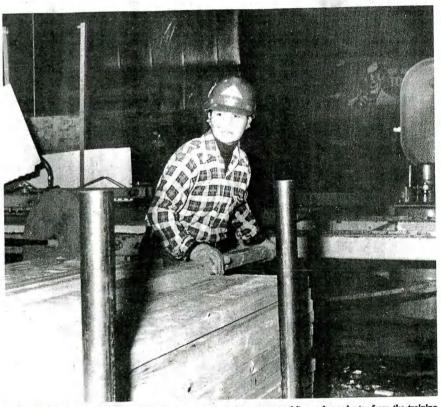


AS IT WAS — This photo of St. Ann's Church at Indian Island was taken many decades ago. The Indian Resource Center is attempting to collect pictures of Maine Indian Life "as it was." If you have a photo depicting life "as it was" the Resource Center can have it reproduced and return your original. If you have an interest in contributing to our growing collection, please write us at 95 Main St., Orono.

WABANAKI ALLIANCE



CETA PROGRAM BEGINS — Gloria Brown, Indian Township, was one of five early graduates from the training component of the employment project sponsored by Tribal Governors, Inc. A more complete story on the Maine Indian Manpower Program appears on page 3.

LAND CASE DECISION WON

On January 20, 1975 U.S. District Court Judge Edward T. Gignoux declared that the Nonintercourse Act is applicable to the Passamaquoddy Indian Tribe; that this Act establishes a trust relationahip between the U.S. Government and the Tribe; and that the U.S. Government may not deny the tribe its request for litigation in its behalf on the sole ground that there is no trust relationship between the U.S. and the tribe.

It is important that all of us understand the significance of this judgement, the background of this 200 year old story, the present action and what it means now and in the future. Possibly the best source of information for answers to most of these questions is the judgement as prepared by Judge Gignoux.

In providing a historical background. Judge Gignous states that until 1794, the Passamaquoddy Tribe occupied as its aboriginal territory all of what is now Washington County, together with other land in the State of Maine and that during the Revolutionary War the Tribe fought with the American colonies against Great Britain.

In 1790, in recognition of the primary responsibility of the newly formed Federal Government to the Indians in the United States, the First Congress adopted the Indian Nonintercourse Act, which states in part that:

No lease, or other conveyance of lands, or of any title or claim thereto, from any Indian nation or tribe of Indians, shall be of any validity in law or equity, unless the same be made by treaty or convention entered into pursuant to the Constitution."

Judge Gignoua's decision points out: however, that in 1794, the Commonwealth of Massachusetts, negotiated a treaty with the Passamaquoddies, by which the Tribe lost practically all of its aboriginal territory. Gignoux also states that "out of the 23,000 acres which the 1794 treaty reserved to the Tribe, Maine and Massachusetts have sold, leased for 999 years, given easements on, or permitted flooding of approximately 6,000 acres."

The legal action by the Passamaquoddy Tribe asserts that the United States has not consented to these transactions and therefore that these actions violated the express terms of the Nonintercourse Act. Gignoux's decision concludes its history of the situation by pointing out that "since the United States was organized and the Constitution adopted in 1789. the Federal Government has never entered into a treaty with the Passamaquoddy Tribe and that, since 1789, the contacts between the Federal Government and the Tribe have been sporadic and infrequent. It is also pointed out that, the State of Maine has enacted confprehensive legislation which has had a pervasive effect upon all aspects of Passamaquooddy tribal life and that the Commonwealth of Massachustees and State of Maine, rather than the Foderal Government, have assumed almost exclusive responsibility for the protection and welfare of the Passamaquoddies.

In presenting a history of the cutrent action, Judge Gignoux states that on February 22, 1972, representatives of the Passamaquoddy Tribe wrote to the Commissioner of the Bureau of Indian Affairs, Department of the Interior, and requested that the United State Government, on behalf of the Tribu, institute a sait against the State of Maine, before a July 18, 1972 statute of limitations barred the action, as a means of redressing the wrongs which arose out of the violations of the Nonintercourse Act. However, despite repeated urgings by representatives of the Tribe, the Department failed to take any action upon their requests.

The decision goes on to explain that on June 2, 1972, the Tribe filed the present action seeking a declaratory judgment that the Passamaquoddy Tribe is entitled to the protection of the Nonintercourse Act and requesting a preliminary injunction ordering the defendants to file a protective action on their behalf against the State of Maine before July 18, 1972. Pollowing a hearing on June 16, 1972, the Court ordered defendants to decide by June 22, 1972, whether they would voluntarily file the protective

action sought by the tribe. In addition, the Court directed defendants, in the event their decision was in the negative, to state their reasons for so deciding and to show cause on lune 23, 1972, why they should not be ordered to bring suit. On June 20, 1972, the Acting Solicitor of the Department of the Interior advised the Assistant Attorney General, Land and Natural Resources Division, Department of Justice, by letter, that no request for litigation would be made.

At the conclusion of the show cause hearing held on June 23, 1972, the Court ordered defendants to file the requested protective action against the State of Maine prior to July 1, 1972. The federal government complied with the order by filing a \$150 million suit against Maine on behalf of the Passamaquoddy tribe. Following negotiations with the Penobscot nation the federal government filed a similar \$150 million suit on behalf of that tribe on July 17, 1972.

Judge Gignoux then deals with the issues presented by the legal action just outlined. In their second amended and supplemental complaint, the Passamaquoddy Tribe sought a declaratory judge-ment. The Passamaquoddies' position, according to Giguoux, is that the Nonintercourse Act applies to all Indian Tribes in the United States, including the Passamaquoddies, and that the Act establishes a trust relationship between the United States and the Indian tribes to which it applies, including the Passama-quoddies. "Therefore, they say, defendants may not deny plaintiffs' request for litigation on the sole ground that there is no trust relationship between the United States and the Tribe. In opposition, the government contended that only those Indian tribes which have been "recognized" by the Federal Government by treaty, statute or a consistent course of conduct are entitled to the protection of the Nonintercourse Act and, since the Passamaquoddies have not been "federally recognized," the Act is not applicable to them. The government also denied that the Nonintercourse Act created any trust relationship between the United States and the Indian tribes to

But, in addition to denying that the Passamaquoddies are protected by the Nonintercourse Act, the Federal and State government raised several other defenses. Judge Gignoux addressed each of these defenses but the most important was denial of protection under the Nonintercourse Act.

