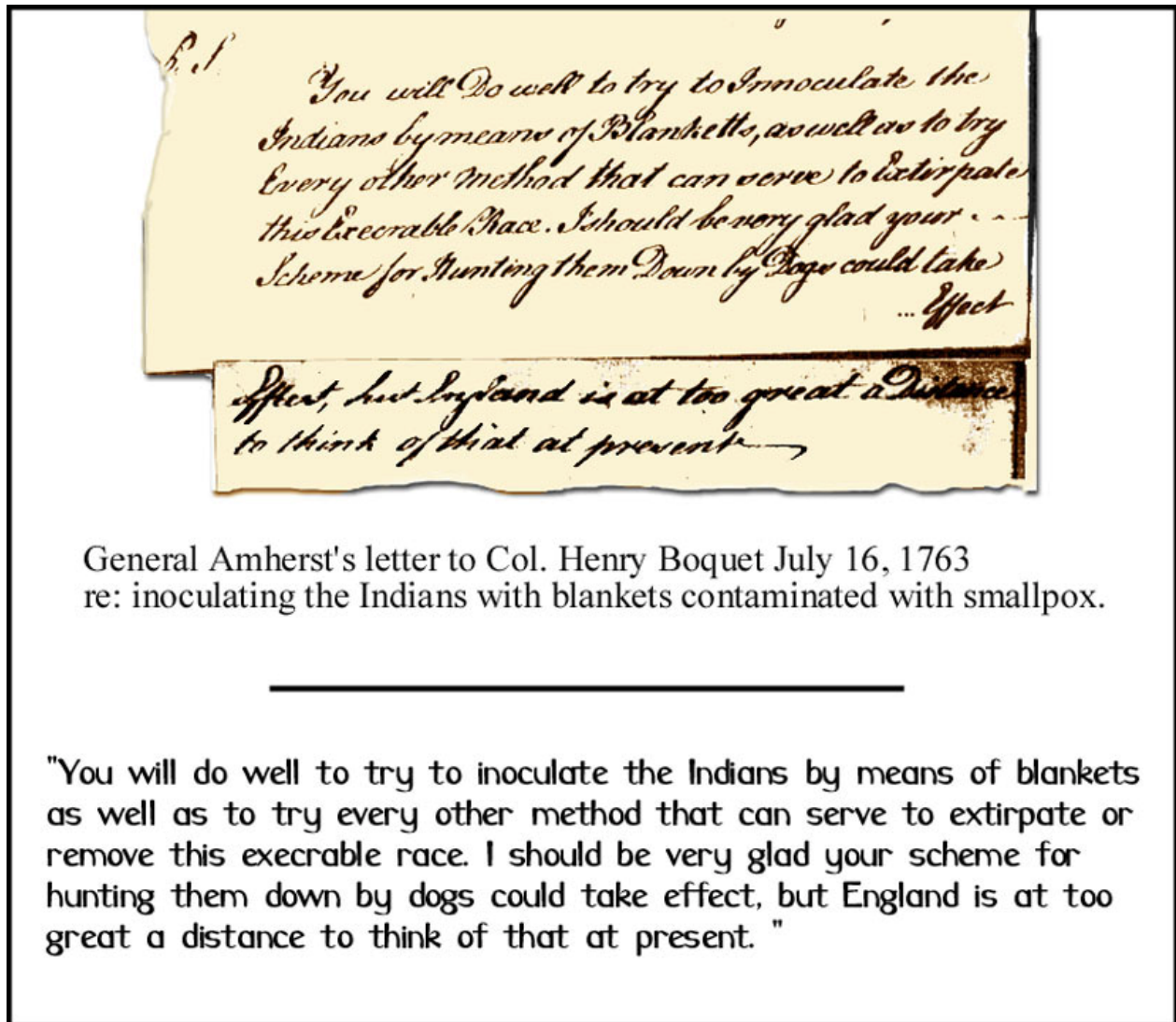


# Wulustuk Times

Wulustuk - Indigenous name for St John River

This publication produced monthly at Tobique, NB, Canada E7H 5K3



**Wulustuk Times:**

Each month we gather and publish the latest, most current and relevant native information for our readers. Proceeding with this concept, we feel that a well informed person is better able to see, relate with, and assess a situation more accurately when equipped with the right tools. Our aim is to provide the precise tools and the best information possible.

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**INOCULATIONS, PLAGUES IN THE PAST VS. TODAY'S SPREAD OF H1N1**

The concern of our government in recent weeks has been in giving priority to immunizing aboriginal people with a live but weakened, or a dead form of the H1N1 virus, to strengthen their immune system. The live form being in a nasal spray and the dead form in an injection. The concept of inoculating Indians is not new. The purpose, however, has changed considerably from those pioneer times when the Europeans discovered that the Indians suffered far more severely from the European diseases than did the Europeans themselves. Diseases would spread rapidly and these plagues would kill so many Indians that there would be only a small fraction of their original number survive. Some estimates are that as many as 90% of their populations in the New England and New France regions were wiped out. This article deals with the attitude of

the Europeans that changed the future of all Indians in North America, and that future is here now, and the past is still being felt.

