

Indians

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Prepare Brief

Alberta's 1,200 Indians will speak their piece to the federal government next Wednesday.

Their representatives will appear before a joint committee of the Senate and the House of Commons in Ottawa Wednesday, armed with a brief containing 57 resolutions drawn up by the Indians over the past 10 years.

Drafted at a meeting of the Alberta Indian Association last fall in Hobbema, the 70-page brief represents collective petitions of all Alberta tribes.

The Indians are asking for territorial rights, self-government rights, welfare, health and education services and other amendments.

The brief will be presented by Mrs. Ruth Gorman, AIA legal adviser; Howard Beebe, AIA president, life councillor of the Bloods and the official representative of southern Alberta tribes; and Chief John Samson of Hobbema, representative of the northern tribes.

The delegation will board a CPR train in Calgary at 5:30 p.m. Sunday for the trip to Ottawa.

Copies of the resolutions will be released here Wednesday at the Evelyn De Mille bookstore.

Alberta Indians Act

Change In Ottawa Act

KENNEDY WINS PRIMARY IN KEY AMERICAN STATE

Mrs. John Gorman Urges New Deal From Gov't

By JOY ZELL
[Herald Staff Writer]

CHARLESTON, W.Va. (AP)—With his thundering victory in West Virginia, Senator John F. Kennedy has practically knocked into a cocked hat the belief that a Roman Catholic can't win the presidency of the United States.

The Massachusetts senator has put other aspirants for the Democratic nomination in a deep hole.

He has put the squeeze on heads of big convention delegations who have been holding out against him on the principal grounds that a man of his faith couldn't win in November.

He has, in other words, got his convention bandwagon rolling at top speed. It will be difficult for his major rivals, Senate Democratic Leader Lyndon Johnson of Texas and Senator Stuart Symington of Missouri, to stop it.

Senator Hubert Humphrey of Minnesota, Kennedy's opponent here, already has dropped out of the race.

Vice-President Richard Nixon, who predicted Kennedy's West Virginia triumph, already has given notice that he plans to begin campaigning at once, as if he and the Massachusetts senator already were the rival presidential nominees, Nixon is unopposed on the Republican side.

Adlai Stevenson, a former candidate has said he isn't running and doesn't expect to be drafted for the nomination. But unless he should announce his support for Kennedy or some other aspirant, he still will be viewed as a possibility.

A constructive attempt on the part of Alberta's 18,525 treaty Indians to right what they consider to be inequities of the Indian Act is the essence of a comprehensive brief submitted today to the Joint Committee of the Senate and the House of Commons on Indian Affairs, sitting this week in Ottawa.

The 58-page brief of the Indian Association of Alberta contains 57 recommendations dealing with treaty rights, self-government, education, health, welfare, employment, hunting, fishing, trapping and general items.

In broad terms, the brief asks for:

- The government to assist the Indians to become self-sufficient through broader education and employment policies.

- Protection of the Indians' treaty rights and removal of all sections from the Indian Act dealing with "enfranchisement" or loss of treaty.

- More say in their own affairs and less interference from the government.

- Protection against the danger that "an unscrupulous or thoughtless government might again betray us" through provisions that would make it impossible for the government to eliminate or to cut down the size of the reservations and to protect their status as treaty Indians.

PRESENTATION OF BRIEF

Mrs. John Gorman of Calgary, legal adviser to the Indian Association of Alberta, is in Ottawa to present the brief to the joint committee. With her are Howard Beebe of the Bloods at Cardston, president of the association, and John Samson of Hobbema.

The brief is the result of resolutions passed at a special general meeting of the association in November, 1959, and during a special meeting of a committee named at that time to deal with unfinished business.

Most of the resolutions were also passed at previous general meetings of the association held during the past 16 years. The association was formed in 1944, and is the only such organization in the province.

Mrs. Gorman took with her to Ottawa a scrapbook of newspaper clippings supporting the information contained in the brief. The scrapbook reveals the wide-

Louw Attacks S. Africa Critics

Commonwealth Meeting Still Split Over Racial Segregation Program

LONDON (CP)—Eric Louw, South Africa's external affairs minister, took the offensive against critics of his country's racial policies Tuesday night and virtually ended any hope that the Commonwealth prime

ministers can heal their open split over apartheid before their conference ends on Friday.

