

# HOWNIKAN

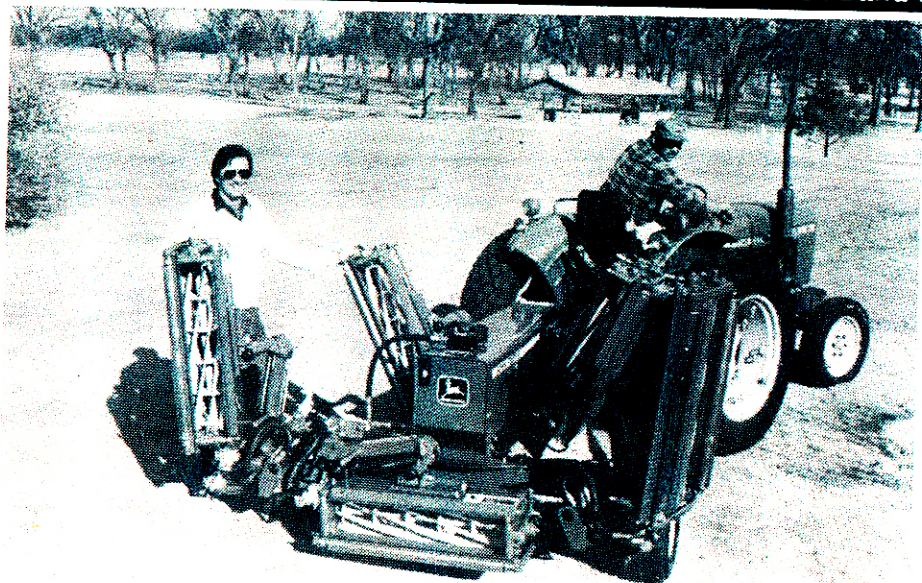
## PEOPLE OF THE FIRE



Vol. 12, No. 1

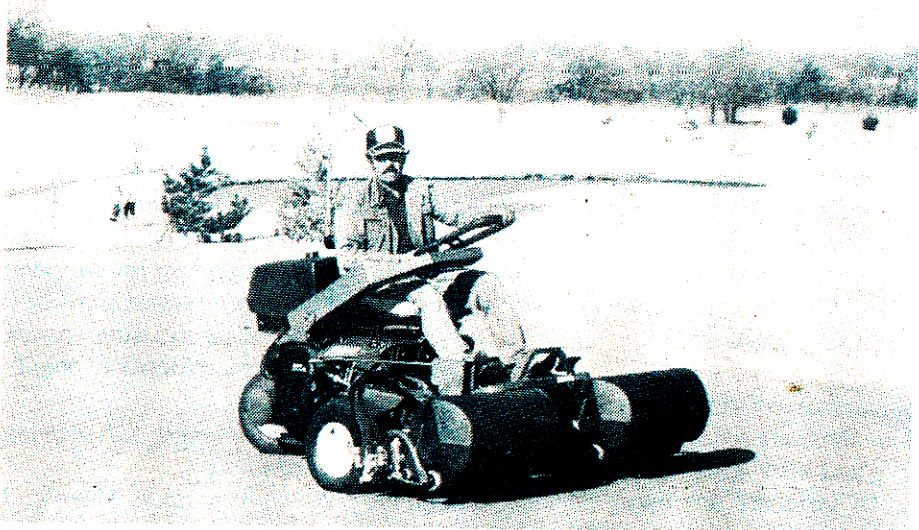
Citizen Band Potawatomi Tribe

January, 1990



### Firelake improvements

John Lair, left above, the golf pro at Firelake Golf Course, and Joe Clay, driver, show off the recently purchased fairway mower attachment which will enable the staff to mow the fairway three times a week in the summer rather than every day. And that's only one of the improvements at the golf course, according to Bob Davis, Enterprises administrator. Another is the greens mower which enables work to continue even in the rain. Below, Pedro Palacio is on that machine, which is used daily.



## Election preparations are already underway

Filing period for vice chairman and secretary begins March 29; Election Committee named

The 1990 Tribal Election Committee has been appointed and reports are beginning to circulate about who will run for the two Business Committee positions on the ballot this year.

Although filing for the vice chairman and secretary positions does not open until March 29, preparations are underway for the election. Reappointed to the Election Committee were David Bourbonnais, Gary Bourbonnais, Norman Kiker, Debbie Penson and Don Yott. All five served on the committee last year.

Incumbent Vice Chairman Jim Young and incumbent Secretary-Treasurer Bob Davis have both indicated they will seek re-election. Filing will open at 8 a.m. March 29 and remain open until 5 p.m. April 2 under the current election ordinance. Filing fee is \$150, but will be waived upon presentation of a petition of candidacy signed by 150 tribal members, or 27 percent of the Council membership, whichever is less.

To qualify as a candidate for the Business Committee, the individual must be at least 21 years of age, a

member of the Citizen Band Potawatomi Tribe, must live in Pottawatomie, Seminole, Pontotoc, McClain, Oklahoma, Lincoln, Cleveland or Okfuskee counties and must never have been convicted of a felony.

For the first time this year, the Vice Chairman and Secretary-Treasurer will be elected to four year terms. Tribal members, in a secretarial election last year, overwhelmingly approved increasing Business Committee terms from two years to four years, and allowed for those terms to be staggered. The two committee positions filled in last year's election were for two and three year terms for one time only to set up the staggered system. John Barrett was elected to his first four-year term as Chairman.

All Business Committee positions from now on will be for four years. Grievance Committee terms remain at two years; members were elected last year.

The voter list for this year's election will close on June 5, with the election June 30. Information on absentee ballots will be printed in future issues of the HowNikan.

## Barrett says sovereignty is issue in state cigarette appeal

The Oklahoma Tax Commission said earlier this month that it will ask the U.S. Supreme Court to overturn an appeals court ruling upholding the tax-free sale of cigarettes on Potawatomi Indian land, but Tribal Chairman John Barrett said the real issue is not the money.

"The real issue here is not the money," Barrett said after hearing of the Tax Commission's intentions. "The real issue is the sovereignty of the Potawatomi Tribe.

"I sincerely hope that the State of

Oklahoma in its latest attempt to appropriate the resources of the tribe does not receive the certification of the Supreme Court," Barrett said.

Tax Commission attorney David Miley said the petition seeking the hearing should be filed by Feb. 1. The decision came after the 10th U.S. Circuit Court of Appeals instructed U.S. District Judge Lee West to reconsider his ruling that taxes be collected on cigarettes sold to non-Indians at the Tribal convenience store.

The appeals court said the tribe had sovereignty over the items it sells and said Oklahoma has no authority to tax the store's transactions. West reversed his earlier order following the appeals court ruling.

News reports quoted Miley as saying that Oklahoma stands to lose millions of dollars if the appeals court ruling is allowed to stand. And, he said, businesses statewide will end up paying more taxes to cover the regulatory costs state officials say should be covered by

taxes owed by Indian tribes.

Tribal bingo halls and other businesses operated by the 40 or so Indian Tribes in Oklahoma also might be exempt from taxation should the Supreme Court uphold the ruling, he said.

"There are hundreds of smoke shops out there," Miley said. He said the smoke shops and bingo halls "do a boom-town business."

Commission attorneys estimated in March that Oklahoma has lost \$125 million in revenue since

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# JUSTICE IN INDIAN COUNTRY

## Potawatomis build model court system

*"People who appear or present issues to our court recognize through our extensive procedures that tribal court will handle their case in an orderly and just manner. There is no room for discrimination against non-Indians in our court. It will not and cannot happen. We are committed to the responsible exercise of our proper judicial function within Potawatomi tribal sovereignty."*

**Potawatomi District Judge  
Phillip Lujan**

When the Potawatomi tribal court system was established more than three years ago, the Business Committee was determined to find the best legal minds available to fill the judicial positions.

The court, which serves both the Potawatomis and the Iowas, was to be a model. Seven men and women, including some of the top names in Indian law, were selected and confirmed by the tribe as Supreme Court Justices. Chief Justice Bill Rice, a Cherokee/Pawnee, is a Norman attorney who works with several tribes and has experience with Indian law from many perspectives. He is also a teacher and author.

Peggy Nelson Big Eagle, a Sac and Fox, is an Oklahoma City attorney who once worked with the U.S. Department of Justice. Almon Henson is a respected Pottawatomie County attorney and past president of the county Bar Association and former county attorney. Browning Pipestem, of Otoe-Missouia/Osage descent, is a Norman attorney with an extensive background in Indian law who works with several tribes and teaches at the University of Oklahoma.

Gary Pitchlynn, another Norman attorney, has worked with the American Indian Management Institute, the Oklahoma Indian Legal Services Corporation and the Oklahoma Indian Affairs Commission. Marvin Stepson, of Osage descent, has been a prosecutor for the CFR court in Anadarko and has worked with several tribal courts. Rex Thompson is Shawnee city prosecutor and Tecumseh municipal judge.

So far, there have been few occasions to call the Supreme Court together. The day-to-day work is done by court clerk Joie White, prosecutor David McCullough Jr. and the District Court judges. Lay Judge Lawrence Wahpepah is a full-blooded Kickapoo born in McLoud, of which he was the first and only Native American mayor. He has served as a CFR Court judge and Sac and Fox tribal judge. Stephen Lamirand, appointed in June 1989 after Jess Burris died, is a Cherokee/Potawatomi in legal practice with Pipestem, Carter & Lamirand in Norman. He is a former assistant Oklahoma attorney general, former attorney general for the Cheyenne and Arapaho tribes and is currently attorney general for the Absentee Shawnee Tribe.

All these people make significant contributions to the tribal court, but one other man is the moving force for justice, the man whose intensity and deter-

mination have stamped the court with his indelible style. He is Chief District Judge Phil Lujan, a man with a mission which he takes any opportunity to further.

Lujan is a Kiowa and native of Lawton. He has worked with the American Indian Law Center, the Department of the Interior, All-Indian Pueblo Council, Native American Legal Defense and Education Fund and American Indian Law Center. He has been prosecutor for the CFR Court, as well as judge, and is currently director of the Native American Studies program and assistant professor at the University of Oklahoma. He also serves as Chief District Judge of the Sac & Fox/Kickapoo Tribal Court and as Chief Federal Magistrate for the Court of Indian Offenses for Western Oklahoma, which includes seven Anadarko Agency tribes and five Pawnee Agency tribes. He is also Chief Judge of the Winnebago Appellate Court in Nebraska.

That means he spends many hours and travels many miles to carry out his mission. And what is that mission? Just ask this dynamic, almost obsessed jurist why a tribal court should be important to Potawatomis. It ceases to be an interview and becomes a statement of purpose straight from the soul of a committed man.

He speaks with the missionary zeal of a Pentecostal preacher, but the words are those of a scholar and philosopher with a stunning and very real gift for communicating his thoughts. Listeners are mesmerized by his fluency and by his message.

"There are two dimensions of importance," he begins. "There's the practical consideration of sovereignty and the philosophical issue of the relationship between tribal court and the elected leadership."

"First, there is much discussion in Indian Country about sovereignty. Unfortunately, it's a slogan for most tribes—something to say but empty of real meaning. The court is sovereignty in action. Sovereignty is power and power cannot exist in the abstract; it must be exercised. Tribal court is the practical exercise of sovereignty."

"The court enforces the laws of the tribe, enforces the governing documents, protects tribal territory from intrusion by state and federal entities. We have professional court personnel. When people from outside the tribe appear in our court, we are an analogous and recognizable entity to state and federal courts. That's important because it enhances

our credibility and effectiveness."

"People who appear or present issues to our court recognize through our extensive procedures that tribal court will handle their case in an orderly and just manner. There is no room for discrimination against non-Indians in our court. It will not and cannot happen. We are committed to the responsible exercise of our proper judicial function within Potawatomi tribal sovereignty."

"Unfortunately, in too many tribes, particularly some in Western Oklahoma that shall remain unnamed, there is a hesitancy on the part of Indian people to accept procedural due process. The Indian world is a personal world. Indians want decisions based on who they are, who they are related to and who they know."

"That day is gone. Not because Phil Lujan or my fellow judges dictate it, but because contemporary realities have created an environment for tribes wherein they must make certain compromises with past cultural concerns in order to be able to fully participate in the economic world of the future."

"But this does not mean we are brown people doing white law. Our foremost interest and concern is to translate the cultural values and tribal concerns into the modern day context. Whenever possible, we do this."