"The rules of statutory interpretation by which this Court must be guided in determining the applicability of the Nonintercourse Act to the Passamaquioddies are summarized in United States v. New England Coal and Coke Co.. 318F.2d 138 (1st Cir. 1963) as follows:

'In matters of statutory construction the duty of this Court is to give effect to the intent of Congress, and in doing so our first reference is of course to the literal meaning of words employed. Unless the contrary appears, it is presumed that statutory words were used in their ordinary sense. A primary consideration is the mischief to be corrected and the end to be attained by the enactment of the legislation; and, where possible, its terms should be construed to give effect to the Congressional intent. Extrinsic aids such as the legislative history of the Act, and the accepted interpretation of similar language in related legislation, are helpful la interpreting smbiguous statutory language. Finally, administrative interpretation by the agency entrusted with the enforcement of the statute are persuasive, However, the power to issue regulations is not the power to change the law, and it is for the courts, to which the task of statutory construction is ultimately entrusted, to determine whether or not administrative interpretations are consistent with the intent of Congress and the words of the Act. 318F. 2d at 142-43. citations omitted."

Gignoux goes on, "applying these rules of construction, the conclusion is mescapable that, as a matter of simple statutory interpretation, the Nouintercourse Act applies to the Passamaquoddies. The

literal meaning of the words employed in the statute, used in their ordinary sense, clearly and unambiguously encompasses all tribes of Indians, including the Passamaquoddies; the plain language of the statute is consistent with the Congressional intent; and there is no legislative history or administrative interpretation which conflicts with the words of the Act."

"The provisions of the Nonintercourse Act prohibiting dealings in Indian land without the consent of the United States have remained essentially unchanged since passage of the first Act in 1790. The statute in affect in 1794, when Massachusetts negotiated its treaty with the Passamaquoddies, applied to land transactions with "any Indians or nation or tribe of Indians," within the United States. Subsequent versions of the statute, including the present codification, have applied to land transactions with any Indian nation or tribe of Indians. The words employed in the statute are clear and unambiguous; the prohibition against dealings in Indian land without the consent of the United States is applicable to any—tribe of Indians."

"It is eminently clear," the Judge continues, "that the literal interpretation of the statute is required to give effect to the Congressional intent. The Court is aware of no legislative history of the Nonintercourse Act, which might reveal whether the First Congress had in mind the Passamaquoddies when it enacted the 1790 Act. Nor have defendants been able to call to the Court's attention any administrative interpretation prior to the filing of the instant litigation as to the applicability of the Act of the Passamaquoddies or any similarly situated Indian tribe. Every Court, however, which has considered the purpose of the Act has agreed that the intent of Congress was to proteet the lands of the Indian tribes in order to prevent fraud and unfairness."

Judge Gignoux later states, "a plain meaning interpretation of the phrase "any... tribe of indians" is also the only construction of the Nonintercourse Act which comports with the basic policy of the United States, as reflected in the Act, to protect the Indian right of occupancy of their aboriginal lands."

Grasping at straws, the state and federal government then tried to deny protection under the Nonintercourse Act, by implying that the Nonintercourse Act applies only to federally recognized tribes. To do this, their attorneys cited many Supremy Court cases which Gignoux found less than relevant.

"There is nothing in this language." Gignous states referring to the cited Supreme Court cases, "which would indicate that the Nonintercourse Act applies only to "tederally recognized" Indians.

Shortly after wrecking the arguments of the state and federal government Dignous states: "The Court holds that the Nonintercourse Act is to be construed as its plain meaning dictates and applies to the Passamaquoddy Indian Tribe."

To substantiate his position on "rights to aboriginal lands," Judge Gignous then quotes a recent supreme court summary of this policy as follows:

"It very early became accepted doctrine in this Court that although fee title to the lands occupied by Indians when the colonists arrived became vested in the sovereign-first the discovering European nation and later the original States and the United States — a right of occupancy in the Indian tribes was nevertheless recognized. That right, sometimes called Indian title and good against all but the sovereign, could be terminated only by sovereign act. Unce the United States was organized and the Constitution adopted, these tribal rights to Indian lands became the exclusive province of the federal law. Indian title, recognized to be only a right of occupancy, was extinguishable only by the United States. The Federal Government took early steps to deal with the Indians through treaty, the principal purpose often being to recognize and guarantee the rights of Indians to specified areas of land. This the United

(Continued on page 2)



Editorials

Concerned Penobscot tribal leaders gathered recently at the State Capitol in Augusta to voice complaints against the handling of an investigation regarding charges against Raymond Ellis, the Indian Agent for the Penobscot Tribe.

In tribal council action, a vote was unanimous to bar Ellis from the Penobscot reservation at Indian Island following a series of complaints by tribal members varying from outright favoritism to harrassment and intimidation of welfare recipients, When a "thorough investigation" conducted by state officials determined that Ellis was "innocent of all charges", it spurred the decision of the Penobscot Governor and Council to go to Augusta to address the issue with Governor James B. Longley and his staff.

As Governor Sapiel and other tribal members reaffirmed individual complaints, Longley asked that more time be granted to evaluate the situation and to explore the options. Longley then requested one week in which to formulate a decision on the matter. "It may not be the answer you will want to hear", said Longley, "but I will guarantee an answer in seven days". Longley further stated, ". . . any decisions on this matter will be my decision and my decision alone - not Commissioner Stevens' or the Attorney Generals'.

Ellis publicly denies the allegations and is challenging the tribe on the matter of his removal. It is quite evident, however, that regardless of whether the charges can be proven. Ellis is not wanted on the Penobscot Reservation and the tribe is determined to keep him off Indian Island.

More information about Indian activities must reach more people more often. In an effort to accomplish this, the Wabanaki Alliance will provide two pages of Maine Indian education news prepared by the Maine Indian Education Council staff. Additionally, staff has been asked to prepare six editions this calendar year. Part of this additional cost is going to be met by the Maine Indian Education Council.

This is just one example of a recently developed cooperative effort which will assist all and save all. Another, and significantly more important, is the centralizing of statewide Indian programs into one Center. An unused building next to the Resource Center is being converted into office space to house the staffs involved in the running of the statewide CETA program, the statewide alcoholism rehabilitation program, the statewide VISTA program and related projects. By using a singular facility all programs can begin to share in the costs of maintaining and operating programs. It has become increasingly apparent to all leaders involved in the administration of numerous programs that there is a cost to running them and that those who provide resources for services do not do so without strings and that these strings are usually attached to paper trails.