Speaking outside the conference chamber at a dinner of London's South Africa Club, Louw complained that "leftist elements" are fomenting an anti-South African campaign in Britain and said relations between the two countries will be "seriously disturbed" if it continues unchecked.

THIRD OUTBURST

Louw's speech, an all-out defence of his government's program of racial segregation, was the third occasion since the conference opened a week ago that a delegate emerged from the closed-door sessions to deal with the South African issue.

Louw himself at a press conference last Wednesday defended his country's record. Malayan Prime Minister Tunku Abdul Rahman countered the following day with a bitter attack on the

Trade Truce Sought

LUXEMBOURG (Reuters)—Foreign ministers of the six European Common Market countries ended a 20-hour marathon session here early today by agreeing to approach the rival European Free Trade Association for a trade truce.

But formal notification of the truce plan was delayed by an internal dispute.

Alberta Indians Reques

From Page 1

spread public support for Indian rights and the public indignation that has arisen when these rights have been tampered with.

Unfortunate cases that have resulted among the Indians as the result of the present Indian legislation are also displayed in the book.

Among the major recommendations contained in the brief are:

- A request that a department of Indian affairs be established.
- Appointment of a royal commission to enquire into every phase of Indian affairs administration in Alberta.
- That sections in the present act dealing with "enfranchisement" be deleted and replaced with provisions to permit an Indian residing off his reserve to have all the advantages and liabilities of non-Indians.
- That a simplified version of the act be prepared and made available to Indians.
- That the Indians have the right to appeal to a judge of the Supreme Court in the province against any decision made by the minister or governor-in-council (at present they have no appeal).
- That a complete study be made of the present Indian educational system.
- That a royal commission make particular studies into educational problems.
- Endorsation of the seven recommendations dealing with Indian education contained in the report of the Cameron Royal

Commission on education, but with some reservations.

● New methods for attracting better teachers to Indian schools, as well as encouraging Indians to become teachers.

● Expansion of health and welfare services among Indians at least equal to that received by non-Indians.

● A study of employment for Indians, including human and natural resources of reserves, education and training for Indians, encouraging small industries on reserves and requiring firms leasing Indian land to hire Indian labor.

● Permission for Indians to hunt on unoccupied Crown lands that are under lease, and waiving of the migratory bird regulations on reserves, since there were no hunting restrictions included under the original treaties.

● That the whole question of hunting, trapping and fishing rights be studied.

● That any revisions or amendments to the Indian Act be sent to Indian bands and organizations before being introduced to the House of Commons.

PRODUCTIVE INVESTMENT

The brief humbly points out at the end that, while the requests would mean an increased expenditure of funds by the government, "we peacefully surrendered to the Canadian government thousands of acres of land which are now the source of oil, agricultural products and other goods."

"Canada placed a large investment in this area and it is now bearing fruit as a productive land. The money invested in our people will also be productive in giving Canada more useful native citizens whose contribution will be to the economic and cultural life of this country."

As background for the recommendations, the brief delves into the early history of the Indians in Canada, and particularly Alberta, explaining the ways of life followed by the various tribes and how these pursuits were changed with the advent of "civilization."

To the Indians, "civilization" meant diseases such as smallpox and tuberculosis, guns, liquor and, later, privation and starvation, as the buffalo vanished.

TOKEN PAYMENT

In 1870 Western Canada, then called Rupertsland, was transferred from British control through the Hudson's Bay Company to the Dominion of Canada for \$1,350,000.

"It appears to us," says the brief, "that this small amount was a token payment to a company which only occupied the territory, and that the government realized it would have to obtain a release from its real owners, the Indians. This was later confirmed when the various treaties were negotiated."

The Indian recognized the Mounted Police as the government in 1874, and it was upon this foundation of "complete trust" that the relationship between the Canadian government and the Indians began.

The brief points out that during the early years it was government policy to encourage the Indians to be self-reliant and to encourage self-initiative. The Indians responded with good results.

But after the turn of the century a change in the government's attitude was noted and the goal of self-reliance "seemed to be replaced with one of subservience. Instead of being partners with the government, we were considered to be their wards."

This change in attitude was accompanied by neglect of treaty responsibilities. "Votes were then forced upon the In-

otherwise have spent on the reserve," the brief states, with reference to the Blackfoot reserve, which realized \$2,218, from the sale of 116,098 acres.

NEW REGULATIONS

In 1919 the government enacted new regulations regarding enfranchisement and "Indians who were ill-educated and ill-prepared were turned out of their reserves, often the sole purpose of their application being to obtain any money in their band funds or their treaty money in a lump sum."

