unable to fly toward freedom of spirit . . . locked by dependency."

A native of Aroostook County and having been associate pastor at St. Thomas in Madawaska, Daigle will be working among family and friends. He is bilingual in English and French, which will be invaluable in reaching the French speaking community in Northern Maine.

The Rev. David P. Cote will be replacing Father Daigle at St. Ann's. Father Cote holds a Masters Degree in Social Work from Boston College School of Social Work and



Rev. David P. Cote

has used his training in social programs throughout the state.

In 1975, he was appointed Director of the Diocesan Resettlement Program, in charge of placement of Vietnamese refugees. Since 1976, he has been the associate pastor of the Cathedral of the Immaculate Conception in Portland.

Wayne Walker, regional director of the Diocesan Human Relations Services in Orono described Cote as "very energetic" and said he would be a dynamic force in the Indian Island community.

Tribal status affirmed

AUGUSTA — The U.S. Justice Department has denied a bid by the State of Maine to reopen the question of the status of Passamaquoddy Indians.

Maine Atty. Gen. Joseph Brennan was quick to criticize the Justice Department decision. He is quoted by the Associated Press as saying, "Although the government had not expressly so stated, I gather that the Justice Department is of the view that they are obligated to argue the Indians' claim, even if they do not believe that it will necessarily be successful. I think it is unfortunate that the department has such a narrow perspective of its responsibilities."

He further stated, "I would like to give (Assistant U.S. Attorney General James Moorman) some advice. I think the federal government ought to ask itself whether it is doing justice by pursuing a 200-year old claim against the innocent citizens of Maine."

"I think the federal government ought to ask itself whether it is pursuing a case which flies in the face of 200 years of history. I think the federal government ought to stop pretending they have done as much research

as we have and take a good hard look at the historic facts. I think the United States government is wrong."

Moorman denied Brennan's request saying that the historical and legal evidence submitted by the Maine Attorney General's Office was not adequate to merit reopening the case.

In a UPI story Moorman stated, "On the basis of this material, as well as additional legal and historical research, we have concluded that the prohibition against Indian land transactions applied throughout the United States. At this time, therefore, the Department of Justice cannot agree to your (Brennan's) request."

The determination both that the Passamaquoddy and Penobscot do constitute tribes and were covered by the Non-Inter-course Act of 1790 has been a keystone in the development of the land claims case, in which the tribes charge that lands comprising two-thirds of the state were taken from them in violation of the Non-Inter-course Act.

Indian legends

The Story of the Big Dipper

(Penobscot)

In the old day of the ancients there lived a poor family of seven brothers and two sisters on the edge of a large village. Their parents had been killed and the care of the family had been left to the oldest brother and his sister, Mooin.

They were strong and brave and soon took part in the tribal festivals and won great renown for their devotion to each other.

Each one worked hard and long except P'ses-muk, the youngest brother and Al-akus, the youngest sister, for they were frail and small. And they both loved their brothers. But they helped in their own way by sewing and decorating the skin garments with dyed porcupine quills. And when their relatives came to feast they would clean the wigwam and decorate it with sweet smelling maiden-fern and spruce boughs.

One day while the brothers and Mooin were planting the corn in a large field, an old warrior crept into their wigwam. He told them he had escaped from an enemy camp where he had been tortured and held prisoner for years. There he had heard the enemy planning to attack his people soon, so he managed to flee in order to warn them.

The brother called the Chief and all the people. He sent four large scouting parties in the direction of the four winds. The six brothers pleaded with the Chief not to separate them. So he sent them toward the east.

While they were preparing for the war-path, the youngest brother, P'ses-muk begged them to take him along. He was strong enough, he reminded them, to carry their quiver of arrows and to cook for them. But they would not listen to him.

"Little brother, next time they will be as tall as we. And someone must care well for Al-akus with kindness. We dearly love you, also Mooin. But she who is strange, is unlike us. Badly we regret leaving you," the elder brother said.

After the brothers had gone, Mooin made P'ses-muk and Al-akus work very hard. She was not kind to them. She would eat the best pieces of meat and fish and leave them what was left. They did not complain to anyone for they had begun to be afraid of their oldest sister. So instead of getting stronger they grew frailer and frailer.