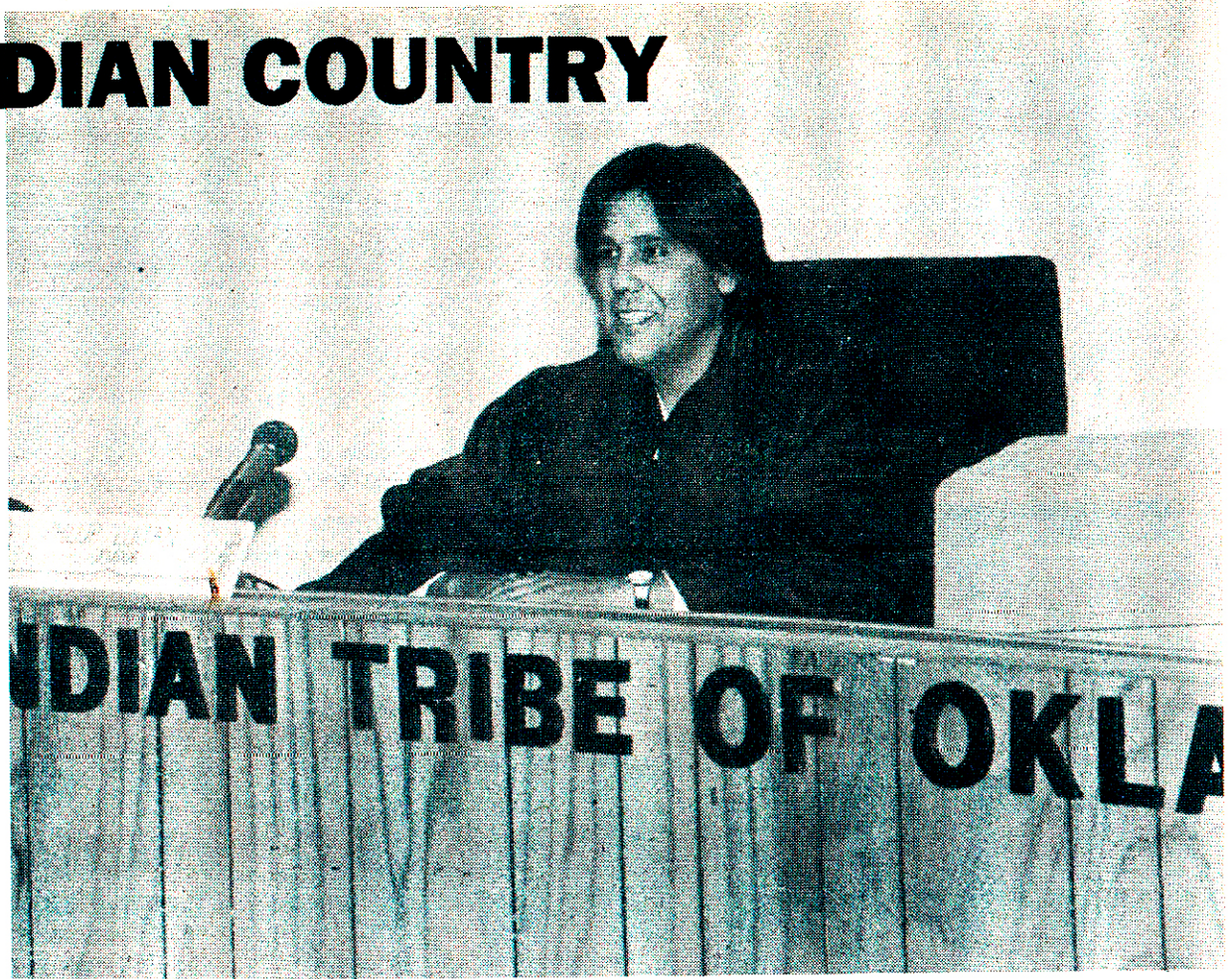
Lujan shakes his shoulder-length hair and takes a quick breath before continuing.

"Secondly, the philosophical issue. There's a lot of discussion in Oklahoma and nationally about the necessity for tribes to have independent judiciaries. Courts must be separated and insulated from any tribal political pressure. To do otherwise is to discredit the court's decisions, to substitute short-term decisions for long-term tribal interests and finally to denigrate tribal law."

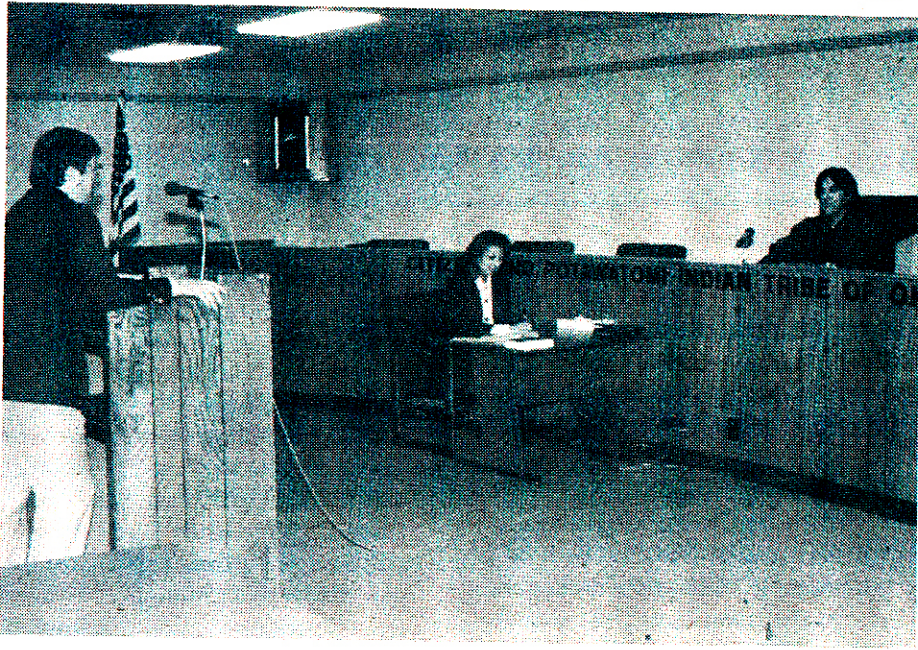
"This may be an issue for other tribes, but I want Potawatomi people to know that this desired vision of the future under consideration by other tribes is a reality for the Potawatomi people. To do anything less is to once again substitute the personal relationship model for one that treats all individuals objectively and fairly before the law. This can never be compromised."

"I personally will never be a judge for a tribe where the possibility exists for the governing body to interfere in the court process. I have turned down several such opportunities—if they can be called

**Continued, next page**







David McCullough Jr., Tribal Prosecutor, Stands At Podium Before Phillip Lujan, Chief District Court Judge, While Joie White Performs Her Court Clerk Duties

## Lujan wants Tribe to know the court is successful

From previous page  
that. This is something that in the future history of Indian tribes in Oklahoma, the Potawatomis will be able to point to with justifiable pride."

He leans back in his chair and grins. "Okay, I'm through with what I wanted to say. Ask your questions." But each question brings a response with a message. When asked about how tribal court is regarded by non-Indians, he notes that in civil cases, most of the attorneys are non-Indian.

"But there are not as many non-Indian plaintiffs as I would like to see. Why is that? We don't want Indian people to use Indian land as a haven from state law or valid debts. That makes it difficult for all other Indians to obtain credit ... I would invite non-Indians into our courts to pursue claims. Indian Country is not a haven. We have law and order here."

Acknowledging that most cases he hears are family-related, Lujan said they are "related to the socio-economic realities of Indian people, the poverty syndrome. It's because of the lack of opportunity for Indian people, or because for some reason they can't take advantage of it."

One of the real values of a tribal court comes to light in these family cases, he said. "Cultural sensibilities come into play to better resolve these cases," he said. He cited an example where a mother and father were fighting over custody of a child. The father's non-Indian attorney made an issue of the fact that the five-year-old boy slept in his mother's bed and had no place of his own to sleep.

"A non-Indian judge or psychologist would be concerned about that," Lujan said. "But in traditional Indian practices, that's normal. It did not sway me one way or the other. It might well have been a difficulty in a non-Indian court."

He feels that the Potawatomi tribal court has progressed to where tribal members are "beginning to experi-

ment with using the court to settle family disputes. They would put up with more before because they didn't feel that the state would respond." In some cases, however, Lujan turns cases over to the state. "Especially if a child needs specialized medical or psychological help, I won't intervene (the law requires the state to notify the tribe if they have custody of an Indian child and to turn the child over to the tribal court if requested). We just can't provide some of those services."

The state—or county—often ends up with Indian criminal offenders. While the court has few criminal cases (since there is no reservation, there aren't many occasions for offenses on Indian land), when they do, those convicted are sent to county or state jails. And if an Indian is sought by outside law enforcement agencies, they must come through the tribal court to seek extradition if the Indian is on tribal land. "We'll turn them over," Lujan said, "but they must go through the process."

What criminal cases there are, and many of the family cases, trace back to alcohol abuse, the judge confirmed. He has no answers but does harbor some hope that the long-time problem is improving. "I'd trade everything I ever had if I could come up with a solution," he said. "If there's any hope, it lies with the tribe providing services and economic opportunity for its people."

"We'll never get to a more spiritual level until we provide a base—food, shelter. I see the beginnings, the emergence of an Indian middle class, which is the foundation of this country. We've never had a stable middle class—that's what's missing."

He wants tribal members to know that the court is useful and successful, if not profitable. "It's expensive" he admits, "and it will never be a profit center. We're a service. The Potawatomis are paying a price for it. It's the price of sovereignty."

### Staff Member of the Month

## Joie White, court clerk, master of several jobs

If you want an answer to a question around tribal headquarters, chances are you'll find the answer with Joie White, one of the youngest in years but oldest in seniority among Potawatomi employees.

Joie, now 24, came to the Tribe more than six years ago, which means that only three other people have been there longer than she has. She was hired in August, 1983, as a "student humanist" to work on an oral history project only a few months after she graduated from Tecumseh High School.

Since then, she has been secretary to just about everybody, gradually was given most of the personnel responsibilities and a couple of years ago became court clerk for the tribal court. She also tells people how to work the copier, sorts the mail, is secretary to the tribal administrators and performs thousands of other duties.



Joie White As Court Clerk

Every other Monday she spends on personnel duties,

preparing the payroll, figuring leave, etc. She maintains records, handles the telephone and correspondence and helps schedule appointments for tribal administrators Jim Young and Bob Davis. About half of her time is spent on those personnel and secretarial duties. The other half is spent on what has become her first love, the tribal court.

Joie was in on the ground floor of that court system. When the Business Committee decided to establish the court system, it was Joie who wrote to the prospective judges and justices. Once they all agreed to serve and were confirmed by tribal election, it was she who coordinated arrangements for the swearing-in. She went to training courses for court clerks, in places like Albuquerque and Las Vegas. She visited the Code of Federal Regulation (CFR) Court in Anadarko to get an idea about the Indian justice system.

All that helped, but much was left for her to figure out on her own. "I met other tribal court clerks," she said, "but they were from places like Maine and Pennsylvania." She plunged in to her new duties with determination, however, learning how to docket (set court dates, etc.) for cases, file stamp documents, receive and record filing fees and fines and much more.

On court days, she became court reporter, taking minutes of the cases in shorthand. Later she compares her notes with those of the judge to prepare the official file document. Tribal court is usually held each Thursday and may last from an hour or two to all day. "Like today," she said in a recent interview, "we only have two cases scheduled but people may walk in."

Most of what the court handles are child welfare cases. "I try to remain totally impartial like the judges," Joie said. "If I have a crying mother come to me, I have to send her to the Indian child welfare worker; I can't get involved. But I do feel sorry for the kids—you wouldn't believe the stories I hear."

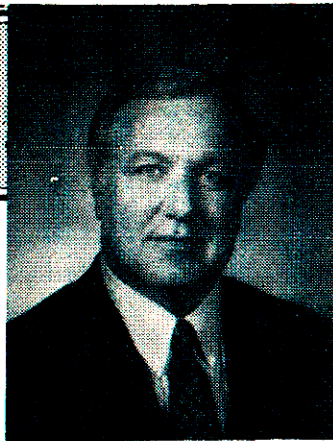
Joie is very proud of the court and her part in it. "People feel like they can depend on us," she said. "We know they are without counsel so we try to help them out." But it's not all solemn and depressing. "You have to break the monotony sometimes." She tells a couple of funny stories about court cases, and comments on an interesting pattern she has observed. "People come up here for divorce petitions every spring," she said, "and never come back. I guess they just go home and wave the paper in somebody's face and feel better."

She has become so intrigued with the court system that she decided to learn more about it. She enrolled in a para-legal/legal assistant course at City College in Norman last May, adding long hours of class time and study to her already demanding schedule. "I enjoy court," she said. "That influenced me to start school. I want to finish the program so that I will understand the court system better, so I'll know what's going on and what all the words mean."

When she isn't working or at school, Joie goes home to her husband Robert and five-year-old daughter Tara in Pink, America, just west of Tecumseh. But much of her life is bound up in the tribe. Part of her striking, brunette looks come from her Italian-Spanish side (her maiden name was Liscano, which is Italian), but she is half Indian, and half of that is Prairie Band Potawatomi (the other quarter is Kickapoo). Her grandmother, a Prairie Band Potawatomi, came to Oklahoma from Kansas.

"Working here has drawn me closer to the tribe," she said. "I know more about the Citizen Band than my own."