It begins to boil down to running an inefficient program, not taking care of some of the administrative requirements, or fighting back through cooperative efforts. Cooperation is also needed to secure continuity of services as leadership changes. This step is being taken by Maine Indian people

rough its present leaders.



MEETING WITH LONGLEY - At top, Maine Governor James Longley listens as members of the Penobscot Tribe discuss with him problems relating to Indian Agent Raymond Ellis, Above, Commissioner John Stevens, Penobscot Representative Ernest Goslin, Richard Mitchell and Lt. Governor Peter Neptune assess the discussions.

New **VISTAs Employed**

Seven additional VISTA volunteers have been added to Maine's Indian Community Action program, according to Vivian Massey, director of the program.

At Indian Island, Laura Loring has volunteered to teach bead work and to teach the Penobscot and/or Passamaquoddy language to all those interested.

Pleasant Point is developing a similar program. Mary Sapiel has become a volunteer to coordinate arts, crafts, leather work, basketry, bead work, dancing and to help teach the Passamaquoddy language. She will also be assisting students in the collection of old tales and new stories which are to be compiled into a book for the use of the community and the school

Eleanor Trueworthy and Richard Frazer, both of Millinocket, will assist the Central Maine Indian Association in its efforts to promote programs and relay the availability of services to off-reservation people in the Central Maine area.

Brenda Baer, Mary Pollard and Marlene Shumate. Aroostook County, will be assisting the Association of Aroustook Indians in its outreach programs throughout Aroostook County.

LAND CASE

(Continued from page 1)

States did with respect to the various New York Indian tribes, including the Oneidas. The United States also asserted the primacy of federal law in the first nonintercourse Act passed in 1790, I Stat. 137, 138, which provided that no sale of lands made by any Indians . . . within the United States, shall be salid to any person — or to any state — unless the same shall be made and duly executed at some public treaty, held under the authority of the United States. This has remained the policy of the United States to this day."

"It is thus clear that the policy embodied in the Nonintercourse Act is to protect Indian tribes against loss of their aboriginal lands by improvident disposition to members of other races. The Passamaquoddies, an Indian tribe, fall within the plain meaning of the statutory language, and there is no reason why they should be excluded from the protection which the Act affords," Gignoux states.

"The Court holds that the Nonintercourse Act is to be construed as its plain meaning dictates and applies to the Passamaquoddy Indian Tribe."

Gignoux then moves to the question of a trust relationship.

"Defendants have rejected plaintiffs' request for assistance on the ground that no trust relationship exists between the United States and the

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Passamaquoddies. The Court disagrees. In the only decided cases to treat this issue, the Court of Flains has, in a series of decisions during the last ten years, definitely held that the Nonintercourse Act imposes a trust or fiduciary obligation on the United States to protect land owned by all Indian tribes covered by the

Judge Gignoux then reviews a long series of legal battles and concludes by stating: "In view of the foregoing, the conclusion must be that the Nonintercourse Act establishes a trust relationship between the United States and the Indian tribes, including the Passamaquoddies, to which it applies. The Court holds that defendants erred in denying plaintiffs' tequest for litigation on the sole ground that no trust relationship exists between the United States and the Passamaqueddy Indian Tribe."

A number of other ploys were used by the federal and state government to keep Judge Gignoux from making the decision he did. Each of these was disected in the same manner by Judge Gignoux. He states: "Defendants and intervenor have raised a number of affirmative defenses which they assert preclude the Court from ruling upon the substantive issues presented by the action. The Court finds these to be without merit."

His decision concludes by stating: "Judgement will be entered for the plaintiffs' declaring that the Indian Nonintercourse Act is applicable to the Passamaquoddy Indian Tribe; that the Act establishes a trust relationship between the United States and the Tribe; and that defendants may not deny plaintiffs' request for litigation in their behalf on the sole ground that there is no trust relationship between the United States and Tribe."

We have discussed the background of this case, the present action and the reasoning behind the judgement provided by Judge Gignoux. At this point, we do not know all the specifics of what this means for the future. It is clear, however, that the discussion represents a major breakthrough in the Passamaquoddy and Penobscot land cases, and that the decision should also clarify the eligibility of Maine Indians for most federal Indian services.



INTER-TRIBAL OFFICES - The numerous offices contained in this old convent are being renovated to create a central office site for the many recently developed statewide Indian programs such as Indian Manpower, Maine Indian Alcoholism Services, and the Indian VISTA. The building is located next to the Indian Resource Center in Orono. Mike Francis, left, is one of those from the CETA program who is assisting in the renovation of the building.

Alcohol Program Staffing Begins

The Wabanaki Corporation has hired an interim director - Michael Ranco - to get Maine's comprehensive Indian alcoholism rehabilitation program started now that funding has been received.

Ranco, who has served for three years as CAP director at Indian Island, was a member of the planning committee which developed the basic proposal to the National Institute of Alcoholism and Alcohol Abuse (NIAAA).

In late February, the Wabanaki Corporation learned that the basic proposal had been funded for \$247,500 for the first year and was to begin March 1st. It was also learned, at that time, that the training proposal to NIAAA was funded for \$154,941 for the first year and was to begin July 1. The medical services component to the program has been approved by the State's technical review committee and is in the final stages of approval. This component was for \$102,448 for the first year.

The basic grant will provide resources for out-reach programs at Indian Island, Caribou (Houlton is covered in another grant) Indian Township and Pleasant Point.

Each of the out-reach or satellite programs will have a staff consisting of an alcoholism counselor, a community nurse, a youth counselor and a caretaker who will operate a shelter.

The basic grant also provides for a halfway house, which will serve those in need of such services and for a central office staff.

The large training proposal is to train boards and staffs of Indian alcoholism programs in New England. Training would be geared toward the individual needs of the person. A nurse, for instance, may need more training in the medical aspects of detoxification while a board member may desire management training.

CETA

Indian Manpower Program Gets Under Way

On February 3, Maine's Comprehensive Indian Manpower program employed one person; at last count there were 106.

The program is big, getting bigger, and constantly full of surprises - many of them very rewarding.

Dick Hamilton, manpower director for Tribal Governors, Inc., cites, for example, the excellent cooperation he and the field supervisors have had with private industry.

Hamilton's staff has placed Title III trainees in positions ranging from legal secretaries to X-ray technicians to mill workers for Georgia Pacific. In each case. Hamilton stated, a contract is developed for the enrollee in which it is agreed that at the end of the training period the potential employer will indeed employ the traines. The length of time for training varies; in the case of Georgia Pacific we already have graduates and new enrollees on the way.

