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June 17/57

My Children of the Crees: (of Hobbema); My Brothers and Sisters and My Good

I am very pleased to be with you once more and see so many of you here. Often when I have spoken to you, we have been worried and discouraged but this time for both you and for me it is a happy time. I am here to report you a victory won by the Indian people. It has been many years since we have enjoyed a victory but this is indeed a victory. I want to speak to you about the Hobbema case. Most of you in this room lives would have been changed if we had lost this case. Some of you were Hobbema Indians who had been ordered off the reserve, some of you were Indians, who if the Government had won at Hobbema would have been ordered off your own reserves in the future. All of you were living in fear of that threat.

All of you in this room helped us win this victory. We worked together to help each other and so were able to win. You will be interested to know how I spent the money you gave me to fight this case. I do not like to speak to you of my own work, but as your lawyer, there are things. I must tell you and explain to you. This was a very long case, it went on for five years. We had two long trials before a commissioner on the Hobbema Reserve and then a third trial that lasted two days before a judge in Edmonton. It was a trial where not one Indian was being tried, but 122 Indians. To the Government it was a very important case. We have not been able to find out how much money they spent fighting this case, but we know that on the cases where they moved 12 Indians, before the Hobbema ease, they spent \$50,000.00 in expenses and lawyer fees. So we can guess they must have spent thousands of dollars on this long case involving so many Indians. The Indians who had been ordered off did not have much money to fight back with. I knew how important this case was to all the Indian people, that if the Government won, all Indians would be in danger of gradually being forced off the reserves, so I agreed to take the case for the Association. I would like to make clear that I took this case only because the Indians at Hobbema were members of the Association and because the outcome of the case would effect all the other members of the Association. I have received many letters from Indians all over Canada asking me to take their cases but I will not take these cases even if they are sad cases and a great wrong has been done. I only take the Association's cases because they are the ones that benefit you all. Any case that I take for the Indians mean I must work long hours for little pay but if it will help you all as you all pull together, and are willing to help each other, I do not mind helping you even if it means you cannot pay me what a white person can. I did not take this case to make money, I took it because it would have b

The Hobbema Indians paid for the expenses for their first trial on the reserve and I won that trial for them. At that time, the Government had to let them stay on the reserve; then the Government went back and dug some more until they found fresh evidence and they then began a second trial. The Hobbema were then hard pressed to pay the expenses, but Doctor Laurie and I decided that we must carry on anyway because to lose the case would effect all the Indians in Alberta. I actually went into debt as did Dr. Laurie to finish that trial. The Government decided we lost the second trial and ordered the Indians off the reserve. That gave us one last chance to go to court or you were all in danger. Then I asked the Association to help us meet the expenses of that trial so we could carry that fight on. You responded in a wonderful way and I was proud of you and this Association. Most of you got busy and signed your protests and mailed them to Ottawa. We even went so far as to write our Queen but Mr. Pickersgill would not allow that letter to be delivered. I guess he does not like to be criticized. But your signed protests and my letters and speaches have made the people of Canada aware of what was taking place. Then the Association met before Christmas and gave me \$183.00 to fight the case and gradually nearly every tribe in Alberta sent in a contribution. You did this not only to help your unfortunate brothers at Hobbema but to protect your own children in the future. All the money I received, I put in a special trust fund so accurate books could be kept. The following donations were received:

Contributions from Indian People:	
Indian Association in 1957	183.00
Samsons	854.50
Bloods	100.00
Ermineskins	100.00
Goodfish	66.00
Sarcee	55.00
Blackfoot	45.00
Peigans	31.32
Driftpile	25.00
Louis Bulls	20.00
Sucker Creek	20.00
Wesley	the state of the s
J. Rabbitt	15.75
	10.00
Paul's Band	10.00
Kehewin	5.00
TOTAL	\$1540.57

Over 49 white persons also helped. Those who were unable to help gave us money. Received from

Mr. Henry Stelfox	\$50.00
Mrs. Quint	20.00
Red Deer Quota Club	10.00
King Glass	10.00
Mr. C.K. Vernon	10.00
Dr. Calhoun	5.00
Miss Georgina Thompson	5.00
Mr. W.H. Skinner	5.00
Women's Institute	10.00
Edmonton Friend's of the Indian	92.00
Society	r Mary and a second
TOTAL	\$222.00