# Letter from the chairman

*Msen A Ken Eh Na Ka Nit*

**Bourzho Niconi**  
(Hello, my friends),

Just last week, the State of Oklahoma held a "Summit Meeting" with Oklahoma tribal leaders. I did not attend. The meeting was conducted by the Oklahoma Indian Affairs Commission and was characterized, among other things, as a meeting to discuss the new proposed state laws that would grant tribes "equal status" with the state in negotiations under the new federal guidelines for program funding. Guest speakers were the one Native American senator, the governor, and others. Since 1971, when I first got involved in Indian politics, I have sat through thousands of hours of talks, conferences, meetings, pow-wows, confabs, counsels, and "round tables". Now, at long last, the Potawatomi have been invited to a "summit meeting".

I used to worry that not attending something like this would put our tribe at a disadvantage — that we wouldn't know something we needed to know. After all these years, however, I do know this:

1. The State of Oklahoma considers itself superior to tribal governments and has advocated through its Federal Court petitions the denial of the very existence of tribal governments except as "racial

associations".

2. The State of Oklahoma has announced publicly that it intends to cooperate with tribal governments in advancing the welfare of its residents while pursuing one destructive lawsuit after another against us in federal and state courts.

3. The Attorney General of the State of Oklahoma has issued opinions that emphatically recognize the sovereign powers and territory of tribal governments at the same time that attorneys for the Oklahoma Tax Commission attack that sovereignty with their agents

and lawsuits.

4. This harassment will never end.

5. The Potawatomi will spend their time and effort defending the tribe against the state and making enough money to hire smart lawyers to fight for us.....not going to "Summit Meetings".

When the State of Oklahoma shows good faith in the behavior of all branches of its government and drops the lawsuits against us and other tribes, then we can meet.

The attendance at the San Francisco area regional Council meeting was excellent. It was good to see

many of our old friends and meet many new ones. This meeting has become one of our largest and we congratulate all of the Potawatomi of northern California for their dedication. I hope all of you will consider bringing the new members of our tribe to a council in your area, and at least once to the General Council in Shawnee. I promise it will be a rewarding experience for you and your family.

Megwetch,

John A. Barrett Jr.

## 'New Federalism' Concept Expanded Upon

More recommendations have been released as a result of a report issued by a special Senate Committee charged with investigating fraud and mismanagement in the Bureau of Indian Affairs.

The committee called for "A New Federalism" under which the federal government would abolish the BIA and allocate funds directly to tribal governments.

The committee said new agreements are needed between the federal government and the tribes.

These new agreements, as envisioned by committee members would be completely voluntary, and would not affect any existing treaty rights or alter the legal status of tribal governments.

The Special Committee will submit legislation to create and fund an Office of Federal-Tribal Relations (OFTR) within the execu-

tive office of the President. The OFTR would be responsible for negotiating and overseeing implementation of formal agreements with federally recognized Indian tribes.

The legislation will provide the OFTR with the authority to negotiate agreements that:

- 1) Recognize tribes' permanent rights to exercise self-government;
- 2) Relinquish all its existing paternalistic powers to review and approve or disapprove tribal constitutions, legal codes, contracts and other transactions entered into by tribes;
- 3) Provide tribes with an annual Tribal Self-Government Grant (TSGG) equal to their proportional share of the current federal Indian budget as a permanent entitlement; and
- 4) Transfer from the Bureau of Indian Affairs, Indian Health

Service and other federal Indian programs to the tribes the assets necessary to carry out the responsibilities they would assume under the new agreements.

Under the proposed agreements, Indian tribes would:

- 1) Assume full responsibility for self-government;
- 2) Declare their governments and members ineligible for all other federal programs specifically targeted to Indian tribes or individuals;
- 3) Adhere to standards of accountability.
- 4) Operate their governments in accordance with written constitutions that adhere to the Indian Civil Rights Act.
- 5) Publicly report certified financial statements analyzing the budgets of their governments and all tribally owned businesses.

## TIRED OF THE RUNAROUND?

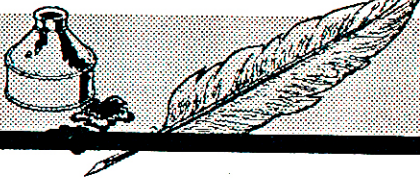


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## In your opinion ...

### Tribe could help with historical research projects

**HowNiKan:**

My husband and I appreciate the efforts the tribe is making to help all tribal members put some substance into our pride as Potawatomi. The many articles in the HowNiKan which give us a better idea of what it meant to be a Potawatomi, through glimpses of our language, folklore, treaties, and struggles to regain the rights to manage ourselves, all contribute to the efforts we of the older generation make to help the younger ones appreciate part of their heritage.

The regional meetings also add to that feeling of belonging to a group which means something.

My husband and I are trying to gather more information about our families' specific predecessors. This past October we were able to visit with some of the tribal members of the Pokagon Band now living in Southern Michigan and Northern Indiana. They are organized as the "Potawatomi Nation" in order to gain recognition as a true American Indian Band by the U.S. federal government. We talked with them because we feel that our family may very well come from the earlier Forest Band, which came from the eastern parts of the Potawatomi tribal lands, clear up to the time of the "relocation" actions of the 1830's. It was that group which was served by the Catholic missionaries.

ALEX MULLER is our progenitor. In the 1867 addition to the 1863 Tribal Roll, he was individual 1541, of family #471. He was then 44 years old. The family members were listed as: Eliz(h)a Muller, (f) age 36; James B., (m) 17; George Henry, (m) 15; William A., (m) 12; Margaret E., (f) 10; Mary (f).

We would like to share data with anyone who believes they are related to Alex or Eliza.

We also think that the tribe could

### Member needs help with family research

Tribal member Joan Skalabrin of Port Orchard, Washington is seeking information on her ancestors. Great grandmother, Jaia(?) LaClair, married to Benjamin F. DeChaine (Duchane), also descendants of Ida Louise DeChaine (Duchane?) and Mary Trombly (Trombla?) married to John Anderson, Sr. Joan's grandmother's first cousins were Monroe LaClair, Oliver LaClair and Mary Edwards.

If you can help Joan, please write to her: Joan Skalabrin, 1004 Puget Dr. S.E., Port Orchard, WA 98366.

be of great help to members who are doing historical research on the tribe, if the tribal offices could (a) keep a name and address file of all researchers who are willing to share data and procedures, and (b) encourage research by aiding the compilation of facts about how pertinent historical information was created and thus, how to interpret it now. It is not always obvious what old records really mean, which can result in creating errors which are in turn passed on as facts".

We are most appreciative of the many accomplishments of Rocky Barrett's administration. Find a \$25 check for the HowNiKan.

Willa M. "Niki" (Atkinson)

Correll

840 E. Cole Ave.

Fresno, Calif. 93710

### Land question letters opened a few eyes

**HowNiKan:**

Your printing letters recalling the tribe's battle on land questions opened a few eyes.

One of the letters said our family ancestor, Narcisse Juneau, served on

the business committee in 1870, a fact we did not know. We were aware that he and his brother, Paul Juneau, led some Indians when they were removed to Kansas.

However, it was surprising to learn the business committee of 1892 wanted to cut off Kansas members and allow only Oklahoma residents to receive benefits. This same committee, composed of Alex B. Peltier, John Anderson, J.B. Pam-bago, Davis Hardin and Joseph Moose, also had the name of another of our ancestor's brothers, Bonduel Juneau, removed from the rolls, according to the letter dated 4-11-1892.

Having done extensive research on the Juneaus in Kansas, it has been a mystery, up until now, why Bonduel Juneau was not on the rolls though he received his patent for land. He and his many brothers and sisters were enrolled early in life, along with their mother, Josette Vieux Juneau, the granddaughter of a chief.

Bonduel and his wife had five children, and it's sad that a few families called a "business committee," denied them their heritage and us the knowledge of any of their descendants.

Sincerely,

Joanie Hrenchir  
Berryton, Kans.

### He got a bang out of letter, offers suggestions

**HowNiKan:**

First off, I want to say my area code has been changed from 312 to 708 for all my Potawatomi and other native friends which might be interested. Your members and the other bands have sure kept me busy on their heritage over the past few years and I want to again thank them for all their help and many letters.

I really got a bang out of the letter Nina F. (Holloway, Booth) McCaslin

wrote for the 12-89 issue. I may have a few more ideas for her if she ever runs into that situation again. I doubt that they will believe her because most haven't read enough or they just don't want to believe it.

The first whites over here were mostly murderers, thieves, rapists, fleeing before their heads went under the chopping block. The same for those who fled because of religious persecution. As far as savages, they burned witches. Is that Christian?

Native Americans gave whites land but they were never satisfied and their greed was constant. Besides those I mentioned above, the so-called goody-two-shoes, if there were many of them, also thought of nothing but greed. It didn't make any difference what the cost was. War, murder or anything else came first to steal what they wanted and it is still going on today.

Nine could also have mentioned it was the Iroquois who gave Benjamin Franklin's boys the Constitution. They changed it around to suit white males. The Iroquois clan women put the chiefs in and could take them out just as fast if they weren't representing their clan in the right way. Benjamin and the boys wrote it up so white women didn't get to vote for over 130 years.

Nina is right in what she believes and the next time someone asks "What's the big deal" maybe I've given her a little more ammunition. I'm sure I could come up with more for her.

What do you think, Nina? Let me know.

Sincerely,

Max R. Breslauer  
Calumet City, Ill.

P.S. By the way, I'd like to know for sure in just what order Nina F. (Holloway, Booth) McCaslin is for sure. Also a relative of Betsy Teeter Pabon McCaslin gave me this name wasn't sure of the McCaslin spelling. Any relation? She is from Indiana.

## Smithsonian offering five-week internships for 40 students

The Smithsonian Institution is offering five-week internships to 40 students who will graduate from high school this year. Seniors may apply for the positions in various departments and offices of the Institution, in areas including biology, journalism, photography, history, veterinary science, art, carpentry, library science, and computer science.

Students chosen for the program will receive a living allowance of \$550.00. In addition to their duties as interns, the students will tour

sites that many visitors to Washington, D.C., do not see, such as Organization of American States, Voice of America, and World Bank. As part of the program, the interns will hold seminars to explain to the group both their assignments and the functions of the host office.

Acceptance is based not as much on academic achievement as on a demonstrated interest in a particular subject area or career; the program has been designed to enable students to pursue their special inter-

ests while working with museum professionals.

In addition to the living allowance, interns who come from outside the Washington area will receive housing in a nearby dormitory. The Institution will also provide their transportation to and from Washington. Intern '90 will offer two separate sessions of the program: Session One from June 3 through July 7, 1990, Session Two from July 8 through August 11, 1990.

For an application and complete information, high school senior should write to: Intern '90, Office of Elementary and Secondary Education, Arts and Industries Building, Room 1163, Smithsonian Institution, Washington, D.C. 20560 or call (voice) 202/357-3049 or (Telecommunications Device for the Deaf) 202/357-1696.

Applications must be requested by March 9, 1990 and completed applications must be postmarked by March 16, 1990.





Chaplain Kiker With Bishop Robert Manning Moody,  
Episcopal Diocese of Oklahoma

## New Tribal Chaplain asks your help and prayers

*(Editor's Note: Tribal member Rev. Norman Kiker was recently appointed Chaplain of the Potawatomi Tribe. In the following statement, he shares some of his thoughts and plans for his new position.)*

As chaplain of the Tribe, I am anxious to re-establish old relationships and make new friends among our people.

It is a great honor to serve as chaplain of our Tribe. However, I will need your prayers and help, so please bear with me while I get my feet on the ground so that I may serve more effectively as chaplain. I hope you realize that this will be an experience in which I will be learning from you just as much as you learn from me.

Our ancestors worshipped the Creator of all things, long before European Christianity introduced other traditions to native peoples. Therefore, it would serve us as a people to study native traditional ways in order that we may appreciate them for their true value.

The decade of the 1990s can be a wonderful time for self-examination and spiritual growth among all people that are willing to serve our God. In the area of self-examination, we must all ask ourselves whether we are showing proper respect for others, even if we aren't in exact agreement with them or their particular traditional ways.

I speak of a respect for their right to believe the way they wish. As a tribe, we have many people of varied religious traditions and there are even those who have chosen not to acknowledge a higher power. That is their God-given privilege as human beings.

It is of tremendous importance that we as a tribe and individually afford each other respect in the context of our daily lives, tribal community and within the corporate worship of our Creator.

Let's all work together for the common good.

When planning is completed for this year, a schedule will be published in the HowNiKan for your information.

Please direct your letters to the Citizen Band Potawatomi Chaplain Program, 1901 S. Gordon Cooper Dr., Shawnee, Okla., 74801, attention Rev. Norman Kiker.

## For your information

### Scholarships are available

The Santa Fe Pacific Foundation is pleased to announce that scholarships will be awarded to graduating high school seniors in May through the American Indian Science and Engineering Society who administers the Scholarship program on behalf of the Santa Fe Pacific Foundation.

Scholarships, ranging from \$1,000 to a maximum of \$2,500 annually, will be given in the areas of science, business, education and health administration.