Hamilton explained that five CETA enrollees earned early graduation from the Indian Manpower training program and became employees of the new Georgia-Pacific Corporation CHIP-N-SAW stud mill in Baileyville in late March. Seven others have also been hired by the GP plant.

Gloria Brown, her brother, Keyin Stevens, and David Tomah, Indian Township, and John Francis and Leon Sockabasin of Pleasant Point, displayed such unusual aptitude and obility for specific jobs that they were elevated from the training program and put on the payroll three weeks ahead of schedule, according to GP.

The first-of-its-kind training program was a cooperative effort involving Tribal Governors', Inc., the Washington County Vocational Technical Institute and Georgia-Pacific A comprehesive curriculum was devised by the Adult Education Division of WCVTI in cooperation with G-P's training department. Tribal Governors', Inc. provided the school with financial assistance through CETA Title III funds, and G-P's Wood Processing Division agreed to employ those who successfully completed the program in its new CHIP-N-SAW stud mill.

Training program participants were selected by local field supervisors of the Maine Indian Manpower Services program. They received orientation to production processes at the stud mill including familiarization with plant layout, machine operation, union organization and industry goals. Instruction included first-hand involvement with all phases of safety practices, and specialized training was given in efficient material handling and proper use of trucks. hoists, conveyors, chainsaws and power and hand tools.

G-P stud mill manager Pat Bailey praised the effectiveness of the training program and noted that participants progressed very smoothly from the training phase to the production line.

On-the job training is only part of the employment program, however.

Public Service Careers, Title II and Title VI, have provided jobs for 13 people in occupations which lead to unsubsidized employment.

There are also many Indian people taking advantage of the State's emergency employment funds and its Title I resources. Recently, for instance, community action agencies - among others received Title I positions which were to last 15 weeks and pay \$2.50 per hour. Indian programs were able to take advantage of both their own Title I resources and those of other programs.

There is, according to Hamilton, a great deal of book work attached to each of these programs. "It is necessary to process eight separate pieces of paper for each Title III enrollee," Hamilton stated. Because of high unemployment and the integration of the old operation mainstream, "we had as many as 17 new enrollees a day. That's 136 pieces of paper." If the jam gets too heavy then the doors are closed, temporarily, to allow the bookkeepers the chance to catch up. This is necessary, according to Hamilton, to insure smooth payrolls and the necessary kinds of records.

Hamilton believes that the paper work is not as fough a problem as transportation has been, however.

Getting people to work who have no means of transportation has been overcome by getting one person in the group to use his/her own car and to repay this person for their travel.

Because the program is so large and has so many parts, confusion often arises among those in need of work as to why this or that can't be done and who is responsible for what. Possibly this will help.

The prime sponsor of the group responsible for the Indian Manpower program is Tribal Governors', Inc. This organization is a consortium of tribal governors and Presidents of the Association of Aroustook Indians and the Central Maine Indian Association.

This "leader's consortium" is responsible for hiring the manpower director and field supervisors.

The manpower director is responsible for the overall administration of all CETA titles. Tribal Governors', Inc. is responsible for policy, goals, objec-

The field supervisors were hired to provide outreach for the Title III program, which is oriented toward on the job training. Another function is to serve as a local liason with the overall manpower

The field supervisors include Russell Sacobey, AAI; Wally Pehrson, Indian Island; Phyllis Sabattus, Indian Township and Dave Francis, Pleasant Point,

Hiring to fill training positions is done at the local level with the approval of the Indian manpower director. Title II positions and staff positions have been approved by Tribal Governors', Inc.

The number of positions available to each consortium member is decided by Tribal Governors', Inc.

'She Loves to Teach'



OUTSTANDING TEACHER — Sister Maureen is seen here with two of her students from Beatrice Rafferty School using a rather novel teaching tool the sewing machine.

Editor's Note: The following story was first printed in the Department of Education and Cultural Services newspaper.

Last year five Passamaquoddy boys spent six Friday afternoons in a fish house and boar, learning skills which may help them make a living some day. In the process they also learned about their unique ancestry from the Indian who operates the weir.

Thanks to a program designed by Sister Mallicen Wallace, Maine's 1973-74 reacher of the year and Sister Eller Turner, some Passariaquoddles and others are making elementary age children more aware of job opportunities and helping them begin thinking about their life's work. Originally funded by a Title III teacher mini-grant the program is now part of the local budget and is expanding to other Indian schools.

But the career education program is only one reason why a committee of representatives from the Maine Teachers Association, the Maine School Management Association and the Maine Department of Education and Cultural Services (MDECS) chose Sister Maureen as a symbol of teaching excellence. The major reason was what committee members saw when they visited Sister Maureen's classroom where 25 vibrant, imaginative first and second graders like to draw colorful pictures for visitors, teach them Passamaquoddy words, and make them feel like part of the class.

Her class is informal, ungraded and individualized. With patience and humor she promotes a way of life for her students that is free of the tension and animosity that can stunt creative development.

Students move about as they please during "free time" (which can be declared at any time) they play constructively — whether strengthening their finger muscles with clay, flashing arithmetic eards with a friend, or telling Sister Maureen a story with a small group of children in a corner.

Play period ends quickly and Sister Maureen's requests are heeded even though disciplining is limited to occasionally placing a child in a chair until he is quiet. "She loves to teach, and she teaches with love. Her students in turn give her their hearts as well as their attention," said Supt. Meredith Ring who nominated Sister Maureen as Maine Teacher of the Year.

When the children enter Sister Maureen's class from the Reservation Headstart program they learn at their own rate. One girl, for example, entered first -ade at mid-year last winter, and was doing second work this September even though her friends

Maureen's reading program which runs from

9 to 11 a.m. four mornings a week is a good example of how an individualized program can be efficient and humane at the same time. Each night Sister Maureen draws up different lessons for each student in a series of five steps, the difficulty of each depending upon his reading level. In the morning each student gets his "What Step Are You On" folder. Then the child moves independently between steps.

Here's an example of how a lesson might work. In Step 1 he reads the day's new words; Step 2 is a phonics worksheet based on sounds in the words; Step 3 takes him to the board to practice writing and spelling the word; during Step 4 he practices phonics and reading aloud with a partner or listens to taped stories with visual accompaniument; during Step 5 he is free to watch the Electric Company or play games.

Each morning Sister Maureen and Inez Nicholas, her teaching assistant, give each student at least one 10-15 minute conference which serves as a time to give extra help to a child and to find out what he has actually learned. Thus each child works independently or with a friend and gets individual help and evaluation.