"The presence of compulsory enfranchisement clauses in the Indian Act, such as Section 112, were interpreted by many of our people to mean that if we showed that we could live successfully in this country, we would be forced out of treaty. Instead of encouraging us to attain self-sufficiency, the government had placed an ominous threat before us, warning what might happen to any of us who progressed too far."

(Section 112 of the Indian Act provides that a committee of three, including a judge, an officer of the department and a member of the band may rule an Indian, or a band, capable of managing his or their own affairs, should be enfranchised whether or not the Indian or the band has applied for enfranchisement.)

KEPT IN IGNORANCE

"In the years that followed, the policies relating to land surrenders, enfranchisement and the destruction of personal initiative were continued. At the same time, education was poor, health services were inadequate and our people were kept in a state of semi-ignorance and poverty."

"The public, which had to bear the taxes in maintaining this program of subjugating our people, understandably looked upon us with a feeling of disdain. If we could not show any noticeable progress after more than half a century, they thought that we must indeed be second class citizens."

"The fault for not taking our places beside the white people of Canada seemed to be entirely our fault. This is a feeling which the government has helped to foster among Canadians and is one which will take us many generations to refute."

"Our reason for bringing up these matters is not to complain or to ask for redress. Rather, it is to show you why our people are cautious and sometimes suspicious of the government's actions or intentions."

"Too many times in the past we have experienced betrayal or the misuse of trust. To us, our protection lies in the treaties and while we want our children to progress, we also want to retain the rights, protections and privileges which were granted to us when we relinquished this country to your government."

"This short history is also given to show you that the accusations of laziness, disinterestedness and backwardness of which our people are often accused, are ones which do not entirely belong upon our shoulders."

"Our ancestors were industrious and self-reliant, but we are now the third or fourth generations of Indians who have been raised during the government's program of repression of initiative. That, plus the complication in our lives caused by differences in our customs and beliefs, have been responsible for holding us back," the brief states.

MISUNDERSTANDING

The brief points up the misunderstanding of the term "enfranchisement," which to the Indian means loss of treaty rights, and to the public means being given the right to vote.

The Indian understands that by "enfranchisement," the Indian that he will no longer be

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...teaty responsibilities. ...votes were then forced upon the Indians, and through ignorance, subtle threats and pressures, the government obtained Indian approval to dispose of almost 100,000 acres of Indian land in Alberta.

During these years insufficient funds were voted for the education and training of Indians or to give proper welfare assistance. However, by forcing the surrender and wholesale leasing of Indian lands, money was obtained and trust funds established.

With this money available, the brief charges, the government found it did not have to use so much of its own funds.

"This trust fund saved the government hundreds of thousands of dollars which it would

...by "enfranchisement." The Indian agrees that he will no longer be legally considered an Indian and gives up his rights in his reserve and is never again permitted to take up residence there. He also relieves the government of any responsibilities it might have towards him under treaty or the Indian Act.

In exchange, the Indian receives compensation, a per capita share of the capital and revenue moneys in the band funds, money derived largely from the sale or leasing of parts of his reserve.

"In effect, the government says it will give an Indian his rightful share of parts of his reserve which have already been sold or exploited in exchange for giving up any rights he has in the parts that are left."

Also, the Indian will forfeit for the rest of his life the right to collect his annual treaty money and accept in exchange 10 years of his own money in a lump sum.

BRIBERY CHARGED

"All this means is that our people are being bribed with their own money to free the government of its treaty obligations," the brief charges.

It points out that many Indians have enfranchised themselves only to get the lump sum of cash coming to them, not having the education or the foresight to realize what effect this move will have on their future generations.

"Theoretically, the government approves the enfranchisement only of persons who are sufficiently advanced to accept life in the competitive world. However, in actual fact a great number of applications have been accepted where they are totally unprepared, whether educationally or emotionally," the brief states.

It contends that the phrase "enfranchisement" is totally misleading, since it implies "to set free." Actually all an Indian is freed from are the "sacred promises given to his ancestors at treaty."

"Some feel that 'enfranchisement' means to obtain the right to vote, yet nowhere in any act of Parliament are we given the vote because we have 'enfranchised' under the act. This has caused a great misunderstanding. An Indian says he does not want to become 'enfranchised,' so the public feels he is a shiftless person who does not want the vote. On the other hand, many of our people feel that to accept the vote is to lose their homes and their rights to live with their own people," the brief explains.