The requirements are:

1. Must be a graduating high school senior with one-quarter or more Indian blood.
  2. Major in one of the sciences, business, education and health administration.
  3. Must show proof of tribal affiliation and/or degree of Indian blood.
  4. Applicants must live in one of the states served by the Atchison, Topeka and Santa Fe Railway: Arizona, Colorado, Kansas, New Mexico, Oklahoma and San Bernardino County in California (note only San Bernardino County).
  5. Must plan to attend a four-year postsecondary accredited educational institution, until undergraduate degree requirements are completed.
  6. Application and all required documents must be received in the AISES office by March 15, 1990.
- Application procedure: the following items must be furnished to AISES:
1. Completed application form
  2. High school transcript of completed courses.
  3. Name and address of two (2) persons the student has requested to send a letter of reference. Application is not complete until letters have been received. It is the student's responsibility to see that they are sent.
  4. Personal statement containing any information the student believes might be relevant in considering his/her application.
- All student applications will be

considered by the AISES committee, and all candidates will have the same opportunity for an award. The student should answer all the questions to the best of his/her ability and should provide any supplemental information that he/she thinks is relevant to their application.

Notification of receipt of application at AISES' Boulder headquarters will be sent upon receipt of application, and again upon receipt of all required documents.

Send all applications and accompanying documents to AISES, 1085 14th St., Suite 1506, Boulder, CO. 80302-7309.

### OU increases scholarships

The University of Oklahoma has increased the number of OU Achievement Class scholarships to be offered for the 1990-91 academic year.

The amount of the Achievement Class scholarships, which recognize outstanding ethnic minority students for their accomplishments in high school, has been increased to \$1,000.

The increase in the number and amount of achievement scholarships will allow OU to recruit minority students with academic talent throughout the state and nation, said Norris G. Williams, director of OU Minority Student Services.

Achievement Class scholarships were first offered at OU in 1986, Williams said.

In 1986, 25 of the scholarships were awarded. Fifty \$850 Achievement Class Scholarships were offered in 1989. In 1990, he said, 85 \$1,000 scholarships will be awarded to minority students.

For more information on Achievement Class scholarships, people can call OU High School and College Relations toll free in state at 1-800-234-6868 or (405) 325-2151, or OU Minority Student Services, (405) 325-3163.

## Legal Services changes toll-free number, seeks input

Oklahoma Indian Legal Services, Inc. (OILS) has changed its toll free telephone number to 1-800-658-1497.

Since OILS usually serves only persons living in Oklahoma, the new toll-free number can be used only by state residents. OILS cannot accept collect calls.

OILS, a nonprofit corporation, provides free legal services to eligible low income Indian clients in civil actions involving Indian status

issues. OILS has five priority areas: Indian housing; particularly problems involving mutual help homes; natural resources problems involving trust and restricted Indian land; Indian child welfare cases; tribal sovereignty issues, including tribal code development; and issues involving individual rights, such as Indian health care, social security and other federal benefits where restricted or trust property is involved, and Civil Rights issues.

The OILS Board of Directors will review these priority areas at their first quarterly board meeting for 1990. The Board will consider responses to the priority surveys which were printed in the tribal newspapers in deciding the types of cases OILS will handle in 1990. If you would be interested in completing a survey, please contact Oklahoma Indian Legal Services and one will be sent to you. This survey needs to be returned to by Feb. 10.

Persons who believe they have a legal problem fitting one of the OILS case priority areas may contact the OILS office by calling (405) 528-5500 or 1-800-658-1497 (toll-free), Monday through Friday, 8:30-4:30 for an initial intake. The intake will be reviewed and the applicant will be contacted about whether an attorney appointment will be scheduled. Appointments will be scheduled according to the location and time of attorney visits to your area.



# TRIBAL TRACTS

## Planning already well underway for 17th Pow Wow

It's still several months away, but plans are underway for the 17th annual Potawatomi Inter-Tribal Pow Wow the last weekend in June.

Tribal Programs Administrator Jim Young is especially excited about the new activities planned for children. Although nothing is has yet been finalized, he's thinking about things like turtle races and movies. He would like to hear from tribal members with specific suggestions for activities their families would like.

He said that JTPA youth are talking about putting on an historical drama during that weekend. That ambitious project is still in the talking stages.

Young has also had requests from runners to have some kind of race, perhaps combined with a fun run or walk for the less serious.

And Enterprises Administrator Bob Davis has a special message for the lady who said she wasn't coming back to the Pow Wow until washbasins were installed in the women's restroom. "Tell her to please come back to the Pow Wow," Davis said. "The washbasins have been installed — in the men's room, too."

Davis and Young are also looking at the possibility of adding another golf tournament for non-Indian spouses or others who cannot play in the annual All-Indian Golf Tournament and Scramble at Fire Lake Golf Course. "We hope to have an open tournament in conjunction with the traditional tourney," Davis said.

Horseshoes and other traditional activities will still be on tap for the big weekend, but Davis and Young would like to hear from tribal members soon if they have suggestions or ideas for new activities.

## Toll-free number has been changed to 1-800-657-7334

The Citizen Band Potawatomi Tribe's toll-free telephone number has been changed to 1-800-657-7334.

The change occurred because of a change in vendors. Tribal members may use the toll-free number to call tribal headquarters weekdays during regular business hours.

## Senior aerobic classes offered free of charge

Free aerobic classes will be held for seniors Monday, Wednesday and Friday from 3-4 p.m. at the Potawatomi Senior Conference



## Finishing touches

Finishing touches on the project to improve the Tribal Convenience Store at the intersection of Gordon Cooper and Hardesty Road in Shawnee have been completed, according to Bob Davis, Tribal administrator for enterprises. In addition to interior improvements, the most obvious change to passersby and gasoline customers are the new awnings over the gas pumps and the new Texaco lettering.

Center on Father Murphy Drive located directly south of the Shawnee Indian Health Center off Gordon Cooper Drive.

The Senior Aerobic classes consist of walking and chair exercises. Joanna Mohler, Levoe Maxwell and Alma Pauli, all of whom are in the public health field, will be teaching these classes.

Regular aerobic classes geared for "Beginners" to "Advanced" will be held daily Monday through Friday from 4-5 p.m. The classes will include both high and low impact aerobics and calisthenics for body toning and firming. Joanna Mohler and Ruth Walker, both certified aerobic instructors, will be teaching these classes.

For more information regarding the aerobic classes, call 275-6930, ext. 233.

## Please be sure to name Tribe in 1990 census

In order to attain an accurate count of the tribal population, your participation in the 1990 decennial census is needed.

The census bureau will mail forms to residents in March. It is your responsibility to complete the forms and mail them back. Your response to specific questions will have a definite long-lasting effect on your future tribal services. It is imperative that you respond properly.

As a tribal member, please identify yourself an Indian and name your tribe of the race question. Unenrolled members and tribal

descendants should do the same to insure more equitable appropriations for the tribe.

Also, in listing members of the household, the Indian member of the household must list themselves as person number one (1) in order for the home to be classified as an Indian household.

Remember, the information you report is strictly confidential and will be enforced to the fullest extent of the law. On behalf of the Citizen Band Potawatomi Tribe, please be proud and name your tribe.

## Thanks to these HowNiKan donors

The following have made contributions to the HowNiKan:

Mike McCurtain, KS - \$10  
Linda R. Haralson, OK - \$5  
Jeffery D. Haralson, OK - \$5  
Frank A. Smith, TX - \$15  
Vernon Motley, OK - \$20  
Patricia A. Baker, NY - \$15  
Mary G. Wainwright, LA - \$10  
Mrs. Allan C. Montgomery, CA - \$10

Micki J. Eagle, CA - \$10  
Willa M. Correll, Ca - \$25

## Tribal member given coveted UC scholarship

Congratulations to new Tribal member Jennifer Dike, who was awarded the Edward Frank Kraft Scholarship Prize at the University of California at Berkeley.

The Edward Frank Kraft Scholarship Prize was established in 1933, in memory of Edward Frank Kraft

of Red Bluff, Tehama County, California and is awarded to those 100 students who attain the highest scholastic records in their first term of attendance as freshmen at the University of California at Berkeley.

Jennifer is the daughter of Tribal member Rony James Dike and the granddaughter of Tribal member Delbert Dike.

## Tribal payroll at \$1.6 million

The Citizen Band Potawatomi Tribe poured more than a million and a half dollars in the local economy during 1989 in payroll alone, figures show.

Tribal Director of Finance Carolyn Sullivan announced that the Tribe paid \$1,644,557.46 in payroll during the past year. The figure illustrates the significant impact the tribe has on the local economy.

## Regional Councils scheduled in West

Citizen Band Potawatomi Tribal officials will travel to Phoenix, Arizona, for the next Regional Council meeting.

The Phoenix council is scheduled for the Phoenix Doubletree Suites, Gateway Center, 320 N. 44th Street, from 1-5 p.m. Saturday, Jan. 27.

The next Regional Council after that will be Feb. 17 in Long Beach, California.

This Council is scheduled for the Hyatt Regency Hotel in Long Beach.

Tribal officials are looking forward to seeing members from the Arizona and California areas.



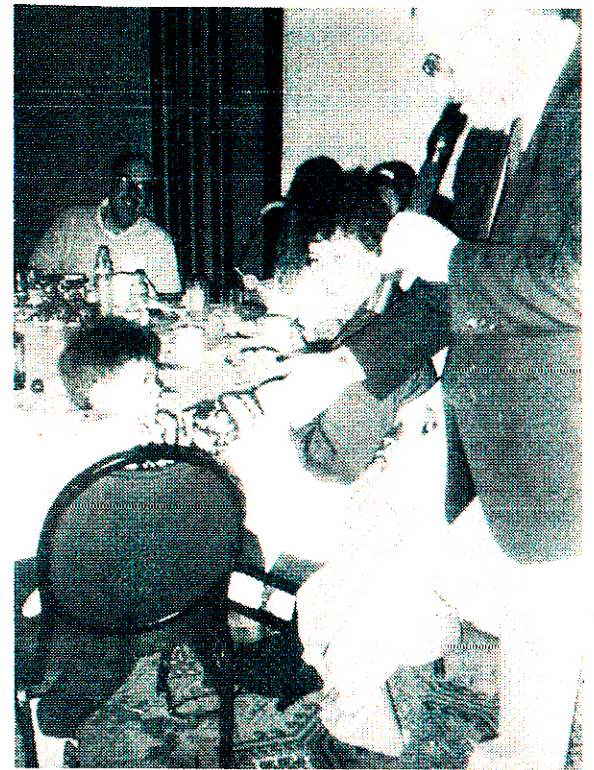
# Potawatomis from California attend San Jos



Chairman John Barrett Recognizes Sheree Kouffeld, Tribal Member and Craftsman, Who Tied For Traveling The Longest Distance



Secretary-Treasurer Bob Davis, Center, Greet's Lola and Ted Fronczak



Vice Chairman Jim Young Recognizes Cody Miller, The Youngest Male Member. Cody Is Two and a Half Years Old.



Maryann Dugger Laday, Donald Lee Dugger, Nancy Lynn Dugger and Marilyn Rose Dugger. Donald Lee Dugger Tied For Traveling The Longest Distance.



Grievance Committee Member Linda Capps Greet's Ted Fronczak



The Youngest Female Member Present — If Sleepy — Was Jenifer Allemanol, 3 Months



Shuly Wooldridge, 9 Months, With Enrollment Card Around Neck



## Area Regional Council Jan. 13 in Santa Clara



From Left, Clara Curtis, Jim and Nadine Haley, Ted and Lola Fronczak, Harvey Curtis. Clara Curtis Was The Wisest Member There.



Grievance Committee Member Esther Lowden, Left, Presents Shawl To Clara Curtis, 88, The Oldest and Wisest



Among Those Present At Santa Clara Were, Left To Right, Mark Lewis, Lucile Lewis and Alvin Lewis



The Buffet Line Was A Popular Place



From Left, Jack and Nadine Smith, Scott Smith



Donald Lee Dugger Returns To Table After Being Recognized



Jim Young Discusses Silicon Valley Economic Condition With Tribal Member



# 'THE POTTAWATTOMIES' - RECOLLECTIONS FROM THE 1800s

By ALEXANDER B. COPLEY

(Representative in the Legislature of Michigan in 1865, 1871, 1875, 1881; born in Champion, N.Y., March 11, 1822.)

The peninsula of Michigan was inhabited at an early day by various tribes and bands of Indians, changing from time to time. Levi Bishop claims in his poetical work "Teushe Grondie" that there was a large Indian village at Detroit and a populous region surrounding, for a long time previous to 1649, about which time the eastern Indians, or confederation known as the Iroquois, achieved a victory over the Hurons and Ojibways, resulting in a partial annihilation and practical abandonment of Michigan and the country bordering on Lake Huron on the Canada side.

Although the Indians were divided into tribes independent of each other, yet for mutual aggression and defense the tribes were united in two great confederations known as the Iroquois or Six Nations, whose headquarters were in western New York, and the Algonquin race, whose homes were in the northwest, comprising Pottawattomies, Ojibways, Ottawas, Menominees, Sacs, Foxes and other. These two confederations were at deadly enmity with each other for years, and history does not record the time when the young braves thirsting for distinction could not organize a war party from either of these great clans to prey on the other. War with each other was their normal condition.

