

Read Old Indian Poem

Colonialism:

“On June 21st, 1775 Chief Joseph Orono, (I am a seventh generation descendant) addressed the Penobscot warriors just before they were to participate in the American Revolution with these words: “Our white brothers tell us they came to Indian country to enjoy liberty and life but a Great Sagamore is coming to bind them in chains, to kill them. We must fight him for should he bind them in bonds, next he will treat us like bears. He will tear away from us Indian liberties and land. We must help these ill treated sons for they will return good for good and the law of love runs through their children. Look down the stream of time. Look up to the Great Spirit...” with these words the Penobscot warriors marched off to fight for right and freedom...

The Removal Act of 1830 set in motion a series of events that culminated in what is known by the Cherokee Nation as the “Trail of Tears” a thousand mile walk where hundreds of Cherokee people, mostly the elderly, the sick and the children died from disease, starvation and the harsh elements. All this was done because President Jackson wanted to gain 100 million acres for the Southern states. He wanted Indians in one place and confined them to areas known as reservations. It was his belief that Indians were inferior to white men and could not survive too close to settlement areas. He is quoted as saying “They have neither the intelligence nor moral habits.. Established in the midst of a superior race, they must disappear.” This removal policy was not only in line to be used in the South but was to be used here in Maine. In 1825 President James Monroe who followed Andrew Jackson took over Jackson’s removal policies.

Trail of Tears planned event by human beings. Effects were generational economic impact with lasting effects through *from source* generations “Soul Wound”

depended on our treatment of this sacred environment (as it does today). When Europeans arrived on our shores they arrived with concepts and beliefs that we could not understand. They came here with one thing in mind and that was to control our lands and our resources. (The world as we knew it changed forever.) They were willing to do anything and use any means to accomplish their goals. As an example of this ruthless effort to eradicate us

The Lt Governor of Massachusetts Bay Colony. Wrote the following proclamation:

“...There shall be out of the province treasury... the premiums of bounty following, viz.
for every male Penobscot Indian above the age of twelve years, that shall be taken within the time aforesaid and brought to Boston fifty pounds.
for every scalp of a male Penobscot Indian above the age aforesaid, forty pounds.
For every female Penobscot Indian prisoner under the age of twelve years taken and brought in as aforesaid, twenty-five pounds.
For every scalp of such female Indian or male Indian under the age of twelve years, that shall be killed and brought in as evidenced of being killed as aforesaid, twenty pounds.

They had a value system that sought to accumulate wealth at any cost including genocide.

Indian people were treated like animals by the English. It is not surprising that during the Revolutionary war when asked to fight on the American side by George Washington we agreed. When the war was won we made a treaty with Massachusetts and

*colonialism
with*

in 1818 the treaty was renewed and finally when Maine petitioned Massachusetts for separation. One of the conditions was that Maine take over its treaty obligations to the tribes. Once this was done Massachusetts agreed to pay Maine \$30,000. Maine renegotiated the 1818 treaty in 1820 with the Penobscot and 1824 with the Passamaquoddy. After separation was granted by Massachusetts, Maine in 1833 without the Penobscot consent took away 95% of Penobscot land consisting of four of the Penobscot townships one of those contained the sacred mountain Katahdin. The state established a trust with \$50,000 it placed there for the townships.

In subsequent years monies from the sale of timber, hay and shore rights as well as hydro power was also placed in the trust fund. The legislature authorized leases and sale of tribal lands without their consent and sold several of the Penobscot Islands without compensation. During this time tribal people suffered as they were no longer allowed to maintain their way of life by traveling from place to place according to the seasons. They suffered during this time. In 1887 Louis Mitchell, Passamaquoddy representative to the State Legislature described in a speech the enormity of what had happened.

* “ ...Just consider today how many rich men there are in Calais, in St. Stephen, Milltown, Machias, East Machias, Columbia, Cherryfield, and other lumbering towns. We see good many of them worth thousands and even millions of dollars. We ask ourselves how they make most of their money?

Answer is, they make it on lumber or timber once owned by the Passamaquoddy Indians... How many of **their** privileges have been broken: how many of **their** lands have been taken from them by authority of the State.?”

*“Between 1821 and 1839 the Maine Legislature authorized the harvesting of timber from Passamaquoddy land in violation of the 1794 treaty. Over the years, also in violation of the treaty, the Legislature authorized sale or lease of various pieces of Passamaquoddy land without compensation and without consent of the Passamaquoddy.”

The states treatment of Indians was paternalistic and the Legislature assumed the authority to make whatever decisions it thought necessary at any given time. Even the state courts fostered this attitude.