In the evening when they had finished their day's work they would wander hand in hand to the edge of the forest or to the top of the high hill to see if they could catch a glimpse of their brothers returning to them.

One day Mooin disappeared and did not return that night. They hurried to their uncle and told them what had happened. When she did not come home for many days the old uncle decided that she must have been killed or carried off by the enemy.

One day when the uncle was hunting he thought he saw Mooin disappear in a cave which was in the side of a mountain.

Soon the crops began to be eaten by bugs. Many of the old people died from strange diseases. And children disappeared and were never heard of again.

The people called their Medicine Man. He warned them that someone was making magic on the tribe and that his power was not strong enough to learn who the Evil One was among them.

The uncle hoping to help his people said that Mooin might be the cause of the great Evil. He led them to the cave on the side of the mountain. There they waited until Mooin left her cave.

They waited until they saw her disappear in the woods beyond and then they rushed into the darkness. In the distance they could hear the growl of a bear.

So they built a fire at the entrance of the cave. And when the darkness became filled with strong smoke, the bear rushed out and they fell on him and killed him.

When Mooin returned from the woods where she had been hunting she found the Great Magician dead and she wept for him.

For in killing the bear the people had killed her husband. Angriily she swore vengeance on her people.

The next night she cut a piece of bear-skin and made it into a bag for it contained magical power. When she wore it around her neck she instantly became a large, fierce bear.

She ran down to the village where it was dark and still. Swiftly she destroyed all of her people and the entire village. But she saved her youngest sister and brother because she still loved them in her way and she did not want harm to come to them.

Then she took P'ses-muk and Al-akus to the cave with her.

For a long time they lived peacefully together. But the youngest brother and sister never ceased to fear their sister, Mooin. They held their tongues, not daring to speak to each other for fear Mooin might hear them.

One night when they were pretending to sleep they saw her take out the magic-bear skin bag from her bosom and sing over it. This frightened them very much.

She was still very cruel to them. She would send them out to gather firewood and hunt and fish while she stayed at home and sang over the bear skin bag.

One day P'ses-muk stayed away longer than she thought necessary so when he came back she beat him severely.

That night as he and Al-akus lay on the floor he whispered to his sister,

"Little sister, today I found Med-oulin, the greatest Magician of them all. He is traveling and his camp lies far over to the other side of the mountain. He gave to me, a powerful charm — a little moose-hide bag. It is here inside my clothes. Have no fear of Mooin, now. She can not harm us."

The next day Mooin was in a bad temper. As she built her fire and shook her magic bag over it the flames went lower and lower. Usually when she did this the fire would get brighter and brighter and the flames would snap and crack on the hearth. But she knew that her magic had been broken. So she planned to weave her magic over P'ses-muk and Al-akus and make them into little worms that she could tread on.

So the next day she said sweetly to them, "Today there must be much fire-wood. Many rogans (hitch-bark pails) of water must I have. Do not delay, my little sister and brother."

And when they were at the river filling up the rogans with water, P'ses-muk told Al-akus to beware of Mooin. They carried much firewood and water for Mooin.

That day while the sun was still high in the sky Al-akus spied her brothers and her heart sang with joy. As they rushed across the shallow water she motioned them to be quiet for fear Mooin would hear their return.

Happily they embraced Al-akus and P'ses-muk but it made them sad to see how thin and frail their brother and sister were. When they heard from the people how cruel Mooin had been they shook their heads.

"She possesses great magic, my dear brothers. I fear she will kill us this night," said P'ses-muk.

The brothers who had traveled far and had encountered many strange and magical things told P'ses-muk what to do that night.

"Gather all the prickly porcupines. And at midnight pile them around the wigwam. At the entrance pile them very high but leave a small passage so that escape is easy. We will wait here for you."

Just then they heard the sharp voice of Mooin calling them. So P'ses-muk and Al-akus left their brothers and hurried back to the wigwam.

When they returned Mooin scolded them and sent them to pick berries.

"Hurry back for the fine feast we must have this night," she added.

They returned to the river and there with the help of their brothers they picked many baskets of berries and large bunches of bur-

Molly Spotted Elk: Folklorist

INDIAN ISLAND — Mary Archambeau died Feb. 21 last year at the age of 73. Known also by her Penobscot Indian name of Molly Spotted Elk, she collected, transcribed and authored a great many native American legends and stories.