TOTAL OF ALL

51762.57

You will notice the largest amount was raised by the Hobbema persons themselves. Johnny Samson did a wonderful job of seeing each of his persons and in the manner of the old chiefs he protected the unfortunate members of his tribe who were being forced off the reserve. With this money, we then continued the fight. From the Judge's decision there tould be no appeal, so we had to prepare a legal argument based on the mistakes the Government had made in issuing their order as well as material to prove these peoples ancestors did not take script. In order to do this, we must have all the documents concerning the entire life, not only of the 122 people concerned but of each of their ancestors. These were in the Government's books in Ottawa. Mr. Pugh can tell you that the books we had to read would fill a truck. People had to be paid to read all these books. Files had to be searched at Ottawa and as the Indians have no documents of their own to prove the documents were accurate, they each had to be photographed. I have here 176 separate photographs of the documents that were necessary to win this case. Many long distance phone calls had to be made and hundreds of letters and telegrams had to be written and sent to Ottawa as well as dozens of trips to Edmonton and Hobbema were made. Since it was the Government that we were fighting, we had to get other people, white people who had the vote, to plead with the Government. To do this I sent that article that Mr. Snell wrote in the Herald to each of the 253 members of Parliament. All together I mailed out 450 copies of that article and sent letters as well to organizations and persons. Dr. Laurie and I made over 31 speaches; each of these took an afternoon to do, so we worked at speaches alone for over 40 days. And for three months before the case, I did no other business but worked on this case alone. I decided the Indians would need the best lawyers we could get in court because the Government hired and paid two of the most expensive and clever lawyers in Alberta to act

Now I will account to you how the money was spent. You can see from what I have read you that all the money except \$7.00 has been spent. You can see that all except \$600.00 paid to the lawyers who appeared at Edmonton, was spent on direct expenses that I had to pay out to other people. Not one cent of that money went to my wages. If there had been any money left I would ask you to pay me. I have acted for you for five years in this case and for the last three months before the trial, I did nothing else but the Hobbema case. This would have cost a white person several thousand dollars. Maybe some day in some way my wages can be paid but we will wait until that day. The \$600.00 paid to the three Councils were less than they are usually paid. It was all that I could pay them at that time. It means that each of the 122 Indians was defended in court for less than \$5.00 a person. Some of you will have been to police court or before a Magistrate; then you will know that you pay much more than \$5.00 for a lawyer. These men took this case only because I asked them to and they wanted to help you. We should honor them for that.

I am telling you this as a nasty rumor has come to my ear. There are persons who have said to you "I take the Indians' cases only to make money". I give you these facts and figures so you may know the true facts and be able to defend me as I expect you to. I was glad to help my friends when they were in trouble. I was greatly honoured by the Hobbema Indians choosing me as their Queen. In times of trouble we must all help one another.

There is also another rumor has come to my ear. People have told you that the Treaty Indian is in no danger from the present act. These people are not lawyers. They speak without knowledge. Some are the same persons who said that we would lose the Hobbema case. I told you then that we had a good chance to win and that we should make a stand and fight. The Act states any Indian can be protested three months after his name is added to the list. When are your sons names added to the list? They are added every day when they become of age. Each time a name is added at present, a new protest can be made. Don't let people who have not special knowledge influence you. You should only listen to your friends who have knowledge. I tell you none of you are safe. There may be white blood in you all, in your Grandmother, your Great-grandfather or in your son's wife's Mother. Thousands of Indians took script and were returned to the reserves. How do you know that your Grandmother's parents are not one of those? The Act MUST be changed so that Treaty Indians may all stay on the reserve. You can only change the Act if you all pull together. There is no good one tribe or one Treaty group thinking they can manage alone. That is just the way the Indian will lose his way of life. If you take out one fence post, the fence is no use any more. Your only hope is to work together in your Association.