The following Court cases give you a glimpse of the courts attitude towards Indians:

In a case decided by the Maine Supreme Court in 1842 Murch v Tomer 21 Me. 535 The court said:

“[i]mbecility on their [the Indians] part, and the dictates of humanity on ours, have necessarily prescribed to them their subjection to our paternal control; in disregard of some, at least, of abstract principles of the rights of man.”

State V Newell, 84 Me. 465 (1892), the court following Murch said :

“Though these Indians...perhaps consider themselves a tribe, they have for many years been without a tribal organization in any political sense... They are as completely subject to the State as any other inhabitants can be.” Id. at 468

(This at the time when Indian representatives were in the State Legislature representing their tribal governments)

- II. Indian agents and treatment of native people.
Indian people were forbidden to speak their own language

The State kept track of marriages and offspring they sent children to Carlisle Indian school at Carlisle Penn. to learn to assimilate.

This took place in the years 1899-1912.

What was income was made to appear as welfare

Our Self image suffered

We faced prejudice, discrimination and injustice

III Voting Rights: Proctor report pg 76

One of the most glaring injustices of all perpetrated on us by the State of Maine was disenfranchisement. This injustice was upheld by Maine's highest court.

On March 14th, 1941 the Legislature requested on solemn occasion to the Maine Supreme Judicial Court the following question:

“If by legislative enactment a poll tax should be imposed upon the Indians living on reservations within the state, would said poll tax be such tax as within the meaning of section 1 of Article 11 of the Constitution that it would entitle Indians, subject to such Tax, to vote?”

Answer: March 19th, 1941

To the Honorable Senate of the State of Maine:

“The undersigned Justices of the Supreme Judicial Court, having considered the question upon which their advisory opinions were requested by Senate Order March 14, 1941 inform the honorable senate that we are of the opinion that it is not within the scope of our duty to answer this question in view of the fact that Senate paper 486 entitled “An Act permitting Indians to vote in State elections”, to which the interrogatory refers, not only does not conform with or justify the question submitted, but is inherently illegal and insufficient.”

Although Indians were made citizens of this country in 1923
Maine Indians were not
Allowed to vote in US elections until 1954 and state elections in
1967.

→ *real floor debate*
IV Land Claims Settlement Act:

The Land Claims Settlement Act was signed into law in 1980
It is the document that presently defines our relationship with the
State.

The terms of the Act are as follows:

- 54.41 M to buy 300,000 acres (both tribes) 27.20 ea
 - 27M Trust fund from which we could draw interest (both
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What did the State get from the Land Claims?

- A settlement of over 2/3rds of the land claims
- State did not pay one penny
- Kept majority of its jurisdiction
- Tribes excluded from any new Federal laws
pertaining to Indians
unless the Maine tribes are specifically mentioned.
- Held harmless for any past injustices/ tribes cannot
sue for past abuses of Trust funds or stolen
resources.
- State has never admitted any wrong doing

I ask you to keep this historical perspective in mind when you
review this proposed bill. This is a policy setting body not a court
of law. The courts have not always been right but it is not a

question of right or wrong it is a question of fairness, recognition and respect.

I ask that we begin to change the policy of abuse and control that this State has held over the tribes for almost two hundred years and do it by exempting the tribes from this Act that is clearly meant for political subdivisions of the state and is just another method to terminate our existence.

Thank you

Notes:

*The Wabanakis of Maine and the Maritimes
prepared for and published by the Wabanaki Program
of the American Friends Service Committee. (Pg A-21)

TEN THOUSAND EAGLES

By Donna Loring

Ten thousand eagles flew that day across the bright blue sky to meet the spirits on their way from fiery smoke filled tombs.

They soared above the dark, black, clouds billowing from the earth and hovered for a moment there and saw the face of doom.

Ten thousand eagles gathered and swooped down beneath the clouds.

They found the spirits one by one and plucked them from their plight.

They carried each new spirit through the black and hate filled clouds.

They gave them each a shelter wrapped in warm wings oh so tight.

They gave them strength and comfort too on their unexpected flight.

On swift wings they flew towards their final destination where each spirit knew without any hesitation there would be peace and love and harmony they would forever be wrapped within the eagles wings through all eternity.

Ten thousand eagles flew that day as all the world stood still and watched in shock and horror as the tragedy unfurled.

Now we are left here on this earth to face the billowing clouds and our eyes search for the eagles as we say our prayers out loud.

May our spirits soar on eagle's wings above the dark black clouds of hatred, murder and revenge that keep us hatred bound.

Ten thousand eagles flew that day as all the world stood still.

The eagles flew above those clouds. Perhaps some day...we will.

. The tribes consider this case a breach of their sovereign status by the State's interpretation of section 30 MSRA 6206 ss 1. of the Land Claims Settlement Act to claim they are a quasi municipality and a political sub-division of the State and therefore subject to the MAA. It is an attempt by the State of Maine and the Corporations to terminate our very existence because once the tribe is considered a municipality it no longer exist as a tribal entity and no longer has the protection of the federal government under its federal trust and fiduciary responsibilities.