The Iroquois about the time of their great victory had become possessed of firearms, owing to longer intercourse with the whites, which gave them great advantage over their enemies, and made them a terror to their ancient foes, who were ready to leave a country so fraught with danger. Some early writers speak of the Pottawattomies occupying southern Michigan at that time and leaving, going around Lake Michigan and northward to the region of Green Bay. In 1641 two Jesuit missionaries visited the falls of St. Marys, but they do not mention the Pottawattomies.

In 1668 Marquette founded the first mission at Sault Ste. Mary, but mentions no Pottawattomies. In 1671 Monsieur Perrot called a great council of western tribes at that place and the Pottawattomies were present from Green Bay in large numbers. In 1673 Marquette went to Green Bay and found the Pottawattomies there at that time. Accurately speaking, our first authentic knowledge of the Pottawattomies was when at Green Bay a party of them helped Marquette on his visit to the Illinois as far as Chicago, where he wintered in 1674, finding the Miamis there.

When La Salle came to St. Joseph in the fall of 1679, where he built a fort, he found the country occupied by the Miamis, and the St. Joseph river was known as the Miami of the lakes. Within a short time, not more than two years, the Iroquois went west, driving every tribe before them, and even severely crippling the Illinois, leaving southern Michigan debatable ground. For twenty years thereafter history is not accurate in regard to the Pottawattomies. Cadillac was stationed at Mackinaw, as commander of the French interests in the Northwest, and thinking the English were acquiring too much influence with the Indians, situated as they were at Fort Pitt, where Pittsburg now stands, petitioned the French government to be allowed to establish a military post on the Detroit river, which he did in 1701, inviting the Indians of various tribes to trade and settle near, through the protection afforded them from their ancient enemies, the dreaded Iroquois.

Be that as it may, we next hear of the Pottawattomies as occupying southwestern Michigan, north-eastern Illinois and northern Indiana, with bands and settlements near Detroit. Some historians say that the Pottawattomies were crowded south by the

Menominees. Those of them in Illinois were known as Pottawattomies of the prairie, and those in Michigan, Pottawattomies of the woods. Father Marest says in 1706, that the Pottawattomies and the Ottawas formed an alliance, and made war on the Miamis, driving them south to Indiana and Ohio; a quite probable story, in view of the friendly relations existing always between the tribes.

The Pottawattomies in Michigan seem to have claimed the region watered by the St. Joseph and Kalamazoo rivers, and their tributaries, while the Ottawas claimed the tract watered by the Grand River and streams emptying therein, and the Chippewas, eastern Michigan and the northern part of the peninsula. Father Marest, writing in 1712, says the mission at St. Joseph, among the Pottawattomies is in a flourishing condition, second only to Mackinaw.

In 1712 the English instigated an attack on Cadillac at Detroit, and six tribes, the Pottawattomies among the number, came to their assistance. In 1763 the Pottawattomies joined the Pontiac conspiracy, furnishing many warriors. This conspiracy arose from the treaty made between England and France, in 1763, whereby the French title in the Northwest was extinguished. The Algonquins always having been taught that the English were their natural enemies, resented the idea of being transferred to their former foes and hence the wild project of Pontiac to free his country and drive the English into the sea. Pontiac's scheme included the capture of all the English forts of the Northwest, and was successful except at Detroit, Niagara and Pittsburg. There were twelve posts in all to be attacked, comprising a distance of 1,200 miles.

The Pottawattomies, after the first attempts on Detroit, were sent to capture Fort St. Joseph, which they accomplished, May 25, 1763; of the little garrison of fourteen men, eleven were killed and three made prisoners, who were taken to Detroit and exchanged for some Pottawattomie prisoners, taken by Major Gladwin of that post. In 1766, Pontiac was killed by an Illinois Indian at Cahokia, nearly opposite St. Louis, while drunk. (Pontiac was killed in April, 1769.)

Pontiac was an Ottawa Indian, and the interest of the Pottawattomies and Ottawas were so intimately blended that they made the occasion of the death of the great warrior an excuse for war with the Illinois, which was carried on with great vigor, and savage ferocity, leading finally to the utter extinction of the Illinois at Starved Rock on the Illinois river. Less than twenty escaped, and they went into different tribes, and their names disappeared forever.

This once proud and numerous tribe had been greatly humbled one hundred years before by the Iroquois, and fell an easy prey to their enemies, after retreating to the rock where they were literally starved, as the name implies, till crazed with thirst and famine they made a desperate sortie, only to be

slaughtered.

In the Indian war which succeeded the Revolution, the Pottawattomies took a part and were represented at the defeats of Harmar and St. Clair, being themselves defeated by mad Anthony Wayne, and at his summons met him, with the chiefs of other tribes, at Greenville, Ohio, and signed a treaty of peace, which lasted about fifteen years. Among the signers from the Pottawattomies was the chief, Topinabee, who held the chief position among the Pottawattomies for nearly forty years.

In 1810 another occurrence took place resembling the Pontiac episode. The celebrated Shawnee chieftain, Tecumseh, came into the villages of the Pottawattomies, accompanied by three other chiefs of lesser note, mounted on spirited black ponies (probably the first they had ever seen), their object being to combine the western tribes in a new war with the Americans. The hostile attitude of England towards the United States, just beginning to develop, was made the occasion, by English traders and posts, to instigate the savages to war.

Tecumseh was successful, and the Pottawattomies, with chief Topinabee at their head, joined the union. The Pottawattomies were at Tippecanoe and defeated with the rest; for a time they were quiet, but on the announcement of Tecumseh that he would join the British against the United States, they participated in the battles of Lower Sandusky, River Raisin, and the massacre at Fort Dearborn, and finally ended their warlike exploits at the battle of the Thames, October 5, 1813.

In regard to their lands, in 1795 they joined with other tribes and ceded a strip of land six miles wide, on the west side of the Detroit River from Lake St. Clair to the River Raisin. In November, 1807, they made a treaty with Gen. Hull, comprising southeastern Michigan, in connection with Ottawas, Chippewas and Wyandottes. The Pottawattomies, Ottawas and Chippewas were considered as forfeiting all rights to their lands, by joining the English in the war of 1812, but September, 1815, Gen. Harrison made a treaty of peace with them, resorting all rights of lands, on condition of maintaining allegiance to the United States.

In 1821 at Chicago the Pottawattomies, Ottawas and Chippewas met Gen. Cass and ceded the greater portion of their lands in Michigan, reserving a few choice tracts as tribal homes and providing for the Pottawattomies and Ottawas a school and blacksmith shop to be kept up fifteen years with \$1,000 annually for their support and \$5,000 yearly as an annuity to the tribe. The school and shop for the Pottawattomies were located by the late C. C. Trowbridge of Detroit in 1822, west of and adjoining the city of Niles.

In 1827 at Carey Mission, the school alluded to, Gen. Cass held a council with the Pottawattomies

Continued, next page

## POTAWATOMI SCRAPBOOK

This recollection of Potawatomis in the Michigan area appeared in the Collections and Researches of the Michigan Pioneer and Historical Society, including reports of officers and papers read at the annual meeting of 1889. It was published in 1908 by Wynkoop Hallenbeck Crawford Company, state printers of Michigan. While some of the remarks and recollections may not correspond with other versions of Potawatomi history during that period, it is republished here precisely as it appeared in the original version. While the author refers to the Tribe throughout as "The Pottawattomies," a footnote reveals that even at that time, The Bureau of Ethnology in Washington used "Potawatomi" as its official spelling.



# POTAWATOMI SCRAPBOOK

## From previous page

and several of the small reservations were ceded to the United States, and in the following year they ceded nearly all the remaining lands held by them, some more money being paid and on other conditions, such as keeping the blacksmith permanent and providing three laborers, four months in the year, for ten years, to work for the St. Joseph band.

In 1833 a final treaty was made to give up all reservations remaining, within three years and move west of the Mississippi. Pokagon, a Catholic convert, and his followers were exempt from its provisions and purchased lands in Silver Creek township, Cass County, where some remain to this day. Before the time set for departure the Indians regretted their promises and vainly tried to escape from the results.

It was not till 1838, or two years after the time set for their removal, that they were called together, and notwithstanding their remonstrances, a band small in number compared with their early history left under an escort of U.S. troops. Left their old hunting grounds, the graves of their fathers, and with sorrowful recollections of past happiness turned their footsteps, with sad forebodings of the future, to the west.

At first they were located in Missouri opposite Ft. Leavenworth, but in two years, at the instigation of citizens of the State, were transferred to Iowa, near Council Bluffs; staying there but a short time were moved to Kansas, where after thirty years they were moved to Indian Territory.

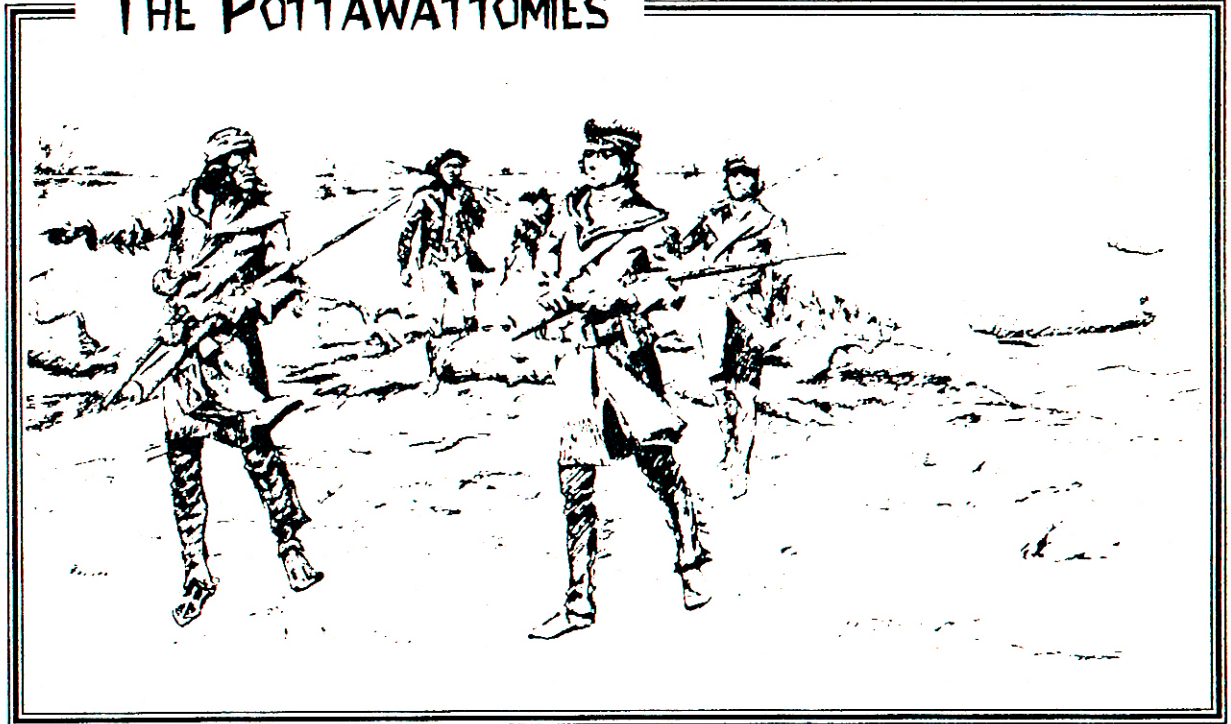
Their next move will probably be to the happy hunting grounds of the Great Spirit, as their numbers gradually but surely diminish from year to year; it is only a question of time when they will as surely vanish, as the Illinois tribe did by the valor of their arms over 100 years ago. Some of the Pottawattomies deserted and escaped on the way west; some were hid in the woods, and in 1839 those found were removed.

The means used to make treaties with the Indians and general treatment of them in carrying out their provisions reflect no credit on the white race, and will ever remain as a dark blot on the pages of their otherwise brilliant achievements. A remark of Topinabee, the head chief, to Gen. Cass, who advised him to keep sober and care for his people, shows their condition and utter helplessness to resist the temptations which unscrupulous and interested white men surrounded them with. "Father," says Topinabee, "we do not care for the land, nor the money, nor the goods, what we want is whiskey, give us whiskey."

In 1826 Judge Leib, a government agent, (Chief Justice in Detroit June 17, 1822. His name appears as one of the trustees of the University of Michigan, April 30, 1821) visiting Carey mission reported favorably of its condition; improvements in agriculture, raising of domestic animals, and other evidences of civilization, are among his statements; but at that time the Indians were at their best, for Rev. M. McCoy, the mission keeper, writes that whiskey traders were increasing, and the results on the Indians, who were unable to resist their appetites, were demoralizing.