As a child, Molly preferred storytelling to playing with her peers. She would listen to her elders as they retold legends passed along through an oral tradition.

Molly Spotted Elk showed an early interest in accurate reporting based on facts. Once someone cautioned her that curiosity killed the cat, "Whose cat, and whose curiosity?" she wanted to know.

Married to French journalist Jean Archambeau, Molly had a career as a professional dancer that led her to a Paris exposition. She acted in several

motion pictures, and kept diaries from the time she was a teenager.

Fluent in English, French, Spanish and Penobscot, Molly attended Swarthmore, University of Pennsylvania and the Sorbonne, Paris. She studied geology and anthropology, and was interested in Tibetan, Mayan and Aztec culture. She later worked with the Indian collections at New York's Museum of Natural History.

The accompanying reprinted texts are from Molly Spotted Elk's works, some of which are preserved at Northeast Archives, University of Maine. At the request of Molly's daughter, Jean A. Moore of Murrellsboro, Tenn.

Mrs. Moore specifies that these writings are not to be reproduced without her written permission.

docks. When the sun disappeared behind the mountains they hurried home to help Mooin prepare the fine feast of fish, meat and acorn-meal bread.

Mooin ate so much she became sleepy and decided to take a little nap.

When the brother and sister were sure that Mooin was fast asleep they crept out of the lodge and piled the burdock high around the wigwam. When they had finished they stole back into the wigwam and pretended to fall asleep on the bed of furs.

When the moon was high in the sky P'ses-muk was awakened by the lonely call of the Whip-poor-will outside in the pine-tree. Quickly he aroused his sister and silently they stole out of the wigwam while Mooin slept on. Not far from the pine-tree the brothers were waiting for them and they all set out at a quick pace for Katah-din, the copper mountains and the dwelling place of the Gods.

They had gone far when they realized that a big bear was chasing them.

It was Mooin, their older sister, who by the magic of her bear-skin bag had been able to change herself into a bear.

Quickly P'ses-muk remembered his moose-hide bag and taking it out of his shirt he waved it in the air.

Looking back over his shoulder he saw the bear limp. The prickly porcupines stuck deeply into her feet and she had to stop and pick them out of her claws.

The brothers and their little sister ran as fast as they could but the bear managed to stay very close to them. Again P'ses-muk shook the bag and wished that something big would come between them and the bear. Immediately a big lake appeared.

On they traveled while the bear had to swim across the lake.

Soon the bear was behind them, growling and gnashing his teeth. Again P'ses-muk shook his bag and a forest appeared. But this time the bear made better headway and P'ses-muk had to order his brothers to climb the tallest tree. This they did dragging their little sister with them. P'ses-muk was the last to climb, and he no sooner had left the ground than Mooin appeared beneath them, showing her teeth. With her big paws she shook the tree and four brothers fell to the ground. She snatched at them and would have torn them to pieces if P'ses-muk had not thrown each of them a piece of skin from his moose-hide bag.

Swiftly the four brothers left the earth and rose in the clear, silvery sky. P'ses-muk hastily gave his other brothers a piece of his moose-skin bag and they too rose to the sky.

In his haste he had torn his bag into pieces. With only two bits left he handed one to Al-akus and the other he kept for himself. At once they floated up into the sky to join their brothers.

The power of his magic bag was greater than the power of Mooin. She could do nothing but watch them disappear from her evil sight.

Today the brothers and their little sister are still together. On clear nights they may be seen as stars in the shape of the Great Dipper. You can see, too, the four brothers who floated first to their home in the sky, for

they form the lower part of the Dipper. And Al-akus and P'ses-muk who had the smallest pieces of the magic moose-hide bag can be seen on the handle of the dipper as the faintest stars.

Turtle marries, cools off

Glus-kabe meets turtle whom he loves, and wishes his uncle to marry. Turtle gets married and he gets lazy. And he begins to enjoy games. Game of jumping over the wigwams. Turtle gets stuck in the tent poles.

While dangling there and yelling, the smoke makes him become hard and soon a shell is formed on him, and the smoke marked his back.

Turtle tries it again, when Glus-kabe tells him he has become a great chief. But the smoke became flames, and he got burned so badly to rush to the river to cool off. And there he lives today.