I must add that this case took on a very ominous nature when on November 11th 2000 the Tribal Chiefs of the Passamaquoddy and Penobscot Nation were Ordered jailed for contempt for refusing to turn over documents which the tribes considered internal tribal documents

I would like to give you a brief history of the relationship between the State and the tribes as I feel it will help you better understand the situation as it exists today.

- I. Prior to the arrival of Europeans on our shores we lived in a land that we were an integral part of physically and spiritually. We had our own governments and our hunting and fishing territories were scattered throughout the Eastern Seaboard. Our numbers have been estimated to be anywhere from fifteen to thirty thousand. We hunted and fished seasonally. Our boundaries were usually rivers, lakes, ponds and streams as well as where we could find specific animals, fish fowl, plants, trees and herbs at certain times of year. We believed that everything from rocks, to humans to plants and rivers even the wind had a spirit and these must be respected. Our very lives

①

Excerpts from the 1975 House floor debate to reseal the Tribal representatives:

Representative Judy Kany of Waterville introduced an order to allow the two tribal reps to be seated in the house.

Mr. Kelleher from Bangor:

“...The Indian reps appear before the appropriations committee where the bills are being heard as other people do in this State, as other “Special Interest groups do. But unfortunately other special interest groups are not as well provided for as the legislature provides for the Indians.. I ask this house not to support the order and move for indefinite postponement.”

Mr. Dudley from Enfield:

“...I think I can speak authentically about the Indian people. I represent the town of milford... there was a figure given here- 65% unemployed and 65% of them will always be unemployed because in my opinion they don't want to work....

I'm not going to take anymore of your time but, I live pretty close to those people and I have some very good Indian friends and if you really want to know something right down to earth about them come see me and I'll tell you more.”

Mr. Hewes from Cape Elizabeth:

“...Mrs Kany very graciously gave me a copy of the treaties this morning and I don't see any violations. There is no treaty as I know of that says any Indians will be entitled to two seats in the Maine House...I am sure they are very cultured, intelligent and dedicated and very fine people...but I just feel to discriminate in favor of any group right now is also discriminating against all our constituents. I am opposed to discrimination and I hope that you will vote to indefinitely postpone this bill.

Mr. Mills from Eastport (testifying in favor)

“...I was instrumental in introducing a bill here that went through to establish water and sewerage on the Indian reservation. There was quite an argument, a lot of debate when it was accomplished here and the legislature approved it and this was a known fact and constructed on the Indian reservation in the State of Maine. Then I did get the surprise that I had never expected, the letters that came to me from doctors all over the united states and Canada. About what had been accomplished by the Maine legislature. The fact of it was that Indians in their pitiful conditions were known carriers of viruses and disease. To let you know exactly how this thing worked, if a disease broke out on an Indian reservation in all the filth that was accumulated there – to the Indian way of thinking, one person dying is nothing, two persons dying is nothing, but when three or four or seven more get sick, they start packing up and they leave between two and five in the morning to all parts of the united states and over into

③

Canada. According to the American medical association this was the thing that had been plaguing physicians for a long time, these people being carriers of violent diseases. These were the type of letters that I received from doctors...I personally can see no harm in this legislation.”

Donna Marie Loring

From:
To:

The
importance
of
the past

Sent:
Subject: FW: Why the Past Matters

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"I can imagine how much the past does indeed matter to us. Although most people usually take it for granted and devote little time to studying or thinking about it, in fact the past is responsible for everything we are. It is the core of our humanity. The past is the world out of which we have come, the multitude of events and experiences that have shaped our conscious selves and the social worlds we inhabit. To understand how and why we live as we do, we cannot avoid appealing to the past to explain how and why we got to be this way. No less important is the act of remembering the past, the backward reflective gaze in which we self-consciously seek to recall the world we have lost, the vanished landscape of our former selves and lives, in order to gather the signposts by which we find our way and keep ourselves from becoming lost. If the past is the place from which we have come, then memory and history are the tools we use for recollecting that place so we can know who and where we are. Memory and history turn space into place, investing what would otherwise be a purely biological or geological abstraction with a wealth of human meanings, and thereby turning it into the kind of place we choose to call home. ... Collective identity is an intricate set of remembrances that ties the present to the past."

use this
quote

-William Cronon, "Why the Past Matters," Wisconsin Magazine of History, vol. 84, no. 1 (Autumn 200), 3-13.

2/27/01

Tribal / State Issues

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PART II 10-11:30 AM

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→ *1955 of Souths - 1975 debate*

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think of
TTS
Kohler

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