They seemed to abandon all attempts for improvement and gave way to excesses on the least temptation. Articles of clothing, cooking utensils, guns, everything necessary to sustain themselves with, were sacrificed to their appetites. A silver-mounted rifle would be sold for seventy-five cents in whiskey. Clothes and cooking utensils purchased by the traders for liquor and bartered for furs back at exorbitant prices. The missionaries associated with the Rev. McCoy were perfectly discouraged at the project. Mr. Lykins, an assistant of McCoy, wrote to General Cass: "I tell you every hope, every

## 'THE POTTAWATTOMIES'



prospect for the Indians around us is prostrate, is entirely cut off; I entreat you to plead for their removal;" with much more to the same effect.

Judge Leib, who made annual visits to this tribe, relates that he urged upon the chief the importance of overcoming their propensities, abandoning whiskey and accepting the advantages of civilization. Said one of them, "What you say is true, we are falling from day to day, but we did not seek whiskey, it was brought to us, we could not prevent it; neither could we abstain from drinking it when within reach. We have lost manhood and independence; we look on the white race as superior, and who know more than we do, therefore we cannot resist their wishes; but," continued the chief, "if our great Father (meaning the U. S. government) feels such an interest to preserve us as you mention, all powerful as he is, why does he not command his people to abstain from seeking our destruction; he has but to will it, and it is done. He can punish, he can save us from the ruin which surrounds us."

No stronger statement of the duties which a government should exercise in behalf of its enslaved people could be made is as few words as these by the besotted chief of a once manly and powerful tribe of red men.

At the Nottawa Seepe reservation the same testimony is given of the rapid degradation of the Indians from communication with evil white men. In August, 1833, the writer, when a boy, was at Niles and the streets were full of Indians, squaws and children, many of whom were drunk, although it was an ordinary occasion. The river ford connecting the mission village with Niles seemed full of Indians and squaws, ponies with children on them coming and going continually.

About 1837 or 1838 a small band of Indians, about 30 in number, summered in Marcellus, Cass county, planted corn and raised a crop. A grocery store was kept at Charleston, on Little Prairie Ronde, about six miles from their camp. For weeks they came almost daily on their ponies to this store; on their way there they were dignified, courteous and orderly, returning like demons, racing, whooping, yelling and quarrelsome. One night when worse than usual, a squaw was killed, stabbed to the heart, but a sensible conclusion was arrived at, the whiskey did it, and the murderer went free.

Among the letters at the John Jacob Astor House, Mackinaw, written in 1817, the writer of one deplores the almost necessity, because rival companies did, of dealing in liquors with the Indians, as it was leading to such fatal results. When away from

trading posts and free from the influence of liquor they were entirely different.

The writer's experience, except in the summer encampment referred to, recalls no such cases of debauchery. The Indians came in families, rarely more than three together, made their camps, hunted, fished, picked berries, and traded venison, berries, tanned deer skins and moccasins for salt, potatoes, flour, pork and bread. They were, however, inveterate beggars, teasing for bread or other food for themselves and papooses, and generally being sober, sharp at a bargain.

The bargaining was conducted mostly by signs, certain words or phrases, as whiteman, Indian, deer, venison, pork, corn, flour, bread, shilling, good, bad, and some others in Indian language, comprised the vocabulary of trade, numbers being computed by holding up the fingers and hands. There was but little difficulty in making a trade, although the Indians were often supposed to understand the language of the whites better than they pretended to, in order to profit by the communication of the whites with each other. They were friendly, hunted, and fished with the whites on the best of terms, always strictly honorable with the laws of the woods, any game taken in partnership being divided equally, except the skin, which went separately to the one who first wounded it, be it never so slight.

If a bee tree was found in the spring, as was quite customary, and the finder wished it to remain till there should be an accumulation of honey, a simple chipping of the bark preserved the right of discovery intact, and no charge of theft was ever laid to an Indian, though the tree was miles from the owner's home.

The squaws did the work, planting the corn, cultivating and caring for it, dressing the skins, getting the wood, doing the camp work, making cord from some preparation of bark, and gathering rushes to weave into mats for covering their wigwams, or making beds. The Indians at camp were generally smoking, cleaning their rifles, drying their clothes or moccasins, as the dew, rain and swamps made this daily avocation almost a necessity.

Dogs were common, generally a small, thin, cowardly set of curs, and if a fat dog made a rare feast, as is frequently claimed, for Indian diet, they did not have many in Michigan. Indian ponies were their beasts of burden first, the squaws next. The ponies were small, and all seemed to have their

Continued, next page



# POTAWATOMI SCRAPBOOK

## From previous page

work to do; the older ones were almost buried under camp equipage, with a squaw on top, and even yearlings would have to carry a boy or girl. One or two of the leading ponies wore a bell, which, during the march, was stuffed with leaves, but in camp the leaves were removed and the ponies spanceled, which was done by tying the fore feet together, loosely, with bar, so that they could feed on all within reach, and by rearing up and plunging ahead could have a limited range of pasture, and yet always be within hearing.

These ponies were a comparatively new acquisition to Indians. The early French explorers never wrote of them, and it is supposed that they were first introduced to the Indians by the spoils of Braddock's defeat, in 1755, as the Mexican Indians obtained theirs from Cortez. The hardships of winter exposure and poor feed gradually changed the high bred English horse to the dwarf pony of the Indian. There were exceptions to squaws doing all the camp drudgery.

One afternoon in October, two Indians about thirty years of age, passed my father's house on foot, going into the woods south of where Nicholasville now is, which woods at that time were a dense forest, from eight to fifteen miles in extent without a habitation. They had blankets, a camp kettle and rifles, and were accompanied by several dogs. From the firing heard from day to day, we knew they were camped within a mile or two. About a week from the time of their arrival, they came from the woods without the dogs or camp fixtures. The next day being Sunday, the frontiersmen's holiday, my brother and myself went to their camp, which we readily found on the main trail, about a mile distant. The dogs made a pretense of defense at a distance, but ran to the woods at our approach. The Indians had killed six or seven deer, and built scaffolding of poles on which was the venison cut up into pieces about one inch square, and strung on strings of bark, like apples to dry, above the reach of the dogs, showing quite conclusively that they had employed their time diligently.

In two days they returned with ponies and got their jerked venison. It is claimed by some writers that the Indians used discretion in regard to the game; hunting one season in a locality and not repeating their visit for several years, so as to allow game to become more plenty, but I think this a mistake as far as the Pottawattomies were concerned, at the time of which I write, as they were in the practice of coming every season, and even killing game when out of condition, for instance decoying wild turkeys in the spring of the year at pairing time, when they readily came within reach of the rifle at the counterfeit call of the hunter.

A more cruel practice was by means of a reed instrument by which they could successfully imitate the cries of a fawn in distress, and thereby lure a mother doe, which happened to have fawns hidden near by, within easy reach of the fatal rifle, she perishing by the bullet and the fawns by starvation. Having often heard the Indian hunter I imitated the sound one day, while driving cattle from the woods, at the proper season, and was much surprised if not frightened at the result. A doe came rushing through the brush, her hair turned forward, indicating attack, making frantic efforts to release the supposed captured fawns.

Speaking of the reed instrument used for decoying deer, reminds me of a similar one used by a young chief, which produced a monotonous, plaintive, flute-like tone, which presumably was for the purpose of fascinating the dusky belles of the forest. We often read of "Laughing Water," "Star of the Sky," "Light of My Eyes," and many other wood nymphs of the forest glades, with step of the fawn,

## 'THE POTTAWATTOMIES'

"Their next move will probably be to the happy hunting grounds of the Great Spirit, as their numbers gradually but surely diminish from year to year; it is only a question of time when they will as surely vanish, as the Illinois tribe did by the valor of their arms over 100 years ago. Some of the Pottawattomies deserted and escaped on the way west; some were hid in the woods, and in 1839 those found were removed. The means used to make treaties with the Indians and general treatment of them in carrying out their provisions reflect no credit on the white race, and will ever remain as a dark blot on their otherwise brilliant achievements."

neck of the swan, eyes like the gazelle, dressed in robes of the richest furs, trimmed with the plumage of rarest birds, moccasins gaily bedecked with porcupine quills and colored with the brightest dyes. These exist in the brain of the poet or historian, generally, at least such characters were not plenty at the time written of.

I remember but one, and she was dressed in calico, and somewhat of her brilliant beauty was evidently owing to a remote French ancestor. The squaws were usually dressed in blue broadcloth leggins with fringes perhaps one and a half inches wide on the outside of either limb; a blue figured domestic calico short gown, over which was worn a blanket, unless it was warm weather. On their feet they wore moccasins of dressed deer skin. The blanket was supported by a belt at times, especially if there was a papoose, a year or two old, who rode on the back of the mother inside of the blanket.

If the child was young it was strapped to a board and hung on the back of a belt over the mother's forehead. The hair was wound up on a chip about two inches square and fastened just back of the head; another style was braided and hanging down the back. If the weather was inclement, the blanket was brought up over the head, otherwise there was no head covering. The carrying strap was an indispensable article of female use; it consisted of leather four to six feet in length, two inches broad in the center, where it crossed the forehead, the rest being about an inch in width for convenience in tying up the immense packs of household goods or other articles to be moved.

The Indians wore leggins, moccasins, a calico shirt generally of a lighter color, when new at least; the leggins also were rarely blue, generally light colored blanket cloth, the fringes consisting of the colored border seen on Mackinaw blankets. A blanket was belted at the waist and worn loose over the shoulders. In the belt were carried a knife (protected by a leather sheath) and a small ax or tomahawk, while depending from the right shoulder, hung on the left side, the powder horn and charger, and bullet pouch containing bullets, bullet molds, bullet starter, patch cloth, and extra flints, for flint locks were in common use, and any other needed extras for the chase, also not forgetting pipe and tobacco.

On the head was almost invariably worn a large colored cotton handkerchief, wrapped around in somewhat of a turban style. This dress, with a rifle across the shoulder, whose lock was protected from dampness by a fox squirrel skin, completed the costume. Sometimes a feather or two was added, especially if the party was high in rank.

Topinabee, the head chief before mentioned, had other chiefs under him, the principal of whom were Pokagon, Weesaw and Shavehead. Pokagon was a relative of Topinabee by marriage, his wife being a niece; his headquarters were near the prairie named after him. He moved to Silver Creek township, exempted from removal west, as stated, and died

August, 1840. Weesaw was nearer related to Topinabee than Pokagon, having married his daughter. He had two other wives, but the princess was the favorite, she had the place of honor and walked next to him in the rear, the other wives following her whenever they visited the white.

Hon. Geo. B. Turner describes him as being every inch a king, tall, stately and dignified, fond of ornament, his leggins being bordered with little bells, his head adorned by a brilliant turban, his waist bound with a like sash, while on his breast he wore a huge silver amulet kept very bright, and heavy rings of silver depended from his ears and nose. He had a village near Niles, also at a later period in Volinia township on the Buell farm.

Shavehead was a different man from either of the others being much older. He had participated in many battles, and had a settled hatred of the whites. His home was in the southeastern part of Cass County, on a prairie of that name. Many incidents are related of his vindictiveness. Claiming his rights as proprietor of the soil he levied tribute at a ferry of the St. Joseph river at Mottville. At other times he took property such as he wanted, without pay, till the settlers chastised him for it, and although law abiding thereafter, he was always morose and sullen.

It was currently reported that he had ninety-nine white men's tongues strung on bark, and meant to have the one hundredth before he died. The writer saw him frequently. He was the only exception as to head covering; what hair he had was drawn tightly together upward and tied with a string, making a tuft on the top of his head; sometimes a feather or two was inserted.

When only women and children were at home he enforced his demands for food by laying his hands on the knife in his belt, and it needed no repetition to secure a supply. The first time I met him he carried an old rifle. Within a year or so his rifle had been reamed out and was what was termed a smooth-bore, using either ball or shot. Not long afterward his smooth-bore had been exchanged for a shot-gun, and a dead partridge hung to his belt.

His step was less firm, his head less erect, and it could be seen at a glance that he was but a shadow of the proud chieftain of other days. His last appearance in the settlement to my recollection found the shot-gun gone, and in its place he carried a bow and arrow, begged his food and shot at pennies inserted in a cleft stick for a mark, the coin to be his if he hit it.

He had a far away look that seemed to reach back to childhood days when he shot arrows with boys of his own age, or roamed in freedom through woods full of game, untrammelled by the restrictions of the hated pale face. Or else, he might have thought of the wild battle scenes of the war path so often trod by him in his early days. The writer once saw him when he was recalling stirring events of other days.

Continued , next page



# POTAWATOMI SCRAPBOOK

## From previous page

It was in my father's cabin; he was sharing its hospitality one night, so also were two French traders.

They were talking to him in his own language, and he was telling them of old battles he had passed through. The words I did not understand, only as interpreted by the traders; but the significant gestures, the tone of voice, the flashing eye, spoke eloquently of the chase, the surprise, the struggle, the fierce combat, the triumphant result. His death, like his life, is enshrouded in mystery, and the various statements carry us back to the legendary stories of the middle ages. First, to be brief, he had an intimate friend of the white race, a valiant hunter, living near his home, on Shavehead prairie. They were often companions in the chase and nearly as often successful.