In 1763 there was an uprising of the Indians in the Great Lakes region, led by Pontiac, who were upset by new policies imposed on them by the British. During this rebellion Sir Jeffrey Amherst, commander in chief of the British forces, on June 29, 1763 wrote to Colonel Henry Bouquet: "Could it not be contrived to send the Smallpox among those disaffected tribes of Indians? We must on this occasion use every stratagem in our power to reduce them."

Colonel Bouquet responded to General Amherst July 13, 1763, "I will try to inoculate the Indians by issuing of blankets that may fall in their hands, taking care however not to get the disease myself. As it is a pity to expose good men against them, I wish we could make use of the Spaniard's method, and hunt them with English dogs, supported by Rangers and some light horses who would, I think, effectively extirpate or remove that vermin."

Amherst responded back on July 16: "You will do well to try to inoculate the Indians by means of blankets as well as to try every other method that can serve to extirpate or remove this execrable race. I should be very glad your scheme for hunting them down by dogs could take effect, but England is at too great a distance to think of that at present."

Colonist Thomas Morton, employed by Ferdinando Gorges (founder of the colony of Maine), wrote in 1637 about the plague that had ravaged the Indians of Massachusetts Bay area twenty years earlier, before the Pilgrims arrived. This plague had been brought to the New World by the early Europeans, but Morton believed it was sent as punishment of the Indians by God, and at the same time it was God's way of making lots of room for themselves in this new land that God had given to them. About the Indians he wrote:

"..... in short time after the hand of God fell heavily upon them, with such a mortal stroke that they died on heaps as they lay in their houses; and the living, that were able to shift for themselves, would run away and let them die, and let their carcasses lie above the ground without burial. For in a place where many inhabited, there hath been but one left alive to tell what became of the rest; the living being (as it seems) not able to bury the dead, they were left for crows, kites and vermin to pray upon. And the bones and skulls upon the several places of their habitations made such a spectacle after my coming into those parts, that, as I traveled in that forest near the Massachussets, it seemed to me a new found Golgatha.

".....And this mortality was not ended when the Brownists of new Plymouth were settled at Patuxet in New England: and by all likelihood the sickness that these Indians died of was the plague, as by conference with them since my arrival and habitation in those parts, I have learned. And by this means there is as yet but a small number of savages in New England, to that which hath been in former time, and the place is made so much the more fit for the English Nation to inhabit in, and erect in it Temples to the glory of God."

(Source: Thomas Morton, *New English Canaan* . . . (1637), reprinted in *Old South Leaflets*, Boston, 1883, vol. 4.)

Morton wasn't the only one who believed that God was wiping out the Indians to make room for the English and make it safe for them in this new world. In 1653 Captain Edward Johnson wrote about the same plague in his history of New England, which he titled, *Wonder-Working Providence*: "The Summer after the blazing Star (whose motion in the Heavens was from East to West, pointing out to the sons of men the progress of the glorious Gospel of Christ, the glorious King of his Churches) even about the year 1618, a little before the removal of that Church of Christ from Holland to Plimoth in New England, as the ancient Indians report, there befell a great mortality among them, the greatest that ever the memory of father to son took notice of, chiefly desolating those places where the English afterward planted (colonized). The Country of Pockanoky, Agissawamg, it was almost wholly deserted, insomuch that the neighbour Indians did abandon those places for fear of death, fleeing more west and by south, observing the east and by norther parts were most smitten with this contagion. The Abarginny-men consisting of Mattachusets, Wippanaps and Tarratines were greatly weakened, and more especially the three Kingdoms or Saggamore ships of the Mattachusets, who were before this mortality most populous, having under them seven Dukedoms or petty Saggamores, and the Nianticks and Narrowganssits, who before this came were but of little note, yet were they now not much increased by such as fled thither for fear of death. The Pecods (who retained the Name of a war-like people, till afterward conquered by the English) were also smitten at this time. Their Disease being a sore Consumption, sweeping away whole families, but chiefly young men and children, the very seeds of increase. Their Powwows (shamans), which are their doctors, working partly by charms, and partly by medicine, were much amazed to see their wigwams lie full of dead corpses, and that now neither Squantam nor Abbamocho could help, which are their good and bad God, and also their howling and much lamentation was heard among the living, who being possessed with great fear, oftentimes left their dead unburied, their manner being such, that they remove their habitations at death of any. This great mortality being an unwonted thing, feared them the more, because naturally the country is very healthy. But by this means Christ (whose great and glorious works the Earth throughout are altogether for the benefit of his Churches and chosen) not only made room for his people to plant; but also tamed the hard and cruel hearts of these barbarous Indians, insomuch that half a handful of his people landing not long after in Plimoth-Plantation, found little resistance..."