Adventures of Rabbit:

The Duck Hunt

Rabbit had heard that there were many ducks in the neighborhood and without much ado he had hurried off to shoot one or two before any of the other hunters would awake. So noiselessly he crept out of the wigwam one early morning and with his fine bow and a few arrows he set off toward the pond that was some distance away.

But he soon reached there and when he arrived, he hid himself in the rushes and waited. For the ducks were many and they were floating around and playing in the water. He tried to shoot but his aim was not so good. His arrows scared many of the ducks away so that soon there were only a few left. He had only one arrow left and he did not know what to do.

Suddenly an idea came to him. He snaked his arrow in the water and cured it on his knee. And when it was properly shaped and curved he took careful aim and let it sing through the air. The ducks which were floating around in a circle dropped one at a time as the arrow passed through their bodies. All were shot with his one last arrow.

He stuck out his chest, so delighted he was with himself. And when he picked them up he sang to himself. He tied them together and carried them on his back and made sure that he would pass in the center of the village where everyone would see him.

But when he reached the village there were only a few people moving about their campfires. But at least there were enough, so that when the day was over everyone would know that Rabbit had brought home a fine bunch of wild ducks.

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The role of the totem

By Isabelle Knockwood Toney

The most universally accepted and therefore most practiced tradition among native North Americans today is the handicraft.

Specifically, it is the carving and sculpting of wood and rock that is gaining popularity. Non-native interests have also changed from starchy-eyed curiosity and bewilderment to acceptance and understanding of the concepts of primitive symbolism.

Within the last decade attention has expanded to every nook and corner until we have among us professional craftsmen and women who have mastered the skills and techniques of their trade so that they are able to earn a living wage or supplement an income through the sale of their arts.

Sculptured works are being sought after to match the interior decor and furnishing of homes and offices. Small pieces of rock and wood are being used as conversation pieces on bureaus and desks or as wall plaques to match Indian rugs, drapes and spreads. The geometrical designs and panorama of contrasting colors that are unique to the native American reality are popping up everywhere from theatrical scenery to church altars.

The tales of the totem pole are more complete and fascinating than any you'll find anywhere, in any book because they are free from racism and sexism and also from moral and value judgments. They date as far back as the pre-literate era when people hadn't yet discovered reading and writing and native people were communicating with each other through the use of symbols and emblems. Like other forms of artistic native expression, their scope is prolific in that every available space is utilized and every phase of living experience is weighed and balanced. Out of this process comes the symmetry and planning.

In interpreting meanings, I might be helpful to understand some basic features. For instance, height denotes prestige. Top man on the totem is head of the family, clan or tribe. Focus and attention is mainly on position and power in the community which commensurates with personal or public achievements and contributions to society.

The bottom section is considered least important which is not meant to imply that it holds no importance. To have been deemed worthy of consideration is honorable.

Among the woodland tribes, clans have been lost and although there is some revival and adoption of clans today, generally the Thunderbird is most commonly found perching on peaks scanning the landscape. Like the Phoenix, the Thunderbird symbolizes re-birth. At the time of the Flood, it was the Thunderbird that brought messages of hope from the Creator to the survivors who had landed on Mount Katahdin. Mount Katahdin is to the Wabanaki as Mt. Ararat is to Christians.

Wood sculpture originated along the West Coast of North America, in, and near British Columbia where some of the largest trees of the world are found. Carving of stone started with the Eskimos and Inuits. Today the woodland tribes are looking to these cultures as starting-off points in raising their own consciousness about the symbolic meaning of totems.

In recent times, the use of totem poles has been commercial, in promoting sales in handicraft shops and trading posts. Along with the wooden Indian, some totem poles can still be found in museums and second hand stores.

Because of the social mobility guaranteed by the Jay Treaty and enjoyed by native people the exchange of ideas among clans and tribes is gaining momentum. Bit by bit, section by section our story is being rewritten in the language of totems, talking sticks and medicine canes. Emphasis will again be placed on the achievements of the race, its contribution to humanity, and its potential.

quality tools and materials is basic in the production of professional sculptured works. A jackknife made out of good quality steel easily honed to a sharpness that will maintain its edge fairly well is fundamental.

Besides a sharp blade, carving tools should have a handle that fits easily inside the palm. A handle too large can slip from one's grip, while too small a handle can cause cramping of hand muscles.