After a time Shavehead told another settler that deer were getting scarce on account of the white man — not enough for both, one or the other must go. The white hunter heard the statement and interpreted it to mean that he or Shavehead must go the happy hunting grounds. On the next occasion when hunting together the settler returned alone, but Shavehead was never heard from again.

Another theory, as recorded by Hon. G. B. Turner, was this: The island in Diamond Lake was first purchased and occupied by a half recluse and hermit called Job Wright, who fished, hunted, trapped, made baskets, and farmed a little. He was known as the basket maker. Little else was known about him except from rumor that he had been a soldier (and scars on his face indicated it), a sailor, lost his fortune, been disappointed in love, etc.

But these were but surmises, as he was very reticent and said but little of his former life, and

evaded all questions on the subject. One afternoon he was in Cassopolis disposing of his wares and making some necessary purchases; had concluded his business and was on the point of leaving, when his attention was attracted to a street group, in the center of which was an Indian partially drunk, gesticulating violently and rehearsing some tragic exploits enacted in the war path.

The Indian was old, the hair at the base of his head was shaven off, and the rest gathered in a bunch at the tip and tied. His singular appearance and actions caused the basket maker to linger, and hearing the word Chicago, he paid close attention, to a recital, every word of which he evidently understood, of the brutal massacre of the garrison of United States troops at Fort Dearborn, together with women and children, after they had surrendered and abandoned the fort, and were a mile and a half on their way to Fort Wayne, in accordance with the terms of capitulation.

The Indian warmed up with his subject, forgetful of his audience; told the fearful tale with all its horrors, and when he boasted of his achievements, even to braining innocent children clinging to their mothers' knees, and then striking down the mothers and then, with hands reeking with blood, tearing their scalps from their heads even before death had put an end to their sufferings, the hermit started, and muttered between his compressed lips, "It is he; I thought it was at first, now I know for certain." He involuntarily took his gun from his shoulder, but paused, evidently changing his mind, listened carelessly, it seemed, to the further recital, waiting patiently and watching the Indian's farther movements.

Just before sundown the old brave left the village,

and the old soldier, a survivor of the massacre, as we now know him to have been, marked the direction he went and silently took the trail of the red man, with his gun off his shoulder resting in the hollow of his left arm and the right hand clasped around the lock, with forefinger carelessly toying with the trigger. The last rays of the setting sun from the western bank of Stone Lake cast lengthened shadows from their forms, red and white man alike.

Did it ever do so for both again? Never! It was a common remark in the village that Shavehead had not been seen or heard from since that afternoon. One more account and I close — a more prosaic history and perhaps the true one, but I like the hermit story the best, as it seems more fitting that the old warrior should go out of life in harness as it were, in a fiery struggle becoming a brave chief who had taken a successful part in a hundred engagements.

The last is this: The old chief, enfeebled by age and worn out by toil and poverty, was taken sick on the old PePeeaw farm within two or three miles of this place, Four Mile Lake; was cared for by the Indians, treated professionally by the late Dr. Andrews of Paw Paw, finally died and was buried in a hollow log in the woods, where one dark night Dr. Clapp and one or two others who shall be nameless, visited his grave and severed his head from his body with a lath hatchet, deposited it in an empty 8x10 glass box and triumphantly bore their trophy to Paw Paw in a one horse wagon without fear of the ghost of the departed brave; boiled the flesh from the bones in the back yard of one of the citizens of the village, and the skull may yet be a prominent and attractive article of curiosity in the collection of the pioneers of Van Buren County.

## 'An erosion of history'

# American Indian Institute seeks stories of 'lost tribes'

The American Indian Institute on the University of Oklahoma Norman campus is actively engaged in slowing down what might be called an erosion of history.

Most people have heard of the Eskimo, Cherokee, Apache, Mohawk and Navajo tribes. But what about the Chimmesyan, Pechanga, Soboda, Hoh and Lac Court Oreilles tribes?

The first group of tribes is frequently the subject of books. More than 5,000 volumes have been written about the Eskimo and Navajo tribes alone. However, not a single book has been written about the second group.

Some 500 tribes are recognized by the U.S. government. While more than 30,000 books have been published about the Indians of North America, one-third of these books are about 60 tribes.

The authentic histories of more than 120 tribes may never be told if the elders, to whom certain historical information has been passed down, die before someone records it.

The tragedy of this is that the history and culture of many tribes have been lost to subsequent generations. And because tribal elders often are the only bearers of a tribe's unwritten history, the years

are steadily depleting this potentially rich resource of America's multicultural past.

To help salvage this history, the American Indian Institute offers a series of workshops on researching and writing tribal histories. Aimed particularly at those individuals in tribes without written histories, the workshops teach tribal members how to research and write the histories of their people.

In four days, participants learn the rudiments of conducting library research and working with government documents, Indian records and archival records. Participants have the added benefit of access to OU's Bizzell Memorial Library and the OU Western History Collections.

In addition, workshop participants learn interviewing skills, how to organize research, writing techniques and what to do with completed manuscripts.

Duane K. Hale, a program development specialist with the institute who received his doctorate in history from Oklahoma State University, serves as workshop leader.

"It's a tall order for four days, certainly," Hale said. "But all I am is the facilitator. They are the true experts."

Hale, a mixed-blood Creek, is the

author of several historical books on tribes, including "Traditional Stories of the Delaware," "The Chickasaw Nation Old and New" and "Peacemakers on the Frontier."

"I tell workshop participants on the first day that to write a tribal history, they need three things," he said. "They need to know the tribal culture. They need to know the tribal language. And they need to know basic tribal research techniques."

"When they come to us, they already have the first two," Hale added. "All I try to do is steer them in the right direction in terms of collecting and recording information."

Hale has held workshops recently in San Francisco, Phoenix, and Vancouver, British Columbia.

"Our goal in doing these workshops is to identify those tribes that need something done before the elders die and the records disappear," Hale said.

Currently, he said, tribes with fewer than 1,000 members — such as the Fort Sill Apache, who descended from Geronimo — are in jeopardy because they have no written history.

"In 25 or 30 years, what are we going to be able to determine about the members of this tribe?" Hale

said.

He tells workshop participants, "We have books made out of paper and books made out of human flesh. We have elders out there waiting to talk. Those elders are walking histories just waiting for you to turn their pages."

Hale is emphatic about the need for "the Indian side of the historical story to be told," he said, but at the same time, he wants to ensure that historical events are put in their proper perspective.

"No one can really say with any degree of certainty how influential Indians were to the early settlers of this country," Hale said. "Some argue they were the reason the settlers survived and eventually flourished; others argue against this view."

"But Indians have made definite and documentable contributions to this culture and society. Just taking World War I as an example, 150 Indians were highly decorated for their military service," he said.

"Indian young people need to know about these things," Hale added. "They need positive contemporary role models. Tribal histories may be one way of demonstrating just how great a contribution Indians have made."



## NATIONAL NEWS

### **Bush signs bill establishing Indian Museum**

President George Bush signed legislation on Nov. 28 that establishes the National Museum of the American Indian as a new Smithsonian Institution museum.

Scheduled to open in the mid- to late 1990's, the museum will be located on the National Mall on a site between the National Air and Space Museum and the U.S. Capitol. It will be the 15th museum in the Smithsonian complex.

"I take great pleasure today in signing S.978, 'The National Museum of the American Indian Act,'" President Bush said. "This occasion marks the point from which the nation will go forward with a new and richer understanding of the heritage, culture and values of the peoples of the Americas of Indian ancestry."

The legislation calls for the establishment of the National Museum of the American Indian as a living memorial dedicated to the collection, preservation, study and exhibition of American Indian languages, literature, history, art and culture.

The centerpiece of the new museum will be the priceless collection of more than one million artifacts in the Museum of the American Indian, Heye Foundation, now in New York City. This collection, which includes a library, photo archives and other resource materials, will be transferred to the Smithsonian Institution.

The legislation establishes a second exhibition site, called the George Gustav Heye Center of the National Museum of the American Indian, in the Old United States Custom House in lower Manhattan. A storage, research and conservation facility will be built at the Smithsonian's Museum Support Center in Suitland, Md. The law also provides for the loan of exhibits and artifacts to American Indian museums, cultural centers, educational institutions and libraries.

The bill authorizes \$10 million in fiscal year 1990 to begin the planning, design and construction of the museum and for the assumption of the care and custody of the Heye Foundation's American Indian collections. The amount appropriated to the Smithsonian in fiscal year 1990 is about \$5.5 million.

### **Native American Goodwill Games coordinator named**

Lindsay Buxton, Tlingit, has been appointed Native American Affairs

Liaison/Coordinator for the 1990 Goodwill Games Seattle Organizing Committee. She will direct all Native American issues for the Goodwill Games, Native American participation in the welcoming ceremonies, and a Native American cultural heritage trade exhibition. She will also develop and oversee a Goodwill Games Native American board.

Buxton has held numerous professional and volunteer positions in Native American organizations in Washington, California and Alaska. Most recently, she served as Executive Secretary for the American Indian Trade and Development Council. She currently serves as a grand officer of the Alaska Native Brotherhood/Sisterhood, Grand Camp, and recently served on the shareholder advisory committee of Sealaska Corporation.

The largest sports and arts festival planned in North America for the next decade, the Goodwill Games will unite 2,500 athletes for competition in 21 sports. Athletes from more than 50 countries will compete at sites throughout Washington state. The games will bring to Washington state the largest delegation of Soviet athletes, artists and spectators ever to visit the U.S. Global television broadcasts will enable up to one billion people to watch the Games.

### **Navajo Nation, members to get \$1.6 million**

More than \$1.6 million will be distributed to the Navajo government and individual tribal members as a result of a decision by the tribal attorney general not to appeal a federal court ruling.

Attorney General Herb Yazzie said he has decided not to appeal or ask for a stay of a Dec. 6 federal court ruling as to how the money should be distributed.

His decision means that \$1.6 million plus interest being held in an escrow account will be turned over to the tribal government and individual Navajos. About 16.8 percent or \$280,000 will go to the government and the rest to individuals.

"After a review of pleadings in the case, the record in tribal offices, the general history of the dispute of the BIA over the funds and listening to the requests and concerns expressed in public hearings, we have decided not to appeal or ask for a stay on the distribution of the money," Yazzie said.

"It is the responsibility of the BIA and the federal government to distribute the money to the Navajo nation and to Navajo individuals. It is not a responsibility of the Navajo

nation.

The money was derived from Indian reservations, agencies and schools and includes interest earned on tribal and individual accounts. The BIA kept the fund in an account and used the income until a change in federal law put a stop to that practice in 1981.

After the law was approved, the funds were transferred to BIA agencies for a decision on how to distribute the funds. In 1985, the BIA made a proposal and the Navajo government disagreed with the plan. The question wound up in court.

Those funds given to the Navajo nation must be used for public purposes. The tribal council advisory committee has approved a plan that would allot \$133,000 for economic and industrial development, \$112,000 for scholarships, \$28,000 for attorney's fees and \$7,000 for the Shii Shi Keyah Association, which is an organization of allotment holders.

### **Medicine Man, 71, convicted on rape charge**

Grover Horned Antelope, a 71-year-old man who is known as a spiritual leader or medicine man, has been found guilty of raping a 35-year-old woman after the two emerged from a sweat lodge in Fall River County, South Dakota.

The incident occurred on May 31, 1989, and the jury returned its guilty verdict on Jan. 5, 1990.

Prosecuting attorney Pat Ginsbach told the jury both people wore only minimal clothing and were the only ones participating in the traditional ceremony. Ginsbach said Horned Antelope used his position as a religious leader to manipulate the woman.

The rape was not reported until eight days later. Fall River County Sheriff Leo Bray planted a microphone and transmitter on the victim and she talked to Horned Antelope about the incident.

Defense attorney Bruce Ellison said that Horned Antelope's remarks during that conversation represented a "poor choice of words."

On the second day of the trial, Horned Antelope tried to enter a plea agreement of guilty to attempted first-degree rape after the state's attorney agreed to recommend probation and a suspended sentence. The plea was withdrawn after Judge John Konenkamp explained that he did not have to abide by the agreement in imposing sentence. The trial proceeded and Horned Antelope was convicted.

Sentencing is scheduled for Feb. 13.

### **Fishing dispute can be solved, senator believes**

U.S. Sen. Daniel K. Inouye of Hawaii is optimistic that leaders of the Wisconsin Chippewa tribes can resolve an ongoing conflict with the state over treaty-reserved spearfishing rights.

After meeting with tribal leaders, Inouye said he is hopeful an agreement can be reached before the next spearfishing season begins in April and has agreed to help resolve the dispute. The last several meetings between the parties have been marked by violent protests from an anti-treaty rights organization and that has required the state to spend thousands of dollars providing protection for treaty fishermen.

Inouye said the rejection of a proposed \$50 million settlement by the Lac du Flambeau band does not mean no solution can be reached. He plans to meet with members of the Wisconsin congressional delegation to discuss the situation.