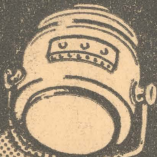
ACCURATE TERM URGED

The brief asks that the term "enfranchise" be given an a

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curate name, such as "loss of treaty rights," if it is to remain in the act.

However, it asks specifically and at length that all sections dealing with enfranchisement be deleted from the act.

"We feel that an Indian should be able, if he wished, to enjoy all the rights, privileges and liabilities of non-Indians without loss of treaty rights. Yet, at the same time, he should have the right to return to his reserve where he would be under the provisions of the Indian Act.

In asking for a simplified version of the act, the brief says that at present, the Indian Act is a complicated legal document "which our people find extremely difficult to comprehend. This lack of understanding has made many of our people distrustful of the act."

ENGAGE LAWYER

The brief further requests the government to engage competent lawyers who would be placed at major centres so that Indians could go to them concerning legal problems. This would have the added advantage of having lawyers who specialized in Indian problems and would therefore be experts in legal aspects of the Indian Act and the treaties with their relation to federal and provincial laws.

Dealing with self-government, the brief makes eight recommendations that would have the effect of restoring to the Indians more control over their own affairs. It is felt that a certain amount of control regarding band affairs should be left in the hands of the government, but that much of the former power should be restored to the Indians.

The brief takes strong objection to "dictatorial powers now held by the minister and the Governor-in-Council" including all rights as to real property, whether ownership, leasehold or occupancy.

In Alberta, the minister has the discretion or power over the personal property and produce of the individual Indian and has complete control over the uses of the reserve, the election of chiefs and councillors, all matters dealing with schools, infants, mental defectives, and the Indians' largest source of finance—the money in their band funds.

INCONSISTENT POSITION

In all these matters, the minister's decision is not subject to review and the brief feels "that the minister has assumed an inconsistent position, for she (Hon. Ellen Fairclough) is representing both the interests of the Queen and those of the Indian . . . and those two interests are in constant conflict."

In asking for the right of appeal, the brief says "it is inconceivable that the Indians should be placed in a position where the decisions of the minister or Governor-in-Council are final. British justice, decency and fair play demand that we be given the right to appeal to the Supreme Court of our province against any decision which we feel is improper or unfair."

On the local level, the brief states "we feel that our councils should be permitted to conduct the band business without interference or meddling on the part of the superintendents."

On education, the brief charges the government has given lip service to the ideal of adequate education for Indians, but has failed to practise it.

LETHARGY STATE

"Indian education has been in a state of lethargy for so many years that we feel drastic steps will have to be taken to reorganize it along the lines which

serves be reviewed with a view to improving standards.

WRONG PRINCIPLE

The brief also contends that the principle of supplying welfare assistance from band funds is basically wrong, since band funds vary from a few dollars to more than a million dollars and the resulting welfare varies accordingly.

"We feel that it is improper for the minister to be able to make expenditures from such band funds when the responsibility for welfare actually should lie with the government itself. Our band funds were built up primarily through the surrendering and exploiting of our reserves and this money should not be expended simply to relieve the government of one of its moral obligations. Canada provides assistance through the Colombo Plan and other grants to aid under-developed countries, but our own reserves are expected to find a way of looking after our own under-developed people."

Regarding employment, the brief recommends examining the reserves for possible resources and establishment of small industries capable of providing as much employment for Indians as possible. The brief says that

43 per cent of Alberta's Indians receive some sort of relief each year and that employment "is a constant source of concern."

STUDY OF CONDITIONS

Also recommended is a thorough study of the economic conditions in areas where traditional means of making a living are no longer practical. This study, the brief asks, should be the initial step in relieving the situation through alternate employment, subsidies or some other form of assistance in line with action the government has taken to help stricken coal mining non-Indian communities, and in subsidizing prices for certain agricultural products.

The brief draws attention to the insignificant number of Indians receiving provincial and vocational training. In the year 1958-59, only 34 Indians were receiving provincial and vocational training, including seven who were on the job training in industry, six as stenographers, five as nursing aides, four as commercial artists, four in secretarial work, two in nursing and one each in clerical work and as a recreational supervisor. During that same period, only 19 pupils were in Grade XII and 38 in Grade XI.

"From a population of 18,525

Indians, this would appear to be an extremely small percentage who are being prepared for future vocations," the brief states.