(from Edward Johnson's history, "*Wonder-Working Providence 1628-1651*" first published in 1653. Reprinted by Charles Scribner's Sons, New York, 1910)

Whether the H1N1 plague today is part of a plan by the Christian God or not, the raging debate around getting the inoculations is whether this influenza virus is any worse than any other flu of the past, and if not, why so much attention? In fact H1N1 has been put in vaccines in the past. It is not a new virus. Of as much concern to many are the ingredients in the vaccine which include eggs, formaldehyde, squalene, and mercury, to name only a few. The mercury is used to kill the virus. We aren't supposed to eat fish with trace elements of mercury, but we are encouraged to inject this vaccine into our veins. What are the long term effects down the road? Another effect of the vaccine is to cause a flare up of inactive hepatitis B virus in carriers, or people who have had hepatitis B in the past. There is some speculation about the large pharmaceutical companies who lobby governments to implement massive inoculation programs. This might seem a more likely scenario than the plague being a plan of God.

..... all my relations, Nugeekadoonkut

## **TOBIQUE DAM PROTEST ENDS WITH AN AGREEMENT**

CBC

The New Brunswick government and Tobique First Nation signed a five-year, \$2.5-million deal on Monday, ending years of frustration and protest over the impact two hydro dams have had on the western community.

The provincial government will help repair erosion on the St. John and Tobique rivers caused by the construction of the Tobique Narrows and Beechwood hydro dams in the 1950s.

'It is a big deal for me, I'm really happy because I've worked really hard protesting for two years.'— Terry Sappier, negotiator

Under the deal, the government will also analyze and remediate contamination at a dump site that was used by NB Power on the reserve and provide mentoring and training so that band members can get work maintaining the dams.

Aboriginal Affairs Minister Rick Brewer said the province wanted to help the community.

"The Tobique First Nation is probably, of the 15 First Nations in the province of New Brunswick, are having the toughest time financially," Brewer said.

"So as a province we thought, 'What is it that we can do to help?' So at this point in time, this is what we've been able to pull together as of this date."

Also wrapped into the deal, the New Brunswick government will transfer five megawatts of power generated from the dams to the First Nation and the province will discuss future electricity generation opportunities. NB Power regains access to dam

Although the frustration with the dams has been a long-standing irritant in the western New Brunswick community, tempers flared in the summer.

Protests, threats and blocked access to the dam so maintenance work couldn't be done led to the Tobique hydro dam being shut down at the end of the summer.

It is estimated that NB Power lost close to \$2 million worth of electricity during that protest.

Part of the new deal commits the band to guaranteeing that NB Power employees will have access to the dam.

Terry Sappier, who helped negotiate the settlement, said the deal is a significant move for both sides.

"It is a big deal for me, I'm really happy because I've worked really hard protesting for two years," Sappier said.

Hart Pearly, another Tobique protester, said the accord will also offer a psychological boost to people in the community.

"Our community members won't have to be wary about driving too close to the river bank," she said.

Both sides acknowledge the memorandum signed on Monday is only a beginning.

There's been no discussion yet around the stickiest issue, the power that is generated by the dams and who owns it.

During the summer protest, people on the First Nation stopped paying their NB Power bills. It's estimated that upwards of \$1 million worth of unpaid power bills from the reserve are piling up.

## **'A BAD DEAL' - "NB SHOULD BACK OUT" : LIBS**

NB Power is worth billions of dollars more than New Brunswick will receive from Hydro-Quebec under the proposed deal to sell the utility, warns official Opposition Leader David Alward.

Conservative Leader David Alward speaks to the media Thursday about his concerns regarding the sale of NB Power.

"If this goes through, generations down the road will be cursing those who let it happen," he said in his reply to the throne speech Thursday.

"I will have to live with myself and that will be hard if I can't honestly say I did everything I could to stop this."

He said the deal is so bad that he was breaking with the tradition of talking about other government initiatives announced in the throne speech and focusing solely on the NB Power deal in his blistering 27-page reply speech.

The Liberal government announced three weeks ago that it's selling most of the assets of NB Power to Hydro-Quebec for \$4.75 billion to pay off the utility's debt and \$5 billion in rate relief.

But Alward said the Point Lepreau nuclear power station alone will be worth between \$6 billion and \$8 billion when it's refurbished.

"But it will be given to Hydro-Quebec for nothing once refurbished and it is back online," he said. "Now that's a generous signing bonus."

Alward said the five-year rate freeze for residential customers in New Brunswick will still leave homeowners here paying 40 per cent more for electricity than homeowners in Quebec.