From a defeat you learn a lesson and from a victory you learn a lesson. If we stick together in our Association, we can win. Help one another. Don't be jealous. No person should want his own way only. Work together for everyone's benefit. Build up your Association. Have a strong voice. Get the best advice you can from your Advisory Board or a lawyer, so your voice may be a wise one. Then speak with one voice and act together and we will have other victories as great as the time we won the Hobbema case.

Open question period.

Bill me Sean. Ollowa says if you can deude what you want then should send a committee of man from each tribe + someone for suggest tribe vote on thoussus Got your wish to either trade or sell half the land on Broken laha are a for land an the Erbbald park. Is it approved to beap all the land on broken lake area & but a surface small amount of land in Subbald Park Is it your wish to hade all the land on broken labe area for land. In Subbald spark. Jacque two young men says-how get it - not trade off the pasture but get subladed park somehow!

Thomas A. Edge Archives & Special Collections FOR REFERENCE USE ONLY For Obtaining part of Sebald. Park George MeSean. old beef that Sebbald Nork was part of the treaty was to get felbald parks cut lay there for a greans & had nothing was done says they would nothing was done says they would nothing can be done to extend treation - world do it as Indian replyall over Canada will ask wont do it on ground of treaty but maybe can on this Highway deal. Wesley bund & Sam Snow on on broken lake area - stowed map. undersload other lands to be negotiated prover were united to accept Broken Jake area from minutes us clear- that Irbald Nonk was to still open not closed

Thomas A. Edge Archives & Special Collections FOR REFERENCE USE ONLY Chinegus Chingire, Johnny Powderface Wesley Band nead land. in Broken lake area. - other hard land we traded was on other sedle of park + if started again would ask for Swald park Want to exchange alland for Sibold Park because it is their land of there que t goton Bearspaw at highway were ns. Hat live on it at present or use it-Judy Beaver ap Wesley. - ages interested - land is not good. Wallace is in favor of beeping all the land at Broken Sake in favour Osk Fand members

& Special Collections FOR REFERENCE USE ONLY Were united that regoliations open clear from talks. but not united on dimands electly enough, On behalf of band want to beap land have & in addition to what we have at subbald park, acres of fiblald his stay of Wesley band parkisk De ratter beap del land try 3-1060 land Tget Sibbald park area. regimed another greatest morley & young men - lexchange. Broken gessell.

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nead more land. mechanized with any land. Seriously consider is pay, a seelson in that area not better to get stould we trade at the time boy. 5000, aires in Broken late area for 3000 ares in the Selbald park

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FOR REFERENCE USE ONLY got Wallow - asked if wanted to exchange & said didn't want it Bears poor wanted additional land Bears paw + Cliniqui touchill business - must discuss Hest.
Broken labe area - obtain libald Edie Heinler says problem is how do we oblain Sibald park area. How much area do ajou want. Johnnys bears paw said area or even leasing it - has anyone ever,

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FOR REFERENCE USE ONLY 2009.004/1317 Black part unity is NB but, broken area well hurt & create war. - beap broken area & try to beap Subbald park area Hercy chunque + wants additional land. SW. of area. 10,000 aires for exchange of broken area land agoinning land. Munter - chinique Fort approaches goot, task for funds sportle it would sign but didn't sign - 90% require timber requested subbald park Eden Valley. form committee of representative for each lube i with someone from dept, go in to felibald Park I decide how much want. must remember Johny left Hard - Eden Valley.

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Peter Dixon Coun dallay.
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(3) Requested & go to Ottowa viry conort
(4) same back of this is what deed (3) Hughes farm deal-poor deal worked it out - dosts apper

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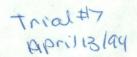
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pasture rate deal worked it out - dosts you # 375. chardy with water #3 a month perhead 5 apars lieuse outside or granding permiting

& Special Collections FOR REFERENCE USE ONLY 2009.004/1317 HEARING OF COMMISSIONER TRIAL

The Canadian judicial system unlike the American's judges whose are politically appointed. In Canada for life although politically chosen are appointed for life this is to free them from politically influence in making judgement but despite the attempt is perfect the system _____ advancement or even gratitude for their appointment on occasion may just shade a decision in a politically sensitive case is before them.