Woods easiest to whittle include soft woods: poplar, elm, cedar and pine. Roots of gray birch are used for heads of war clubs.

For the ecology-minded, it's helpful to know that poplar is not popular for building or firewood so can be found along riverbanks, having been already cut down by beavers and seasoned.

Excellent carving techniques can be ruined by a botched-up application of poor quality or water base paints. Sufficient timing between coats should be permitted to avoid smearing and smudging.

Soap and clay carving is ideal for the beginner to practice basic shapes and geometrical designs. Emphasis is always on proper handling and care of tools with safety features in mind.

Artistic abilities will develop in proportion to any conscious growth and sensitivity in the various aspects of native culture. Along with one's need to express thoughts and feelings, numerous mediums and modes will emerge.

Shapes, sizes, contours and lines will take on forms that will tell the world "The true people of the land have survived."

Today's native artists have added to the color scheme of things by using colors of the 20th century that were not available in the 14th and have added a permanence to their works by using fixatives and lacquers that have a shine and glass that is both attractive and weatherproof.

Of the primary colors, red is most commonly used as it represents our blood lines. Another common color is brown, the color of Mother Earth.

Their style can be described as a merging of two cultures, involving both traditional and contemporary perception.

Some carvers have developed styles and markings that are their own trademark and can be deciphered as readily and clearly as signatures.

Cultural changes always follow thinking patterns and socially acceptable behavior. By asserting our sovereignty we have opened up new ways of thinking and communicating that lead us where our ancestors left their footprints and impressions eons ago. Directions for national unity were marked out for us in symbols and designs in the eloquent language of the totems.



WINTER WILDERNESS — Rick Love, instructor with Wilderness Pursuits, an Orono-based Indian youth program, shoulders a pack along with Everett Sapiel, at the outset of a recent cross-country ski and camping trip.

Wilderness courses scheduled

ORONO — Wabanaki Wilderness Pursuits has scheduled a number of outings for Maine Indian youth, from now through March 1978.

The Wilderness organization is a non-profit program that offers young persons the experience of living and working together in natural surroundings for several days. The basic needs of survival are appreciated, and participants share in joys and sorrows, as well as struggle, hardship and a deep sense of reward, according to Wilderness Pursuits leaders.

Self-confidence grows, as does an understanding of cooperation and love, says Martin A. Neptune, program director. Wilderness Pursuits is staffed by Indians, and serves the Micmacs, Maliseet, Penobscot and Passamaquoddy communities.

A description of wilderness courses says, "you'll discover that you can do things you never thought possible; overcome fears, find out new things about yourself." Winter courses take place either on weekends, or during school vacations.

Complete schedules, equipment lists and other information is available from Wilderness Pursuits offices at 93 Main St., Orono. Telephone 866-5577.

Two trips are slated Jan. 28 and 29, one involving snowshoeing, the other cross-

country skiing. Snowshoeing is set for the Indian Island area; skiing for the Association of Arrostook Indians area.

An instructor training course is set Feb. 2 to Feb. 6. A skiing trip for Central Maine Indian Association youth is scheduled Feb. 11-12; a snowshoeing outing is set those dates for Pleasant Point.

An all-area trip using cross-country skis is slated Feb. 18-21; an all-area snowshoe trip Feb. 23-26. Instructor training will take place Mar. 2-6.

On Mar. 11-12 there will be both a snowshoeing trip for Indian Township, and a skiing trip for Indian Island. On Mar. 18-19, snowshoeing courses for Arrostook County and for Central Maine Indians have been scheduled.

Cross-country ski trips for Indian Township and for Pleasant Point are set Mar. 25-26. On Apr. 1-2, a snowshoeing outing is set for Indian Island, and a skiing trip for Arrostook County.

Students will be accepted on a first come, first serve basis. Registration forms are available at the Orono offices, or from Joe Stewart at Indian Township school; Shirley Mitchell at Pleasant Point school; Ken Putnam at Indian Island school; Dick Felker at Association of Arrostook Indians; Houlton; Debbie Deveau at Central Maine Indian Association, Orono.

Mobile clinic visits island

INDIAN ISLAND — Medical services are available to Penobscot Indians here at monthly visits from a mobile health clinic.