That means residential customers in New Brunswick will pay \$240 million more a year than if they lived in Quebec, he said, adding over five years that's \$1.2 billion.

"Over 20 years, the difference would be \$4.8 billion, almost exactly the amount Hydro-Quebec is paying for our assets," he said. "So in short, Hydro-Quebec is buying the assets of NB Power with the profits made off New Brunswick's small-business owners and residential customers."

"They are buying our power utility with our own money."

The deal states that future rate increases will be tied to inflation and the government said the average inflation rate for the past 15 years has been 1.5 per cent, said Alward.

"What they left out is that the rate of inflation over the past 30 years is more than 3.5 per cent, which is significantly higher than the rate increases of NB Power," he said.

"There is no protection whatsoever from runaway inflation."

The Opposition leader also said that the five-year rate freeze only applies to 14 terawatts of electricity, which is less than New Brunswickers use on average.

Alward used an example of leasing a car.

In order to save money up front, you sign an agreement for fewer kilometres than you know you are going to travel, even though there's a penalty for extra distance.

"Not only is this poor financial planning, it's completely illogical and down right shortsighted," he said.

New Brunswick will lose another \$100 million a year because Hydro-Quebec won't have to pay any taxes, he said.

Hydro-Quebec will also get hundreds of millions of dollars in carbon credits when it closes NB Power's fossil fuel plants even though it's not buying them, he said.

Alward said he's certain that if the Liberal government signs the deal with Hydro-Quebec at the end of March, the financial penalties to break it will be so high that New Brunswick

will be stuck even if the Liberals lose the next election.

He urged Premier Shawn Graham to have the political courage to back out of a bad deal.

"Just because he can use his majority to get this deal signed before an election doesn't mean he has the right or moral authority to do so," said Alward.

After the reply to the throne speech, Energy Minister Jack Keir said Alward is fear-mongering and playing politics. "It doesn't surprise me what he said," he said.

Keir said it's unusual not to address other government initiatives listed in the throne speech, especially when this is the last chance the Opposition has to say what it would do differently before the next provincial election.

-Daily Gleaner

### **ABORIGINAL CANADIANS DIVIDED OVER VANCOUVER OLYMPICS**

The Canadian city of Vancouver is gearing up to host nearly four weeks of Winter Olympic and Paralympic sporting action in February and March. The Games, set to attract international attention, have a particular importance for Canada's aboriginal peoples, as many of the sporting events will take place on their ancestral land.

The peoples involved - the Lil'wat, Musqueam, Squamish and Tsleil-Waututh First Nations - who live on and share the land, have joined forces.

Together with the Vancouver Olympic Committee (Vanoc), they will be hosting the Vancouver 2010 Winter Games in a partnership that is making Olympic history.

This is the first time that aboriginals have been official partners in the Olympics and have been involved in every aspect of the Games starting from the bidding process. 'Stolen land'

For some aboriginals, this partnership is seen as a unique opportunity for Canada's indigenous peoples to show their culture to the world.

For others, the Vancouver Olympics are a waste of money and resources that could be better spent on serious issues facing aboriginals in Canada.

Canada's indigenous peoples have suffered a long history of poverty, unemployment, and problems with addiction and high rates of suicide.

Tewanee Joseph, head of the umbrella group known as the Four Host First Nations, sees the Vancouver Winter Olympics as a great time for aboriginals to rebrand themselves in a positive way.

"What people will learn is that we're business people, we're entrepreneurs, we're visual artists and we're performing artists. You know our culture is really living and thriving today and it's been through challenges," says Mr Joseph.

"We no longer want to be seen as just Dime Store Indians, just beads and feathers. I think for us those stereotypes are very important for us to break."

Despite all the potential positive attention on their culture, many of British Columbia's aboriginals still feel that the decision to hold the Olympics in Vancouver (and the resort town of Whistler) was wrong.

"A lot of First Nations considered the land to be stolen," says Josh Anderson from the Lil'wat Nation.

"Our people were actually there to watch the construction of the facilities for the Olympics just in case the lands were desecrated or disrespected in any way."

A number of First Nations continue to be concerned about how the expansion of Whistler for the Olympics is affecting their land and the environment. 'No teepees'

Despite the opposition by some of his people, Mr Anderson welcomes the arrival of the Olympic Games and intends to use the exposure as an opportunity to educate the world about his culture.

He will be teaching Lil'wat history to visitors at the new Squamish Lil'wat Cultural Centre in Whistler, built with provincial and federal government funding.

"A lot of people think that we, the Lil'wat and the Squamish, are Eskimos and that we live in igloos and that we have teepees here. We don't have teepees and we are not Eskimos," Mr Anderson says.

"We do have cold winters and we used to live in underground dwellings in pit houses. We call them istkens."