### **Group of Indians protests exhibit about Columbus**

A group of Indians led by Russell Means, former American Indian Movement leader, has protested a museum exhibit about Christopher Columbus in Gainesville, Fla., describing the exhibit as racist and sexist.

The display on Spanish exploration is scheduled to travel to other parts of the country, but Indian protestors hope to have it stopped.

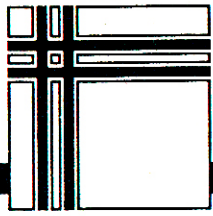
They began camping outside the Florida Museum of Natural History on Dec. 7 to protest the exhibit, which is entitled "First Encounters: Spanish Exploration in America."

The protestors said a statue of an Indian man and a topless Indian woman were insulting, sexist and racist. But exhibit organizer Jerry Milanich said the display was "the way it was."

Means threatened to obtain a court injunction in an attempt to stop the exhibit if the protestors are unable to stop it in other ways.

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# TREATIES: Kickapoo Treaty of 1819

A treaty made and concluded at Edwardsville, in the State of Illinois, between Auguste Chouteau, and Benjamin Stephenson, Commissioners on the part and behalf of the United States of America, of the one part, and undersigned principal Chiefs and Warriors of the Kickapoo Tribe of Indians, on the part and behalf of said Tribe, of the other part.

ART. 1. The undersigned Chiefs and Warriors, for themselves and their said tribe, for, and in consideration of, the promises and stipulations hereinafter made, do hereby cede and relinquish to the United States for ever, all their right, interest, and title of, in, and to, the following tracts of land, viz:

All their land on the southeast side of the Wabash river, including the principal village in which their ancestors formerly resided, consisting of a large tract, to which they have had, from time immemorial, and now have, a just right; that they have never heretofore ceded, or otherwise disposed of, in any manner whatever.

Also, all the land within the following boundaries, viz: beginning on the Wabash river, at the upper point of their cession, made by the second article of their treaty at Vincennes, on the 9th December, 1809; running thence, northwardly, to the dividing line between the states of Illinois and Indiana; thence, along said line, to the Kankakee river; thence, with said river, to the Illinois river; thence, down the latter, to its mouth; thence, with a direct line, to the northwest corner of the Vincennes tract, as recognized in the treaty with the Piankeshaw tribe of Indians at Vincennes, on the 30th December, 1805; and thence, with the western and northern boundaries of the cessions heretofore made by the said Kickapoo tribe of Indians, to the beginning. Of which last described tract of land, the said Kickapoo tribe claim a large portion, by descent from their ancestors, and the balance by conquest from the Illinois nation, and uninterrupted possession for more than half a century.

ART. 2. The said tribe hereby confirm all their former treaties with the United States, and relinquish to them all claim to every portion of their lands which may have been ceded by any other tribe or tribes, and all and every demand which they might have had, in consequence of the second article of the treaty made with the Pottawattamy nation of Indians at St. Mary's on the 2d October, 1818.

ART. 3. The said tribe acknowledge themselves now to be, and promise to continue, under the protection of the United States of America, and of no other nation, power, or sovereign, whatever.

ART. 4. The said tribe release the United States from all obligations imposed by any treaties heretofore made with them.

ART. 5. The United States, in lieu of all former stipulations, and in consideration of cessions of land heretofore made by the said tribe, promise to pay them, at their town on the waters of the Osage river, two thousand dollars in silver, annually, for fifteen successive years.

ART. 6. In consideration of the cession made by the aforesaid tribe, in the first article of this treaty, the United States, in addition to three thousand dollars worth of merchandise this day paid to the said tribe, hereby cede to them, and their heirs for ever, a certain tract of land lying in the territory of Missouri, and included within the following boundaries, viz: Beginning at the confluence of the rivers Pommies de Terre and Osage; thence, up said river Pommies de Terre, to the dividing ridge which separates the waters of Osage and White rivers; thence, with said ridge, and westwardly, to the Osage line; thence due north with said line, to Nerve creek; thence, down the same, to a point due south of the mouth of White Clay, or Richard Creek; thence, north, to the Osage river; thence, down said river, to the beginning: *Provided, nevertheless,* That the said tribe shall never sell the said land without the consent of the President of the United States.

ART. 7. The United States promise to guaranty to the said tribe the peaceable possession of the tract of land hereby ceded to them, and to restrain and prevent all white persons from hunting, settling, or otherwise intruding upon it. But any citizen or citizens of the United States, being lawfully authorized for that purpose, shall be permitted to pass and repass through the said tract, and to navigate the waters thereof, without any hindrance, toll, or exaction, from the said tribe.

ART. 8. For the purpose of facilitating the removal of the said tribe to the tract of land hereby ceded to them, the United States will furnish them with two boats, well manned, to transport their property, from any point they may designate on the Illinois river, and some judicious citizen shall be selected to accompany them, in their passage through the white settlements, to their intended residence.

ART. 9. The United States will take the said Kickapoo tribe under their care and patronage, and will afford them protection against all persons whatever, provided they conform to the laws of the United States, and refrain from making war, or giving any insult or offence to any other Indian tribe, or to any foreign nation, without first having obtained the approbation and consent of the United States.

ART. 10. The said tribe, in addition to their above described cessions, do hereby cede and relinquish to the United States, generally, and without reservation, all other tracts of land to which they have any right or title on the left side

of the Illinois and Mississippi rivers.

In testimony whereof, the commissioners aforesaid, and the undersigned chiefs and warriors as aforesaid, have hereunto subscribed their names and affixed their seals.

Done at Edwardsville, in the State of Illinois, this thirtieth day of July, in the year of our Lord one thousand eight hundred and nineteen, and of the independence of the United States the forty-fourth.

Aug. Chouteau, [L.S.]

Ben. Stephenson, [L.S.]

Pemoatam, his x mark, [L.S.]

Little Thunder, by the White Elk, his x mark, [L.S.]

Keetatta, his x mark, [L.S.]

Tecko, his x mark, [L.S.]

Weesoctee, his x mark, [L.S.]

Meekasaw, his x mark, [L.S.]

Neekawnakoa, his x mark, [L.S.]

Pacan, by Petshekoshcek, his x mark, [L.S.]

Wawpeekonyaw, his x mark, [L.S.]

Peckoneea, his x mark, [L.S.]

Anckoaw, his x mark, [L.S.]

Sawkeema, his x mark, [L.S.]

Wawpeepoaw, his x mark, [L.S.]

Paneessa, his x mark, [L.S.]

Pawkonasheeno, his x mark, [L.S.]

Ankwiskaw, his x mark, [L.S.]

Shekoan, his x mark, [L.S.]

Pasheeto, his x mark, [L.S.]

Wawpackeshaw, his x mark, [L.S.]

Awwatshee, his x mark, [L.S.]

Mawntoho, his x mark, [L.S.]

Keetshay, his x mark, [L.S.]

Signed, sealed, and delivered, in presence of the following witnesses:

Pascal Cerre, secretary to the commissioners,

Jacques Mette, interpreter,

Ninian Edwards,

John Dew,

Thornton Peeples,

Tellery Merrick,

Dan D. Smith,

Isaac A. Douglass,

Edmund Randle,

Palemon H. Wenchester,

N. Buckmaster,

Thomas Harcens,

Henry Head,

John Wilson,

Joseph Doer,

Elbert Perry,

Joseph Remington,

J.L. Barton,

David Roach,

William Head,

John Lee Williams,

Wm. W. Hickman,

Jacob Prickett,

James Watt,

Joseph B. Lewis,

Jona H. Pugh,

William P. McKee,

Stephen Johnson,

Nathan Clampet,

Reuben Hopkins,

Joseph Newman.

## Scholarships available to blind students

Twenty-six blind worthy students will receive scholarships from the National Federation of the Blind during its 1990 Scholarship Program.

Application forms are now available for the scholarships which will range in value from \$2000 to \$10,000 and which will be awarded during the organizations 1990 convention in Dallas, Texas, during July.

For information on blindness or further information concerning the Federation's scholarship program or to obtain an application for a 1990 scholarship, contact Marc Maurer, President, National Federation of the Blind, 1800 Johnson Street, Baltimore, Md., 21230, telephone 301-659-9314.



# HOWNIKAN

## PEOPLE OF THE FIRE

The HowNiKan is published by the Citizen Band Potawatomi Tribe, with offices at 1901 Gordon Cooper Drive, Shawnee, Oklahoma 74801.

The HowNiKan is mailed free to enrolled tribal members. Subscriptions to non-members are available for \$10 annually in the United States and \$12 for foreign countries.

The HowNiKan is a member of the Native American Press Association. Reprint permission is granted with publication credit to the HowNiKan and the Citizen Band Potawatomi Tribe.

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## Barrett expresses disgust at state appeal, is confident of victory

From page 1  
statehood because of immunity granted the tribes.

"There is a lot of tax money going down the drain," Miley said. "It hurts, but the courts are the only ones that can do anything about it."

The Tax Commission had attempted in March, 1987, to collect \$2,691,470 in taxes on cigarettes sold at the store from Dec. 1, 1982 to Sept. 30, 1986. The tribe filed suit in

federal court in an attempt to prevent the collection. The tribe collects its own tax on cigarettes. West ruled in May 1988 that cigarettes sold to Indians are tax-exempt but ordered taxes collected on cigarettes sold to non-Indians.

Last November, the appeals court instructed West to reconsider his ruling. Since the convenience store is on tribal land, the tribe has sovereignty over the items its sells,

the appellate court said, and Oklahoma has no authority to tax store transactions.

Barrett expressed disgust at the state's plans to appeal but said he is confident of victory.

"As Chief Justice Marshall said in 1832, 'the power to tax is the power to destroy,'" Barrett commented. "In spite of directives from Oklahoma Attorney General Robert Henry and specific legislation in the

Oklahoma legislature relating to tribal exemption from state regulation, the Oklahoma Tax Commission persists in its harassment and venal attempts to subvert the social objectives of the tribe and our ability to finance them.

"The Potawatomi Tribe will prevail because persistence and determination have been a part of our history."

## Fifty-Five students receive scholarships under Tribal program

Fifty-five members of the Citizen Band Potawatomi Tribe have been given scholarships as part of the Tribe's continuing efforts to help members improve their education.

Scholarship recipients are:

Gerald Lynn Blassingame - Eastern Oklahoma State College  
Deborah Ann Brewer - East Central University  
Anna L. Burke - Seminole Junior College  
Thelma Campbell - Seminole Junior College  
Julie Anne Couch - Kansas City Kansas Community College  
Kathryn DeLonias - Cameron University  
Terry Lee Evans - University of Tulsa  
Vickie Fritchman - Tulsa Junior College  
Francis Marion Garrison - Seminole Junior College  
Harold George Haas - Foster Estes Vo-Tech  
Betty Carol Howse - Oklahoma Baptist University  
Darlene Louise Irvin - Washburn University

Louana Gay Kennedy - Rogers State College  
Katherine Elizabeth Lantagne - Central State University  
Jim Maxwell - Moore-Norman Vo-Tech  
Randall Gene Megah - Muir Technical College  
Wynona Faye Miller - Southwest Missouri State University  
Stacie Diane O'Bright - East Central University  
Philip Keith Pruner - Oklahoma City University  
Kimberlynn Quinn - Oklahoma State University Technical Branch  
Thomas Michael Renyer - Cameron University  
Arletta May Robinson - Rogers State College  
Beverly Sanford - East Central University  
Mark David Saunders - Murray State College  
Judith Ann Shreve - Western Michigan University  
Stacy Lynne Smith - Shawnee School of Cosmetology  
Martin R. Steinmetz - University of Tulsa College of Law

Suzette Maria Stuckey - Central College  
Carole L. Weitner - Moorhead State University  
Lore J. Kempton - Butler County Community College  
Gayle Rita Wood - Boston University of Graduate Dentistry  
Evelyn Patricia Blakely - University of Colorado at Colorado Springs  
Betty Christina Burchette - Oklahoma State University  
Jera Gail Collins - Mid-America Bible College  
Timothy Trenton Downing - SW Baptist Theological Seminary  
Marie Antoinette Elkins - East Central University  
Kathleen Bea Goodman - University of Oklahoma, College of Nursing  
Deborah Ketchum - Santa Fe Community College  
Sandra K. Lott - Community College of Allegheny County  
Michelle Lovell - Northeastern State University  
Kristen Nanna - San Francisco State University

David Bryan Shanks - Missouri Southern State College  
Terri Elizabeth Shay - Dallas County Community College  
John M. Whitten - Southern Oregon State College  
Connie Denise Wingfield - East Central University  
Rozanne Marie Milcham - Columbus College  
Danny Leon Ferris - Ivy Tech Vocational School  
Michael Gene Smith - Seabury-Western Theological Seminary  
Kristie Sue Hall - Oklahoma State University, Technical Branch  
Susan Kaye Hartman - Oklahoma City Community College  
Deborah Reinhardt - Tarrant County Junior College  
Jack Anthony Cedar - Tri-County Vo-Tech  
Jama Couch - Kansas City Kansas Community College  
Michael David Niles - University of Missouri-Columbia  
Matthew Con Bearden - Northeastern State University