It had been liberal politician in power and who had
passed this new law legally to drive Indians off their
reserve and they also would be the ones who were
appointed a lawyer to the well paying job of the
commissioner who would <u>hear</u> the case. The commissioner
named a respected Edmonton lawyer
Grant. I phoned him explaining I was the legal lawyer
representing the 40 some Indians threatened with
removal from the Hobbema reserve so would any legal
notices be delivered to me in Calgary. He seemed quite
amused and to discover that the Indians lawyer
was a women and with almost a chuckle said I'll see you
get notice. I had never appeared or even
before a commission. I read the act it
implied that all legal principal would apply
the commissioner was not bound by the same law that



governed court procedure. I asked if there would be a court reporter so I might obtain a copy of proceedings to study and also if laws of evidence applied and he assured me they did. That meant I had a right believed to examine procedures documents that would be used against my clients so I be given a chance to review them and prepare a defense against what accusations there would be made against my clients. phoned the department at Ottawa asking for that and only got a were saying I must specify the dates of any documents I wished to examine because the period of paying script to the Indians had extended over a period. I also needed to know if these persons presently on the reserve ____ received the script had by any chance been treaty Indians when they got it and on what terms their grandparents had been allowed to return to the reserve.

Then I started in to study this strange thing called script that I had never read about in any law or Canadian history I had never taken at college. Fortunately Laurie was well informed on that. Script he explained was

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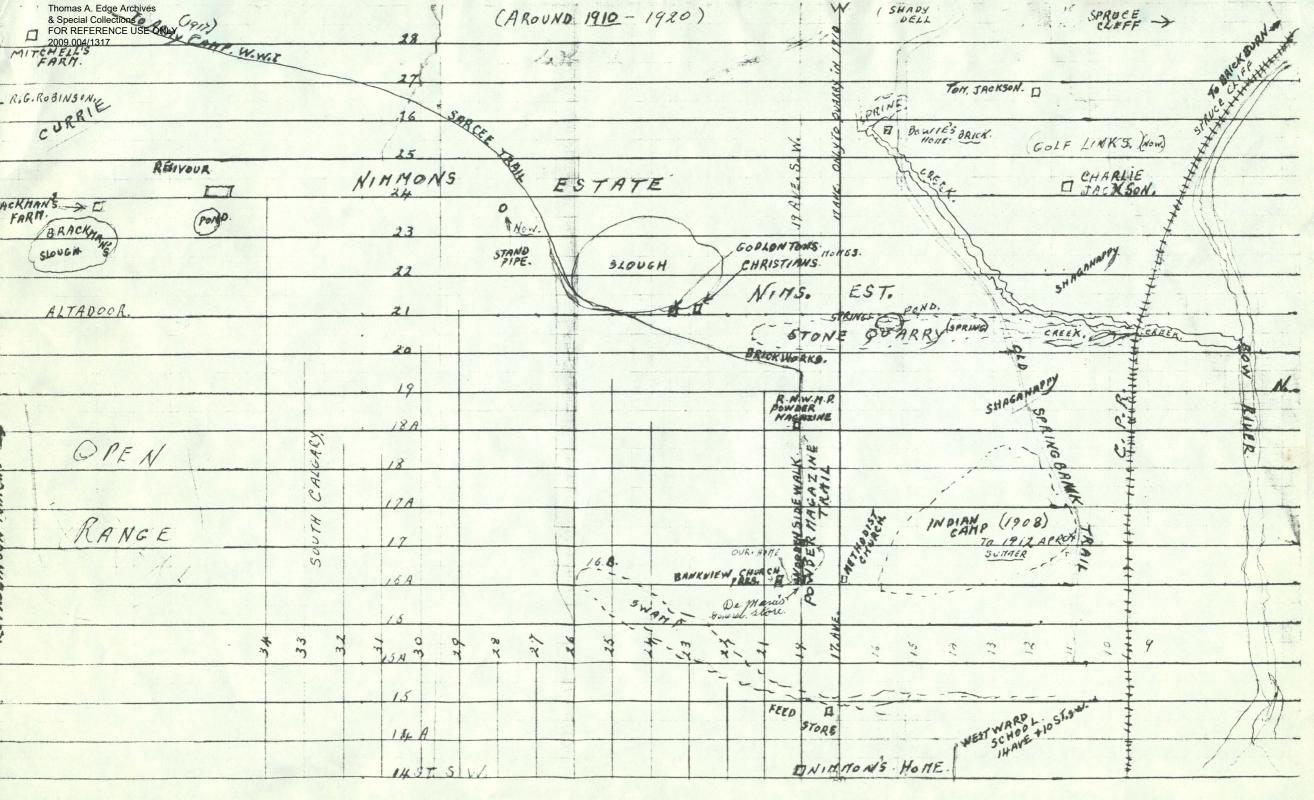
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THE