For aboriginals like Rose Henry, of Sliammon heritage, and Jayson Fleury, who is Saulteaux-Cree, the idea that Vanoc is spending C\$1.7bn (\$1.6bn;£1bn) on the Games is upsetting. They both belong to the Olympic Resistance Network (ORN) whose motto is "No Olympics on Stolen Native Land."

They believe that some of that money should be spent on issues like homelessness and addiction.

"If you go to Vancouver's downtown eastside, you will see that most of the homeless are First Nations people and they are from this area," says Mr Fleury. "So their rights, their livelihood are not being honoured in any fashion."

"It is costing us a lot more than just the dollars," adds Ms Henry.

"Many of our community members are paying with their lives with the inadequate housing and healthcare and so the rippling effects go beyond the 17-day party that's going to be happening here that we can't afford." Snowboarding success

The province of British Columbia, Vanoc, and the Four Host First Nations still believe that the Olympics will have a lasting positive impact on Canada's aboriginals and have set up economic, art and sporting legacy programmes.

One fund has helped to create the First Nations snowboard team which started with 10 members and now has two 200 from 13 First Nations across British Columbia.

Canada's Aboriginal snowboard team prepare for the games

Olympic organisers have also given C\$54m of contracts to more than 100 aboriginal businesses - roughly 10% of the construction contracts worth a total of C\$580m.

In central Vancouver there will also be a C\$3.5m Aboriginal Pavilion, a multi-media centre displaying aboriginal art, business, culture and sport to visitors throughout the Games.

"Every venue that you go to, you will be welcomed by an aboriginal figure. Every one of the venues you go to will have aboriginal art in it," says Dan Doyle, Vanoc's executive vice president.

An aboriginal artist was also chosen to design the Olympic and Paralympic medals: Corrine Hunt, of First Nations Komoyue and Tlingit heritage.

"The fact that an aboriginal person was given the opportunity to make the Olympic and the Paralympic medals I think is really important," says Ms Hunt.

"It shows the recognition that we have as a people and that we continue to live on this land."

Chief Gibby Jacob from the Squamish Nation agrees that the recent recognition of native culture is an important milestone after years of suppression by the Canadian establishment.

He took part in the start of the torch relay, helping to bring the Olympic flame to the shores of Victoria in British Columbia by canoe and performing a traditional aboriginal



welcoming ceremony.

"The significance of doing our ceremonies on the water in our canoes, that was important for us to have those things recognized," Chief Jacob says.

"In the history of this country there was legislation created by the governments wherein we couldn't practice our culture, our traditions. They thought it was not right."

For many aboriginal artists, businesses and athletes the real test of the Vancouver Olympics will be if the inclusion and celebration of their cultures continue long after the Games are over. -BBC

## **TWO MIK'MAW WOMEN CONFERRED THE ORDER OF CANADA**

Joan Glode knows how to keep a secret.

The founding director and executive director of Mik'maw Family and Children's Services of Nova Scotia, Ms. Glode knew two months ago she was going to become a member of the Order of Canada.

But the 30-year-veteran of working within the children's welfare system is more than capable of protecting information.

"Everything in child welfare work is confidential and secret, so it's second nature to me because I can't talk about many things," she laughed.

A member of the Acadia band, Ms. Glode works out of the Indian Brook office of the agency. There are other offices in Waycobah, Eskasoni and Millbrook.

"When you get the call from the Governor General's office, it's just a lovely experience," she said.

"I think I was stunned for a day or two."

A highly respected leader in the Mi'kmaq community, Ms. Glode regards herself as merely a team leader, and credits all members of the team for the success of the agency.

"The residential school system took away so much, and we are dealing with the first generation of Mi'kmaq people who didn't experience residential schools," she said.

"It's important we reclaim the language, the stories and the traditions, and that's what we are doing.

"We are reweaving the fabric of our society and incorporating our traditions, our ways.

"It is our job to quietly re-weave things back together, do things in our traditional ways and bring together our communities again."

This is not the first honour Ms. Glode has received this year. In March, she also received a National Aboriginal Achievement Award at an awards ceremony in Winnipeg.

Also named a member of the Order of Canada on Wednesday was Elsie Charles Basque of Saul nierville.

"I was very, very surprised," Mrs. Charles Basque, 93, said in an interview. "I still can't believe it."

Mrs. Charles Basque was honoured for her pioneering contributions as an educator and for her voluntary work on behalf of seniors and aboriginal people in Nova Scotia and the United States.

In 1937, she became the first native person in Nova Scotia to earn a teaching certificate. She taught in one-room schools in Cape Breton, Indian Brook and other locations in Nova Scotia, and in Boston after moving there in the 1970s. She also became an advocate for issues affecting the elderly in the American Indian community.