Sister Maureen has the imagination to successfully execute her plans as well as design them.

How do you get the concept of measuring feet and inches across to primary children? "It's easy," says Sister Maureen, "Use a dinosaur!" Using the fascination these prehistoric beasts hold for this age group, she first had discussion during science period about their size. During math class that same day they took a skein of yarm and their rulers to the gym and unwound 80 ft. of yarn, measuring as they went, to



have a visual demonstration of the length of an 80 ft. dinosaur.

What sound does the letter 'B' make? Have your students create a monster, have him make a sound starting with that letter, and paint his picture. They remember the sound, and they enjoyed learning it. 5r. Maureen compiled the pictures, named them after the book entitled "Where the Wild Things Are", and made a tape recording of the children talking about their monsters.

Finally, after the basic academics, how do you get a child to value his ethnic background in a culture that has treated it as a novelty or inferior? "To build up their pride as Indians, I tell them how proud I am to be Irish," said Sister Maureen. "A child might say to me, "You're Indian aren't you?" and another will reply, 'Course not — she's Irish.' They know I'm proud to be Irish."

Sister Maureen brings Passamaquoddles into her career education program wherever possible. Four times a year children have a new set of careers from which they may choose one to study.

Sister Maureen and her students also study Passamaquoddy culture for half an hour every afternoon. Four days a week, Rita Altvater feaches the Passamaquoddy language which is spoken in most homes. On Friday children do traditional dance steps. Sister Maureen has also taken a Passamaquodity culture course at the Peter Dana Point Reservation.

"A teacher's role is not confined to her immediate class but encompasses the whole community," says Sister Maureen whose work takes her out of her classroom during non-school hours. She lives across the

THEN . . . July 18, 1967

"Dear Mrs. Altvate

Thank you for your letter of interest by you and the Parish Council in the education of your children.

A school board, per se, with its powers and duties as prescribed by statute, is not possible for Indian education. The school privileges for children living on Indian reservations "shall be provided under the direction of the Commissioner under such rules and regulations as may be made from time to time by him and approved by the Governor and Council." (Title 20, Chapter 119, Section 1451.)

The responsibility for the education of Indian children is, then, entirely that of the Commissioner of Education and the Governor and Council. It is exactly the same relationship as exists for the unorganized territories in the education of their children.

In the short time that we have been responsible for them, we have felt the need for consultation with the parents of the Indian children, and plan to ask for the election of an advisory committee for each of the Indian schools. Such an advisory committee could not make decisions but could meet regularly with our staff members in the discussion of school matters. We know this would be helpful to our Department and think that it would be advantageous for the committee members and the children.

I hope this clarifies the possibilities and indicates our common interest in the quality of education in the reservation schools.

Sincerely yours, /s/ William T. Logan, Jr. Commissioner of Education"

AND NOW . . .

On October 1, 1969, legislation (PL 463) became effective, establishing School Committees in these words: "The Passamaquoddy Tribe of Indian Township, the Passamaquoddy Tribe of Pleasant Point and the Penobscot Tribe or Indian Island shall each be authorized to elect by popular election a to provide educational and school committee . cultural services for its residents, it small be the responsibility of the school communee to approve all programs, expenditures of funds and procurement of personnal . . . The Indian school committees shall jointly . . select a superintendent of schools . . . The committees shall jointly select a treasurer , . . Each school committee may establish personnel regulations and a system for purchases and accounting . . . All bills, including payrolls, must be approved for payment by the school committee members . . . The blennial budgets shall be drawn up by the superintendent and school committees . . .

street from Rafferty School in St. Ann's Convent. During her off hours Sister Maureen tutors Passamaquoddy high school students in business subjects twice a week, leaches home economics to adults and children twice a week, is a member of the St. Ann. Church Parish Council, and secretary/moderator of the Ladies Sodality.

Since her graduation from St. Joseph's College, North Windham, she has taught children with learning disabilities and emotional problems at a clinic conducted at the St. Joseph's Convent in Portland It was while a teacher at the clinic that she was introduced to the individualized learning concepts that guide her classroom work.

Finally, Sister Maureen did not shy away from the role of lobbyist in 1972 when she appeared twice before the 106th Legislature to speak in behalf of funding an addition to the Rafferty School for its early childhood program. The addition was not approved but the proposal will be back in the hopper again this winter and Sister Maureen said she will return to Augusta again if the bill appears in trouble.

The number of students at the Rafferty school rose from 117 to 150 this fall as a resurgence of cultural pride and newly available federal housing brought. Passamaquoddies back to the reservation

Sister Maureen not only represents the best of the teaching profession but also the best of a fusion between the public sector, a private religion and an other strain unique to Maine.

Longley Cuts Indian Education Budget

The Maine education budget request for the next biennium has been cut nearly one half million dollars, according to Meredith Ring, superintendent.

The money requested by the three Indian school committees and the Maine Indian Scholarship Committee totaled \$872,612 for fiscal year 1975-76 and \$912.800 for FY 76-77.

"Governor Longley's recommendation of \$659,306 and \$732,800 represents a cut of 24 per cent in year one and 25 per cent in year two," Ms. Ring stated.

These drastic cuts take place at a time of increased enrollment. Pleasant Point has an increase in enrollment of 35 per cent from the last budget presentation to this. Enrollment in the Indian Island school is increasing 27 per cent and 15 per cent at Indian Township.

Enrollment projections do not consider new housing anticipated on the reservations which could make the percentage cuts 15 to 20 per cent higher, still.

The Indian school committees are bound by the same legislation as all other school committees and these are compeled by LD 1965, the new special education law, to educate all handicapped children regardless of cost.

All other school committees in Maine receive a special education reimbursement because that reimbursement is partly funded by property tax

money. The State Department of Education and Cultural Services has ruled that the Indian schools can receive no special education reimbursement because no property taxes are collected. This means the Indian Education Department must seek these funds directly from legislative appropriations. Put another way, a school committee must — in its budget — provide for the full cost of all students or be in violation of Maine State law.

The cost of compliance with this law is estimated to be \$226,877 for the Indian community for the biennium, According to Ms. Ring, this is money that has to be included in our operating budget, but is not included in other operating budgets.