Sponsored by Eastern Maine Medical Center of Bangor, the van travels to a number of rural areas in Penobscot and Piscataquis Counties on a regular basis. The unit specializes in child care, offering physical check-ups, immunization shots, counseling, urine and blood testing and referral to other agencies where needed.

Nurse Practitioner Nicci Kobritz said EMMC's Rural Pediatric Health Services provides 24-hour coverage. Any child from birth to age 21 is eligible, she said, adding that there is sometimes no charge unless patients are referred to the hospital at Bangor, or elsewhere. Fees for services are based on a sliding scale depending on income, and number of children in the family.

The rural service unit can be reached anytime by calling 800-668-0000.



A flashback to the past

Joe Attean: More than Thoreau's guide

By S. Glenn Starbird, Jr.

INDIAN ISLAND — One hundred years after the death of Joseph Attean, it is difficult for the historian to understand why his only claim to fame in the eyes of the public is that for a short time he was Henry David Thoreau's personal guide.

Attean was far more than Indian guide. He was the son of a chief, descended from a long line of chiefs. He had the character, qualities and ability needed for the station into which he was born in 1829. The meager records of Penobscot Tribal History which tell us of the troubled times through which he lived give us brief snatches of his life story but more than that, they tell us of the political factionalism that nearly tore the tribe to pieces. It was finally settled, largely through the efforts and abilities of Attean.

A winning team

He worked, as did his fellow tribesmen, in the woods and on the river drives to earn his living, for this was a time when the lives of most Maine men were spent in the woods and on the rivers.

Attean and his nephew Stephen Stanislaus soon gained a reputation for being two of the best river drivers and boatmen on the Penobscot. They normally worked in the same boat, one at the bow and one at the stern and so well did they work together, (they were nearly twins in their height, weight, general looks, manners and mental outlook) that they operated their boat almost as a single man. The fact that Stanislaus was not in the boat the day Joseph Attean died was the one factor perhaps more than any other that sealed his fate and that of two others.

Joseph Attean was born Christmas Day, 1829 and grew up during the 1830's and 1840's when strong resistance was growing to many of his father's policies, and those policies of his father's Lieutenant Governor, John Neptune.

This resistance and political unrest eventually came to a head in 1838 when the group opposed to Attean and Neptune, after consulting with the heads of the Passamaquoddy and Maliseet tribes, (always up to this time federated with the Penobscots) attempted to depose Attean and Neptune and choose new chiefs. Therefore a convention of the three tribes was called to meet at Indian Island Old Town in August 1838 for an election according to ancient custom.

The group opposed to the old chiefs accomplished their purpose and chose new ones but the trouble did not end there for the old leaders refused to step down and their supporters continued to regard them as the true Heads of the Tribe.

Neither party would back down even rejecting the State's well-meaning effort at settlement the next year. From that time on those who followed Attean and Neptune were called the Old Party and those favoring the newly-elected leaders Tomer Suckalexis and Attean Orson, the New Party.

This state of affairs continued throughout the 1840's causing much discord and disruption in tribal life. Because of this more and more authority of the chiefs was taken over by the State and in several instances political differences resulted in actual bloodshed. When John Hubbard became Governor of Maine he immediately tried to find a way to bring some order out of the chaos that was developing rapidly in both tribes, for a similar situation existed among the Passamaquoddy. In the case of the Passamaquoddy he was successful with the Penobscots he was not.

Political system shifts

The agreement entered into about 1850 between the officers and principal members of both parties at the urging of the Governor of Maine provided that: "as John Attean and John Neptune were chosen according to the ancient usages of the tribe into their respective offices, that they should remain in said offices during the remainder of their

lives, and on the decease of one or both, the vacancy should be filled by majority vote of the male members of the tribe of twenty-one years of age and upwards, in a meeting duly called by the Agent. Said officers to continue for two years, and that an election should be held every year to choose one member of the tribe to represent the tribe before the Legislature and the Governor and Council."

Elections were then held annually for choice of representative and although the State now recognized Attean and Neptune as the legal chiefs there still existed much ill feelings often resulting in near riot conditions at many elections.

Governor John Attean died in 1858 and after the usual period of mourning the Old

Party declared his son Joseph his successor, and he was duly inaugurated by them according to ancient Indian custom, for life.