HISTORICAL MAGAZINE.

Vol. V.]

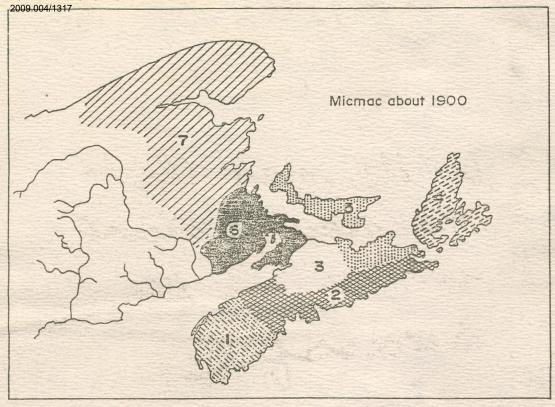
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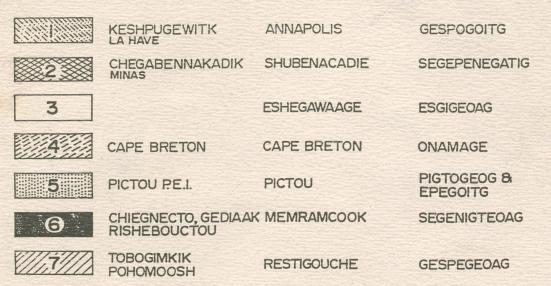
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TAWOW Vol.5 No.2

TELEPHONE 289-6528

818-16TH AVENUE N.W. CALGARY, ALBERTA

August 30, 1966.

Dr. R. Gorman 23 - 509 - 3rd Street S. W. Calgary, Alberta.

Dear Madam:

As per your request we enclose herewith draft copy of Agreement proposed for Stoney Indians relative to our Lake Louise project.

Yours very truly,

BRAZEAU RIVER CONSTRUCTORS LTD.

L'Parker

Jos. F. Hlavay President & General Manager.

JFH:1p Encl.

> Cuelions ever Woods everer Specalipades in antique fine furniture, quality no garage or basement clear up

CANADIAN BAR ASSOCIATION CIVIL LIBERTIES SECTION

REPORT of Committee on legal status and civil rights of the CANADIAN INDIAN.

Mrs. J. C. Gorman, Calgary, Chairman
Dr. M. C. Shumiatcher, Q.C., Regina, Acting Chairman
The Honourable Mr. Justice K. G. Johnson, Edmonton
Andre Dechene, Q. C., Edmonton
Harvey J. Bell, North Battleford
Gregory Evans, Q. C., Timmins
J. Lieff, Ottawa
W. E. Bentley, Q. C., Charlottetown
Acting in an advisory capacity,
The Honourable Mr. Justice W. A. MacDonald, Calgary

We have the honor to submit the following report.

The terms of reference of the Committee as established at the 1955 meeting of the Association are as follows:

The Chairman of the Civil Liberties Section should appoint a Committee to study the question of the legal status and civil rights of the Canadian Indian and report at the next annual meeting of this section.