The number of Indian students in school that require scholarship aid has more than doubled in the last two years. Due to a lack of funds, the Maine Indian Scholarship Committee has established a limit of \$1000 per student regardless of need (the Maine State Legislature established a maximum of \$3000 per student). This year the number of awards are 88 costing \$66,104 — an average of \$750 per student. The cut in funds would mean either that the average award would be reduced by approximately 25 per cent or an additional 25 per cent of the students with needs will be turned away.

Although each school committee and the scholarship committee would have to approve the budget cuts the Maine Indian Education business office has computed the following as an example of the magnitude of cuts.

Administration: superintendent, principals, bustness manager, bookkeepers — cut 20 per cent.

Elementary education: programs for students in early childhood, primary, elementary, and junior high — cut 20 per cent.

Secondary education: tuition to another school can not be cut unless some students are told they can not attend high school.

Adult and community services: adult training and education classes, high school equivalence classes, school committee expenses — cut 40 per cent.

Guidance and special education guidance counselors and special education funds to meet requirements of LD 1965—cut 40 per cent.

Physical facilities: building operations can't be out. New equipment and maintenance would be eliminated.

School nutrition and food service: cut 20 per cent.

Transportation: provided by contract; this can't be cut unless students are transported part of the way or part of the time.

Scholarship committee: provides aid for students to attend vocational training, college or high school from home — cut 25 per cent.



FUTURE VIOLINIST — Kelly Nelson of Indian Island, recognized for her outstanding musical abilities with the violin, demonstrates her talents.

Indian Island Girl Excels on Violin

Kelly Nelson. 11-year-old sixth grader at Indian Island School, has been selected for the Central Maine Youth Training Orchestra. She has been taking violin lessons after regular school hours for three years. Students are selected on a competitive basis from all the Old Town schools to participate in the training

Mrs. Helen Morin, music teacher for the Old Town schools, comes to Indian Island School on Monday afternoous to work with beginning music students.

The Central Maine Youth Training Orchestra will be touring eastern Maine this Spring, playing in schools which do not now have a music program.

Kelly, having been selected for the training orchestra while only in sixth grade, is a likely candidate for the high-school-age Central Maine Youth Orchestra in a few more years. Kelly recently started taking drum lessons, and, at this point, doesn't know which instrument she profers.

Over a dozen students at Indian Island are learning to play musical instruments, and two pupils who got their first musical instruction at the school, Lori Nelson (Kelly's sister) and Donald Paul (now Junior High pupils in Old Town) were also chosen to perform with the training orchestra. Lori, a seventh grader, is second clarinet; and Donald was selected for second trumpet.

Kelly says she likes all kinds of music, particularly rock and currently, is learning a very pretty composition named "Echoes". **Guidelines for Indian Book**

The following were developed by the participants in the Library Services Institute for Minnesota Indians, conducted by the Minnesota State Department of Education and the University of Minnesota College of Education, Summer 1969,

1. Would the book help an Indian identity with and be proud of his heritage?

2. Does the book express Indian values? Might the book help an Indian reader to reconcile his own values with conflicting ones?

 How might the book affect the non-Indian reader's image of Indian people? Does it foster a positive or a negative image of the American Indian?

4. Is the book sympathetic to the distinctive characteristics of Indian culture? In terms of whose values and attitudes is Indian culture being evaluated? His own or those of another culture?

5. Do the illustrations authentically depict the Indian ways of life?

6. Is the image of the Indian presented one of a real human being, with strengths and weaknesses, who acts in response to his own nature and his own times?

 If fictional, are the characters realistically developed? Are situations true or possibly true to Indian ways of life?

 Are the images of the Indian stereotyped? Of stereotyping, Alvin M. Josephy, Jr. says in his book. The Indian Heritage of America (Knopf, 1968, p.8).

"More common among most whites are the false understandings and images which they retain about Indians. For many, the moving pictures, true portrait of all Indians: the dour, stoic, warbonnered Plains Indian, He is a warrior, he has no humor unless it is that of an incongruous and farcical type, and his language is full of 'hows', 'ughs', and words that end in 'um', Only rarely in the popular media of communications is it hinted that Indians too, were, and are, all kinds of real, living persons like any others and that they included peace-loving wise men, mothers who cried for the safety of their children, young men who sang songs of love and courted maidens, dullards, statesmen, cowards, and patriots. Today there are college-trained Indians, researchers, business and professional men and women, jurists, ranchers, teachers, and political office holders. Yet so enduring is the stereotype that many a non-Indian, especially if he lives in an area where Indians are not commonly seen, expects any American Indian he meets to wear a feathered headdress. When he sees the Indian in a conventional business suit instead, he is disappointed."

9. Does the book present both sides of the event, issue, problem, etc.? Does the book contain any factual errors or misleading information. Does it perpetuate myths about the American Indian?

 Are loaded words (i.e., chie), savage, buck, squaw, red skin, etc. I used in sileh a way as to be needlesly offensive, insensitive, inappropriate?

11. Does the book put the contributions the American Indians have made to Western civilization in rightful and accurate perspective?

12. What additional information might be needed to make the book more relevant, useful, or to present both sides? Is comparable information presented more effectively in another book?

13. Is the author qualified to write a book dealing with American Indians?

14. Has the book been reviewed or evaluated by a person who is knowledgeable about American Indians as well as about the subject of the book?

15. Where and how might this book be used in a school curriculum to increase awareness and understanding of the American Indian?

I Am an Eagle

By Lorene Dana

I am a big eagle
I live in the mountains
I breathe the mountain air
i see the sun set at night
I belong to the sun and flowers
the mountains and the river

If I should fight for my mountains and die The mountains would be sad

For I no longer see the sun set, Or breathe the mountain air, Or see the flowers bloom Or see the river flow.

(Lorene Dana is 13 years old. She is a student at Beatrice Rafferty School at Pleasant Point, Perry, Maine Lorene is Passamaquoddy.)

Lorene's poem was first published in the March-April, 1974 issue of "The Weewish Tree", a magazine of Indian America for young people. Published by the American Indian Historical Society, this magazine is used in many schools throughout the country in their libraries and classrooms.

BIA Head Discusses Recognition

By Roger Gabriel

At a meeting of the Feder I Regional Council (FRC) in Boston, Maine Indian leaders and members of the FRC Indian Task Force gathered recently with Bureau of Indian Affairs Commissioner Morris Thompson

The meeting was held to discuss issues pertinent to the question of Federal recognition and how it might affect Maine Indians and those of other Indian tribes situated throughout New England. Of particular interest to the Federal Regional Council and to the representatives of the various New England Indian tribes was the recent Federal Court decision which proclaims that a trust relationship in fact exists between the Federal Government and the Passamaquoddy Tribe.