The succession to the offices of governor and lieutenant governor was still a hotly disputed issue between the two parties but now a generation had passed since the original rupture and it seems apparent that Joseph Attean had decided in his own mind that the time was ripe to settle the chaotic political situation once and for all.



JOSEPH ATTEAN — A celebrated Penobscot Indian who was Thoreau's guide and an expert on the Penobscot River log drives. This portrait will be exhibited at the tribal governor's office at Indian Island.

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"Good and open-hearted"

Fannie Hardy Eckstorm's The Penobscot Man describes Joseph Attean as "not only brave but good, an open-hearted, patient, forbearing sort of man... loved for his mild justness." These were exactly the qualities needed in a leader, especially at that particular period.

In addition to his leadership abilities Attean had the prestige of his background and ancestry, an ancestry that traditionally traced to Chief Madockawando and perhaps even further to the half-legendary Bashaga. With these assets Attean commanded respect from even his New Party political opponents. As soon as Attean was firmly in control of his own party he seems to have made enforcement of the agreement of 1850 one of the first issues to be settled.

Attean felt sure of his position and so earnestly did he desire a solution to the tribe's leadership question that he was

willng to submit himself to the elective process for possession of an office that was already his by hereditary right.

Exactly how the firebrands of the two parties were persuaded to submit themselves to the ballot is not known but quite likely Attean's patience and forbearance played a large part in it. Only one change seems to have been made in the 1850 agreement, that the elections should be annual instead of biennial beginning in 1862. Eckstorm says in "The Penobscot Man," "Joseph Attean won his election by popular vote against great opposition, and carried seven out of the eight elections held up to the time of his death. The eighth, by the intervention of the so-called 'Special Law' passed by the state to reduce the friction between the parties, was

the river drives in the spring and summer while on one of these drives in 1 near what is now Millinocket, that At was drowned in the West Branch of Penobscot, trying to save the lives of fellow drivers who could not swim.

Eckstorm has told the story as culled the memories of the men who were there saw it happen in her book "The Penobscot Man." She said the logs were "ricked up jackstraws on both sides of the falls." It was Attean, but on this day his nephew Stanislaus was not with him and this it ended made the difference. In Stanis place was Charles Prouty, young and perished.

John Ross, the River Boss, later Eckstorm the responsibility was really, for putting Prouty in the bow position that boat in the first place.

The boat veered, shot across thundering current among the jagged rocks on the opposite shore close above the state of water known as Blue Rock Pitch those who could swim jumped in: Attean. Attean dropped his useless pole grabbed his paddle but the boat would respond.

Attean stayed with boat

Three non-swimmers clung to the Eckstorm says, "And Joe Attean stayed them, not clinging as they did, but water; not crouching and abject, waiting the death that faced him, not a coward never, but paddle in hand, because water ran too deep for a pole-hold, star astride his sunken boat, a big caulked upon either gunwhale, working with his ounce that was in him to drive the sun wreck and the men clinging to it into eddy or cleft of the log-jams before they carried down over the thundering fall.

Attean's death closed a turbulent Penobscot history. His life had been a life of the tribe had been given a new largely through his efforts. It had turned a new direction now and was held some in check by the paternalistic power of the state. And it enabled new generations of Penobscots to develop the political that would give them an ever-increasing control over their own destiny in the half of the coming century.

Pearson to push Indian programs

AUGUSTA — Rep. Michael D. Pe (D-Old Town) said he will be involved in funding of Indian programs during second session of the 108th Maine Legislature.

A press release from Pearson said District 79 legislator will serve on the appropriations Committee.

Do you have a drinking problem?

Wabanaki Corporation offers an individual program for Indian people who need help because of problems with alcohol.

If you have such a problem and need help, or know of someone in need, please contact the Alcoholism Counselor in your community or area.

Indian Island — Alcoholism Counselor — Clarence Francis — 207-5577.

Indian Township — Alcoholism Counselor — Martha Barstis — 207-796-2 Pleasant Point — Alcoholism Counselor — Grace Roderick — 207-2537.

Association of Acadiana Alcoholism Counselor — Pious Perl — 207-762-3751.

Central Maine Indian Association Alcoholism Counselor — Alfred Day — 207-269-2653 or 207-866-5577.