Mrs. Charles Basque wrote a report on those challenges in 1974 and it was sent as a

position paper to the U.S. Senate.

While she appreciates the honor of being named to the Order of Canada, she said her greatest satisfaction came from her students.

"They came back to say thank you," Mrs. Charles Basque said. "It's the greatest gift a teacher could ask for."-ChronicleHerald

#### **WIDESPREAD COMMERCIAL FISHERY DENIED TO B.C. FIRST NATION -CP**

The B.C. Court of Appeal has upheld a ruling that denies widespread commercial fishing rights to a First Nation in the Prince Rupert region.

The aboriginal band, called Lax Kw'alaams, had been seeking a declaration they were entitled to a native right to harvest and sell all species of fish on a commercial basis in their traditional territory.

A lower court said that while the band's predecessors, the Coast Tsimshian, did fish a variety of species including salmon and halibut, they didn't trade in fish except for a special product of grease derived from one species.

The band appealed the ruling but the Appeal Court has upheld the decision, citing the trial judge's conclusion it would be stretching the idea of aboriginal fishing rights to find that the ancient grease trade must lead to a modern right to fish all species.

The ruling follows one made by the B.C. Supreme Court in November, which found a Vancouver Island native group known collectively as the Nuu-chah-nulth First Nation had the right to harvest and sell all species of fish found within its territories.

However, the judge in that case also dismissed a claim to aboriginal title over the fishery, upholding the federal government's control over all fisheries, and urging the band and Ottawa to negotiate how to handle native fishing and fish sales.

#### **TIME TO TAKE NATIVE TREATY RIGHTS SERIOUSLY: ATLEO**

The Daily News

The signals are clear as we close in the end of the first decade of the 21st century that Canada's First Nations are no longer willing continue as unequal partners in Confederation.

Shawn Atleo, the national Chief of the Assembly of First Nations, could not be any clearer.

"(There is) a really powerful spirit emerging that it is time for change for our people here," said Atleo as prefaced a speech by Indian Affairs Minister Chuck Strahl.

Section 25 of the Canadian Charter of Rights and Freedoms infers that our federal and provincial government have a responsibility to work with First Nations to uphold their rights in a way consistent with the rights of other Canadians.

"The guarantee in this Charter of certain rights and freedoms shall not be construed so as to abrogate or derogate from any aboriginal, treaty or other rights or freedoms that pertain to the aboriginal peoples of Canada . . . ."

Atleo, former chancellor at Vancouver Island University, has aimed for the bull's-eye in naming unequal funding for education -- about \$1 billion less for Canadian native children than non-native children -- as a significant inequality that must be addressed. We need look no further than the Snuneymuxw First Nation for a concrete demonstration of Atleo's point.

Qwam Qwum Stalicut school has seen its numbers more than double, from the equivalent of 16.5 full-time students to 40, in about five years. The school offers only Kindergarten to Grade 3.

But its funding has not increased and space is at a premium. In Nanaimo, where the closure of schools is met with the argument that they are vital to their local areas, there is no room to argue that First Nations children should just be sent to non-native public schools.

Atleo's point is much more than a cultural one, where it's important for First Nations children to learn in their own cultural environment.

It's also a political one. By having an education system comparable to a non-native one First Nations will be able to produce leaders in quantity and quality that will spread their future political base from the AFN into parliament.

Perhaps former AFN national chief Ovide Mercredi puts it more succinctly.

"Like the nationalists in Quebec, they don't partner with the government, but they do things together under the Constitutional structure of the country. We can do the same, but we don't have to abandon our identity as distinct people."

The days of fighting for rights for Canada's aboriginal peoples is no longer in places like Oka, or Caledon, Ont., where force is met with force and nothing is achieved.

It may mean roadblocks, but this is now about money, not power. Last week First Nations chiefs let it be known that they are going to insist on treaty rights.

"We are going to stand between the white man and his money because we know the money comes from our resources. We don't want taxpayer money, we want a share of our own wealth," said Chief Terrance Nelson of the Roseau River First Nations in Manitoba.

There we have it, education and resources as the direction of the AFN under Atleo.

That means one thing; that our governments better stop stalling and get serious about aboriginal treaty rights. Because if they don't then First Nations are going to take all legal means to get their attention through economic disruption.

There is nothing simple about these treaty rights. It may take years before there's any real progress. In that light what we need more than anything from the federal government and the provinces is an ongoing process that indicates Canada is truly committed to honouring treaties nearly 250 years old.

This is too important to ignore. Canada can be an even greater nation by seeing First Nations take a rightful place in Confederation.

## **U.S. WILL SETTLE INDIAN LAWSUIT FOR \$3.4 BILLION**

WASHINGTON — The federal government announced on Tuesday that it intends to pay \$3.4 billion to settle claims that it has mismanaged the revenue in American Indian trust funds, potentially ending one of the largest and most complicated class-action lawsuits ever brought against the United States.