This decision, yet subject to appeal, would make the Passamaquoddies eligible for programs and services from the Bureau of Indian Affairs in Washington. setting the precedent for other Indian tribes in New England and in other areas throughout the Eastern

Richard Putnum of the FRC Indian Task Force, described the unique characteristics of the Task Force and the encouraging results already achieved in cutting red tape and obtaining Federal funding for New England Indians, but emphasized that additional special Indian funds and services were being denied through lack of Federal recognition.

Commissioner John Stevens of Maine took the opportunity to voice frustrations experienced by himself and other Maine Indian leaders in trying to obtain

Vernon Mitchell Hired As Indian Police Captain

Vernon Mitchell, a Maine native, has been hired as Captain of the Maine Indian Police replacing Harold Lewey, who resigned in January, Mitchell, 37, has five years of police experience including three years as police chief for the Town of Ashland, Maine. Captain Mitchell also has two years of college and is presently studying for his B.S. degree in criminology with sociology as his minor.

"One of our biggest problems," according to Mitchell, "is developing necessary trust with local, county and state police agencies and restoring that common bond upon which the necessary inter-cooperation is based." "So far," says Mitchell, "we've received good cooperation in this area,

The Indian Police Commission, established a year ago, serves the two Passamaquoddy Reservations in Washington County and the Penobscot Reservation in Old Town, with headquarters in Calais.

Although the new Commission has experienced some initial "growing pains," Captain Mitchell feels that the Maine Indian Police will develop into a successful and effective law enforcement organization. The Commission, with police equipment which is for the most part above the standard of many other local agencies, represents the latest attempt at securing an effective law enforcement program for Reservation

DHRS Board Requests Non-Appeal of Land Case

The Diocesan Human Relations Services Board of Directors discussed and approved a motion to request Maine's attorney General to NOT appeal the January 20 decision by Judge Edward Gignoux in the case of Passamaquoddies vs. Morton.

In a letter dated March 20, Attorney General Joseph Brennan, alludes to the importance of the decision for Maine Indian people then states: "I can assure you that prior to making any final decision whether or not to take an appeal. I will, together with my staff, make a thorough review of the entire matter, giving due consideration to all appropriate factors."

Federal recognition, characterizing the situation at one point as a "battle for survival".

BIA Commissioner, Morris Thompson complimented the (Region I) FRC for its efforts in behalf of Indian people in New England and for the unusually close ties which have been developed. Thompson noted that he knew of no other Federal Regional Council which was presently dealing with Indian problems to the extent addressed by Region 1.

Commissioner Thompson and his staff then presented a background of the Federal recognition process and described briefly the implications of Federal recognition status. Reed Chambers, BIA Associate Solicitor, stated that the Department of Interior has made no decision as yet concerning possible appeal of the decision which would make the Passamaquoddies eligible for up to \$5 million dollars per year in additional programs and services. In reference to the figure, Chambers said that while it may not appear to be a large amount of money compared to an annual BIA budget of \$800 to \$900 million dollars, difficulties may arise in secking approval of the additional amount from Congress.

Tom Tureen, Attorney in the Passamaquoddy case, requested the Department of Interior not to appeal the Passamaquoddy vs. Morton court decision since the case was based on sound legal grounds and the appeal process could take an extended period of time in which the tribe would be further denied the eligible benefits conferred by the present decision. Commissioner Thompson replied that the decision was too recent for the Department of Interior to make any final determination relative to a possible appeal.

In council action following discussion on Federal

recognition, the FRC voted unanimously to accept and endorse a Federal Recognition Paper which would be forwarded to the key staff of the Secretary of Interior along with a cover letter raising issues regarding the Passamaquoddy vs. Morton decision and its effect on the gaining of access to Federal grant programs for Indians.

The Federal Regional Council is made up of nine Federal agencies from the New England Region which through its Indian Task Force provides a means of communication between New England Indians and the Federal bureaucracy and to enable New England Indians to make an impact on those groups formulating Indian policies on the national level.

Pleasant Point Featured in Washington County Documentary

A documentary film on Washington County life will include a section relating to the Passamaquoddy Indians at Pleasant Point Reservation. The purpose of the film funded by the Maine Humanities Council and the Department of Commerce and Industry, is to illustrate life and work in Washington County for promotion purposes.

The producer, Margaret Kenda and her film crew obtained permission from the tribal governor and council to interview individuals and to take film footage of various aspects of reservation life related to community development, bi-lingual education and personal attitudes toward the environment in which

The film will be the subject of public showings in Washington County and on WEMT Channel 7 television in May of this year.



Basket Co-op Building To Be Renovated

The Passamaquoddy Housing Authority at Indian Township has been awarded a \$56,000 contract to renovate the Passamaquoddy Indian Basket Co-op. A grant for that amount was awarded to the tribe by the Economic Development Administration in Washington, D.C. earlier this year.

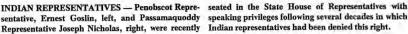
Extensive renovations of the 25 year old structure will include leveling of the floor, installation of a new heating system, electrical system, toilet facilities and reinforcement of the roof and walls.

The Housing Authority plans to use qualified reservation manpower to do much of the renovation. The building used for the Basket Co-op is the former Lake View Theater which was built about 1950. For years, this was the only form of visual entertainment for many miles.

Several thousands of dollars of Indian baskets have been made at the basket co-op since its inception four years ago. Through its existence, a dying art threatened with extinction has been permitted to survive through modern times when the "almighty dollar" tends to ignore the amount of work which goes into the making of an Indian basket. The co-op also has provided a means to instruct those who do not yet know the age-old tradition of basket making.

This is to be the first project whereby the tribe, through its Housing Authority, has been the prime contractor. Another project of this type will be the Passamaquoddy Campground project scheduled to begin later this spring.







sentative, Ernest Goslin, left, and Passamaquoddy speaking privileges following several decades in which

Spring Flooding Ominous

The time of year is rapidly approaching when Indian Island residents are very often plagued by the flooding of reservation property due to a combination of melting snow, jamming of ice flows and rising of waters due to spring rains. The flooding generally affects all of the 146 islands which comprise the Penobscot Reservation. Several of the islands within the expanse which stretches from Old Town to Mattawamkeag have been known to disappear completely from view in torrential currents which erode away portions of the Penobscot Reservation.