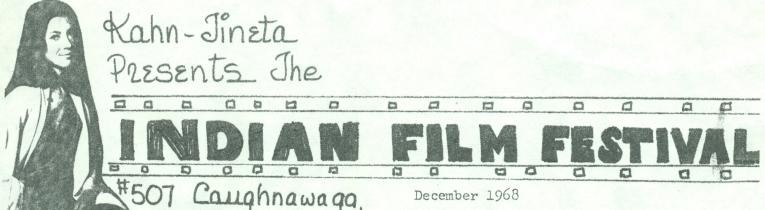
At last year's annual meeting, the Committee from Prince Edward, in their report on the Indian question stated, "We, as members of the legal profession, are ministers of justice, and, as such, must accept the responsibility if the Canadian Indians are being retarded by our present Indian Act and an injustice to the Indians is our responsibility". And it is with this responsibility in mind that we have the honour of presenting the following report. In the interests of brevity only the findings of the above Committee will be reported. Last year the chairman of this committee gave a lengthy and detailed report on the Indian status and that report is available to any interested member; as is also the report made some years previous by the acting chairman of this Committee. The findings of this Committee are:

1. The original treaty promises made to the Indians of Canada are being broken by the present Indian Act, and this is an injustice which should be rectified.

Note

In order to obtain a peaceful surrender of this great Country, we promised the Indians by Treaty that they and their descendants would have a right to occupy special tracts of land set aside for their exclusive use, known as "RESERVES", and this right would exist for 'as long as the sun shone and the rivers flowed'. By altering the definition in the Indian Act as to who is to be considered a Treaty Indian, we are now removing Indians and descendants of Indians, who were previously signed in Treaty,

from their Reserves.



SEGO NAGOWA Quebec. Canada.

The coming year presents great challenges and grave threats and we must rededicate ourselves to our survival and our destiny. I now seek your aid and report to you on my work for the First People during the past year.

EDUCATION. I can report that over the past six years there has been great improvement in higher grades for Indians. For example, Indians entering grade 9 has increased by some 300% per year. We have not been successful in removing the barrier to most Indians higher education - French! But this will come. Legal "trilingualism is unjust!

HEALTH. My drive on Indian health has resulted in a better attitude and results by the federal government. Infant mortality has dropped 50%; such things as eliminating milk from the diet of Indians, particularly Cree Women, is being investigated or quietly adopted. Recently the Minister of Health stated that medical care for Indians will be greatly increased instead of a suspected reduction of services.

THE LAW. I have awakened public and institutional eyes to the unjust treatment of Indians in the courts. Every case involving Indians where I have been able to offer help has been won or charges withdrawn (except my own)!

OTHER AREAS. The housing situation has worsened. New housing for Indians is not keeping pace with the Indian population explosion. Training in special skills has improved slightly, but there has been very little community development.

Last, but not least, is the terrifying situation concerning INDIAN LANDS. The government is quietly surveying some reserves, issuing "location tickets making the reserves no longer "communally owned Indian lands.

My Program has been and will remain: protection of Indian lands, development of Indian communities, training in skills, bringing justice to Indians, improvement in med ical care, qualitative and quantitative increases in housing, and, of course, education reform. No one has found any fault in my program.

OTTAWA. We are not shocked to read that Prime Minister Trudeau admits that he knows little or nothing about Indians. We only hope he is ready to learn. The biggest danger surrounding Indian and Federal Government (who have the obligation to Indians) relations at the moment is the proposed changes in the Indian Act which could change the status of Indian lands from reserves to municipalities and rob us of our heritage.

FESTIVAL. I hope you can interest any of our leading educational or social or service organizations to sponsor my bringing a series of exciting and educational films depicting both the problems and intentions of Indians. The reception in Ottawa to the "First Indian Film Festival was more than encouraging. Any ideas you may have on how a festival could be produced in your area would be most welcome. Please let me hear your latest news. I am very interested.

WITH MY BEST WISHES FOR THE COMING YEAR ...

Thomas A. Edge Archives & Special Collections FOR REFERENCE USE ONLY 2009.004/1317 Merry Christmas and a Happy New Year! A full year of never ending cheer. May you never know such anquish and fears As the Redman's yesterday's three hundred years. Nascapis Crow Os des winnebago es Shoshonies Modok hover to cherokees # = Six Nations Troquois Confederac mohowhs Oneidas Onondagas Cayugas Senecas Tuscaroras Kahn-Tineta Horn Mohawk of the Six Nations Iroquois Confederacy Caughnawaga Indian land (Quebec) Canada