Elouise Cobell, outside the law offices of Kilpatrick & Stockton in Washington on Tuesday, was the lead plaintiff, filing the class-action lawsuit in 1996.

The tentative agreement, reached late Monday, would resolve a 13-year-old lawsuit over hundreds of thousands of land trust accounts that date to the 19th century. Specialists in federal tribal law described the lawsuit as one of the most important in the history of legal disputes involving the government's treatment of American Indians.

President Obama hailed the agreement as an "important step towards a sincere reconciliation" between the federal government and American Indians, many of whom, he said, considered the protracted lawsuit a "stain" on the nation.

As a presidential candidate, Mr. Obama said, "I pledged my commitment to resolving

this issue, and I am proud that my administration has taken this step today."

For the agreement to become final, Congress must enact legislation and the federal courts must then sign off on it. Admin officials said they hoped those two steps would be completed in the next few months.

The dispute arises from a system dating to 1887, when Congress divided many tribal lands into parcels — most from 40 to 160 acres — and assigned them to individual Indians while selling off remaining lands.

The Interior Department now manages about 56 million acres of Indian trust land scattered across the country, with the heaviest concentration in Western states. The government handles leases on the land for mining, livestock grazing, timber harvesting and drilling for oil and gas. It then distributes the revenue raised by those leases to the American Indians. In the 2009 fiscal year, it collected about \$298 million for more than 384,000 individual Indian accounts.

The lawsuit accuses the federal government of mismanaging that money. As a result, the value of the trusts has been unclear, and the Indians contend that they are owed far more than what they have been paid.

Under the settlement, the government would pay \$1.4 billion to compensate the Indians for their claims of historical accounting irregularities and any accusation that federal officials mismanaged the administration of the land itself over the years.

Each member of the class would receive a check for \$1,000, and the rest of the money would be distributed according to the land owned. In addition, legal fees, to be determined by a judge, would be paid from that fund.

Philip Frickey, a law professor at the University of California, Berkeley, who specializes in federal Indian law, said that of all the Indian land claims and other lawsuits over the past generation, the trust case had been a "blockbuster" because it is national in scope, involves a large amount of money, and has been long-running.

The lawsuit spanned three presidencies and engendered seven trials covering 192 trial days, generated 22 published judicial opinions, and went before a federal appeals court 10 times.

Over its course, the federal judge originally assigned to the case, Royce C. Lamberth, put contempt orders on two secretaries of the interior over their handling of the lawsuit. In 2006, after the Bush administration complained of bias, a federal appeals court removed Judge Lamberth from the case.

Judge James Robertson has handled it since, and he pushed both parties to negotiate — including brokering a last-minute deal over an undisclosed problem that nearly derailed the settlement late Monday, said David J. Hayes, the Interior Department deputy secretary.

Attorney General Eric H. Holder Jr. on Tuesday characterized the case as "intense, and sometimes difficult."

"The United States could have continued to litigate this case, at great expense to the taxpayers," Mr. Holder said. "It could have let all of these claims linger, and could even have let the problem of fractionated land continue to grow with each generation. But with this settlement, we are erasing these past liabilities and getting on track to eliminate them going forward."

The settlement also seeks to resolve an ever-growing headache of the trust system that contributed to the government's problems — especially in the pre-computer era — in keeping track of the allotments: the original owners, most of whom died without leaving wills, have many heirs, which has "fractionalized" the ownership interests.

For example, one 40-acre parcel today has 439 owners, most of whom receive less than \$1 a year in income from it, Mr. Haynes said. The parcel is valued at about \$20,000, but it costs the government more than \$40,000 a year to administer those trusts.

Interior Secretary Ken Salazar and Attorney General Eric Holder announced Tuesday the settlement of a lawsuit on Indian trust management.

In an effort to resolve such problems — and prevent them from worsening in subsequent generations — the settlement would establish a \$2 billion fund to buy fractional interests in land from anyone willing to sell. The program would seek to consolidate ownership in parcels of land for the tribes, while reducing the Interior Department's work in keeping track of the trusts.

"This is an historic, positive development for Indian country," said Ken Salazar, the Interior Department secretary, "and a major step on the road to reconciliation following years of acrimonious litigation between trust beneficiaries and the United States."

Over the years, the plaintiffs have contended that they were owed tens of billions of dollars, while the government has at times taken the position that it owed them little or nothing.

Elouise Cobell, the lead plaintiff who filed the class-action lawsuit in 1996, said she believed that the Indians were owed more, but that it was better to reach an agreement that could help impoverished trust holders than to spend more years in court. She said she had originally expected the litigation to last only two or three years.

"We are compelled to settle by the sobering realization that our class grows smaller each day as our elders die and are forever prevented from receiving just compensation," Ms. Cobell said.