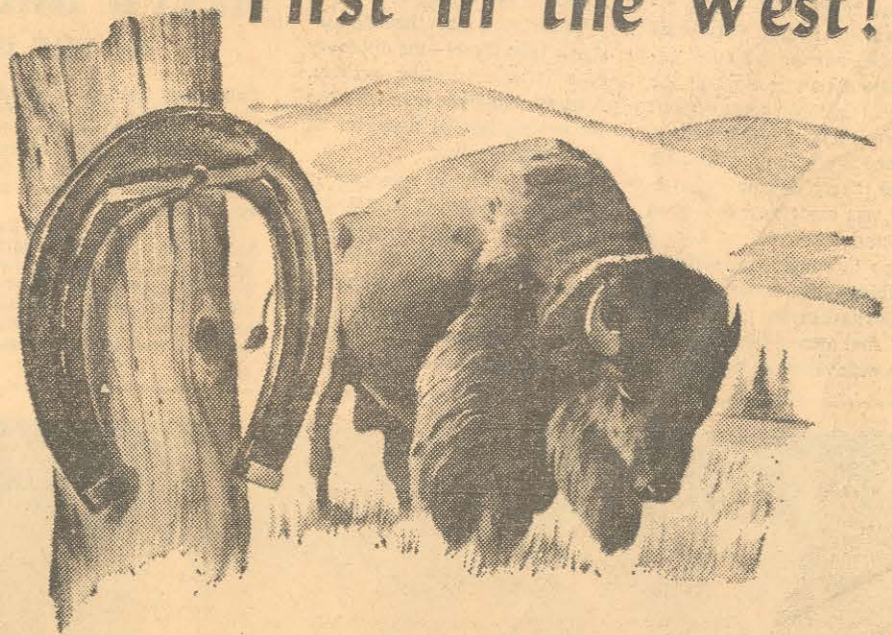
"If an intelligent educational and vocational program had been adopted many years ago, we could have our young people trained so that they could compete in this modern world. Probably it is already too late for some, but we want you to consider our future generations and to give them the kind of encouragement, training and assistance which will make them capable of obtaining gainful employment."

The brief asks for a comprehensive plan to educate and train Indian people for employment on and away from the reserves, and that this be followed by greater efforts in placing the Indian young people in jobs in the fields in which they are trained.

Membership Grows

GENEVA (Reuters) — The World Health Organization is the first of the United Nations specialized agencies to exceed 100 members. The admission of Kuwait as a full member and the federation of Mali as an associate member brought the total to 101.

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education for Indians, but has failed to practise it.

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"Indian education has been in a state of lethargy for so many years that we feel drastic steps will have to be taken to re-organize it along the lines which will be of the greatest benefit to our people."

While pleased with the recommendations of the Cameron Royal Commission on Education, dealing with Indian education, the association agrees there should be more provincial responsibility for the education of Indians, but notes to the extent that the federal government should relinquish its educational responsibility to the Indian people.

The brief states: "At the present time, lack of education is the greatest limiting factor in our hopes for success. We believe the committee would be appalled if it could be provided with the figures of how many of Alberta's 15,525 Indians have more than a great VIII education, or how many have completed high schools, or how many have graduated from university.

"We have been kept in a state of semi-ignorance through government policy and government ineptness in handling Indian education. We feel that adult education in the field which would be of the most practical value should be introduced."

CARE APPALLING

Under the sections dealing with health and welfare, the brief points out that dental care constitutes "possibly one of the most appalling aspects of our health problem," since there are only four dentists under Indian Health Services in Alberta and many Indians have never seen a dentist in their lives. And while many Indians have had their teeth pulled, they have no money for dentures. A mental health education program is also requested.

In requesting greater welfare benefits, the brief states there is only one trained social worker for all the Indians in the province. It asks that there be at least one for every 2,000 persons.

Pointing out substandard housing on reservations, the brief reveals that, according to the most recent figures, a total of 782 houses were built on Canadian reserves in one year from welfare funds at a cost of \$1,072,487.

"If the figures provided us are accurate, it would indicate that the average cost of each house was \$1,370. And we know from experience that many of our welfare houses cannot be considered adequate in any sense of the word."

Attention is drawn to the fact that too little consideration has been given towards attempting to maintain a standard of housing which would prevent the near-slum conditions which have arisen on some reserves. The brief recommends that the whole matter of housing on Indian re-