The seasonal concern, however, generally centers

CETA Workshop Held To Assist New Staff Members

A combined effort involving Andrew Akins of the Penobscot-Passamaquoddy Tribal Planning Board and Meredith Ring of the Maine Indian Education resulted in the development of an Indian CBTA workshop for those who will be directing CETA activities. The purpose of the workshop was to identify some of the problems which have plagued previous training efforts with the long range goal of improving work skills and habits.

In the workshop, which was held January 20-21, Ms. Ring asked the 14 participants to identify possible reasons why other programs have failed. Next, the person responsible for handling the individual problems that might arise were identified as: the supervisor, the trainee, the placement agency or the prantor.

Responsibilities of the supervisors (16 were listed) range from working with the training agency, evaluating the trainees and operating within their budgets to helping the trainee acquire employment at the end of the training period. The training agencies will be responsible for providing assurance that they are qualified to train workers, that there will be no discrimination, and for meeting all CETA requirements, as well as hiring the trainee at the end of the training period.

Trainees will be held accountable for their own attendance and punctuality, for following CETA and employer's personnel policies and regulations, for maintaining the training schedule and cooperating with co-workers and employees. They are also expected to conduct monthly self-evaluation, measuring their own progress, and to seek employment at the end of training.

Perhaps the most useful document produced by the workshop participants was an "On-The-Job-Evalua-Regular evaluation of each trainee will be tion Sheet. made on nine categories of general work habits and seven catagories of job skills, Such detailed and regular evaluation should help those involved to better judge the successes and shortcomings of the program.

around Indian Island where all but one of the 370 island inhabitants reside. Each spring the April rains and melting snow force the waters of the Penobscot up and over the banks of Indian Island, spilling into low areas which often divide the village proper into three sections. A few years ago the Army Corps of Engineers constructed temporary dikes to retard some of the flooding, but the waters of the Penobscot continue to seep through them backing up toilets and sinks of some of the island's residents when the river rises.

A number of land owners have turned down previous proposals by tribal leaders who tried to secure easements for the purpose of installing permanent dikes which would help protect the land from flooding. However, legal language in the easements seems to pose more of a threat than the rising waters. Although the tribe has the legal power of "eminent domain." Tribal Governor Nicholas Sapiel, has said that despite the fact the easement problem is 'very frustrating" he has "no intention of taking any drastic steps" to secure easements at this time.

According to local sources, the last two years have been the most severe in recent times. In the spring of 1973, the National Guard was called in to reinforce temporary dikes with sandbags and to pump out flooded areas in the village, Last year a pump had to be rented to pump out water seeping through the dikes.

With all the snow that has fallen this winter, officials from the Water Resources Division of the U.S. Geological Survey in Augusta say it's anyone's guess to what extent flooding will occur this spring since much will depend on the April rains.

The one thing that is certain is that flooding will occur again this spring as it has for years at Indian

Home Winterizing Program Cited for its Excellence

The Indian Island Community Action Program has become a model of efficiency for the State office of Economic Opportunity's Project Fuel.

Tony Reddington, a member of the state OEO's project firel staff, was impressed by the Indian Island program's capability to document accountability.

Mike Ranco, Indian Island CAP director at the time, said: "Our reporting system can be used to show money outgoing and services received for those in need of service. In addition, we have substantiated the subjective impact of our work by providing service recipients with forms on which to comment. Such things as 'I no longer shiver when I watch TV' suggest the climination of drafts.

Ranco stated that most of their forms had been developed by Miles Francis, the agency's carpentersupervisor. Working with Miles are Harry and Douglas Francis, who worked to put the winterizing material in homes needing such.

Ranco also stated that one of the purposes of the followup forms was to see "if we're really curtailing the costs of heating to those in need."

Cribbage Takes lts Toll

Paul A. Francis, Jr.

Of cribbage, Jim Sappier, who represents Maine Indians at the Federal Regional Council in Boston, modestly confides, "My father introduced the game of cribbage to Indian Island, and such as he had no equal in the game, I too, have no equal since I learned the game from my father."

Such, then, ran the braggadocio in the island community. But however convincingly one braggart presented his claim to another, rebuttal to the same was swift, unmerciful, and equally convincing, or, at least, equally presumptuous. And the only way to settle an issue such as this is to have the boasters lay their claim on the line and square off in competition. Thus evolved the idea to have a cribbage tournament.

An entry fee of \$5 was charged to each participant so that in addition to clear, unquestionable claim to the title of "Cribbage Champion of the Penobscot Indian Reservation," a cash prize of \$50 was awarded to the winner. The second place finisher received \$20.

The tournament was held March 15 at the Indian Island School gym, and 27 claimants to the title submitted entry fees. Such notables as Gov. Nicholas Sapiel, Lt. Gov. Peter Neptune, Council-members Joe Polchies and Irving Ranco, Interim Director of the Indian Alcoholism Program Mike Ranco, and Jim Sappier laid their reputations on the line.

Beginning at 10:30 a.m. the action proceeded fast and furious for five gruelling hours before a victor emerged, exhausted bur jubilant, fifty dollars richer and undisputed cribbage champ of Indian Island. Poul A. Francis, Jr., emerged as the victor, and Miles Francis finished second.

Seriously, the tournament was held in benefit of the Men's Softball team and the Andrew Sockalexis Track Club to help finance them through the coming seasons.

Yet, rumbles continue, issuing from those who believe themselves to be invincible cribbage players but who would not stake \$5 on their claims of invincibility. So, another tournament is planned for the near future featuring doubles as well as singles. And from there? Perhaps there are a few Passamaquoddies at Pleasant Point or Indian Township who are familiar with the game of cribbage. If so, I wonder if they would be worthy apparents of the Penabscots?

Indian Island Man Cited for Bravery

March 14, 1975

We the members of the Old Town Fire Department would like to see some commending action taken on behalf of Nelson Francis for his quick and unselfish act on March 14, 1975.

At 11:25 A.M., we responded to a fire at the Kagan-Lown Shoe Co. for a fire in the dust hopper. As we were digging the leather dust out of the hopper, firefighter Duane Brasslett was applying water to the fire when it exploded, blowing Brasslett back against the fire truck, burning him about the eyes and face. Nelson Francis immediately jumped between Firefighter Brasslett and the fire, grabbing the nozzle from the ground and guarded Firefighter Brasslett with his body, and started to extinguish the fire.

His unselfish act in regard to his own safety, prevented Firefighter Brasslett from more serious burns.

If we had a medal for valor, I certainly would recommend Nelson Francis for it.

Asst Chief James Monk