Robert Clinton, an Arizona State University law professor who specializes in federal Indian law, said the settlement alone would not resolve the trust problem because many of the heirs who own tiny interests in parcels may not be willing to sell them.

Still, the settlement will provide an incentive for such owners to sell: the Interior Department will set aside up to 5% of the value of the land interests to help Indians attend college or vocational school.

-NY Times

### **DAN'S CORNER - No! Mr. Gore, The Sky is Not Falling**

An Indian perspective on the approaching "end times" as heralded by the "doom and gloomer", the end times that is being brought on by global warming, climate change, etc, etc. Much unnecessary fear has been generated through the use of all their hysteria terminology such as crisis, end times, etc, etc.

The linking of their hysteria rhetoric to certain Indian, Mayan, Inca, Hopi, etc. prophecies is supposed to lend credibility and legitimacy to their views of the pending end times.

Similar warnings were being shouted back at the times of two world wars, the Cold War and again for a nuclear holocaust and so on. The doom and gloomers come out of their dark caves to shout warnings about one thing or another, but the sky is yet to fall.

All of our teachings, our prophecies, teach that each generation has it within their power to either create or destroy. this is what our Medicine Elders mean when they speak of prophecies that human beings have a choice to pick on or the other.

This is why our return to our Traditional Teachings is such a good thing for our people and for people in general.

Our Traditional Teachings have longevity going for it, they are thousands and thousands

of generations old. Traditional Teachings and longevity which have worked for our people for all of those many years in keeping our people strong, united, thriving, peaceful, living in the light and living in the present.

It is our return to those teachings, values, beliefs and world view that will guide us back once again to relationships with self, family, clan, community, nation and amongst nations that are loving, peaceful, equal and respectful. All of our teachings are for and toward light, love, peace and joy.

Our teachings teach of our earth-walk on the Great Hoop of Life. That all movement upon the Great Hoop of Life is naturally cyclical, circular in cycles. The same goes for change in weather patterns, change in seasons, the movement of the sun and moon all occur naturally without the help of humans.

There is a natural order, a natural balance, a natural harmony that Great Creator put in place long before human beings were even thought of.

It is the height of human ignorance and arrogance to think that their activity could, in any way, somehow alter or destroy that natural order, balance and harmony.

Now I will share a vision journey which came to me while in a Sweatlodge Ceremony: At the start of my journey I was shown the immensity of our world, our Sun and our solar system and universe. Along with huge and immense earthly events and problems, all man-made.

I was also made to see that the reason why our earthly events (war, disease, chaos, disorder, destruction) and problems appeared to be so large and immense was our self-limiting earthly perspective. A perspective that is small, limited, ego-driven and self-indulgent.

Due to this limited and ego-driven perspective humans see the world "problems" and "events" as being so huge and immense that they feel there is nothing that they can do about them and so revert back to sticking their heads in the sand in the hope that those man-made earthly problems will somehow go away without the need for any changes in the thinking and actions of humans.

As my spirit journey continues farther into the universe I am made to see the world shrinking and becoming smaller. The world has become a tiny blue marble and the sun a shining softball.

I am also made aware that everything in the universe, space, stars, suns, planets, galaxies, solar systems; our solar system the sun, planets and our world along with everything upon her - is simply energy. Energy that is ever moving, flowing, changing into different forms, shapes, sizes, density, consistency etc. This is our connection to everything in the universe - ENERGY. As I am taken farther into the universe I see our world disappear and our sun become the size of a pinhead of light until that also disappears. As our sun and our world disappear so do all of our earthly travails, all of our trials and tribulations, all of our fears, anger, destruction, chaos, disorder, violence, hatred etc.- all of it gone in a blink of an eye.

At some point on my spirit journey I am made aware of my size for I am both infinitesimally small and as immense as the universe. I take this to mean that human beings choose to restrict themselves to their physical bodies due to their misguided belief in the supremacy of ones intellect (brain) over ones intuition (heart)

As human beings all we need to do is be happy and spread light wherever we go and in whatever we do especially spread light in those dark places such as the dark mind.

All My Relations,

- Dan Ennis

## **DEAN'S DEN - Winds of January**

It's blizzards foaled  
And storms unrolled  
And solid old-time blows  
It's huddled nights  
And Northern Lights  
While waxing wicked snows  
- The winds of January -  
It's the lonesome sound  
When full-moon bound  
Of the wolf's competing howl  
That shouts "Alive!"  
That shrieks "Survive!"  
- The winds of January -  
It forces men to stay inside  
To put on more, to try to hide  
To cling to camp and cringe  
It bombards hard across the yard  
Each drifting stinging icy shard  
- The winds of January -  
The winds of January!  
- D.C. Butterfield

Have a nice day