

Sen. Michael Carpenter:

Chair of the judiciary committee in the Senate chair of this Task Force. Before we go any further, I would start, starting down at my left, ask the members of the Task Force to introduce themselves, and what agency or entity that they represent, please.

Melanie Loyzim:

Good morning. I'm Melanie Loyzim, Deputy Commissioner at the Department of Environmental Protection.

Vice Chief Newell:

Vice Chief Newell, Passamaquoddy Indian Township.

Vice Chief Richard Silliby:

Richard Silliboy, Vice Chief of the Aroostook Band of Micmac.

Vice Chief Elizabeth Dana:

Good morning, I'm Vice Chief Elizabeth Dana for Passamaquoddy Tribe at Pleasant Point. If I can have a moment of your time, have the floor right now, I'd like to recognize Donald Soctomah, Historic Preservation Officer. He has a few words, and would like to introduce-

Donald Soctomah:

Yeah, it's been a while. Hi, my name is Donald Soctomah, I'm the Passamaquoddy Historic Preservation Officer for the Passamaquoddy Tribe of Sipayik and Indian Township. And, I served in the House here for eight years. Let's see, 1998 to 2002, and then 2006, 2010. So, thank you for inviting me. I wanted to try something different. During my term, we did have a gathering like this to try to revise the Land Claims Settlement Act. Towards the end, just before a session, everybody's scrambling and then it got thrown aside. I think anything that you do, even going in the right direction, any little thing would show the Tribe that something is actually getting done.

Donald Soctomah:

So the land claims is not something new. All through our history of the last 400 years, we've had treaties and eventually 400 years later we have Maine Indian Land Claims. So, I wanted to give you just a brief history, so I'm going to ask everybody just to close your eyes just for a second. I won't do anything, okay? Just for a second, I'm going to take you back to the late 1800s, the 1880s. And there's a Tribal representative approaching the Maine Legislature. His name was Louis Mitchell, and he represented the Tribe for quite a few years and he delivered one of the most passionate speech that sort of looked at the history, the relationship between the State of Maine, and the Tribes.

Donald Soctomah:

So we're lucky today that the great-granddaughter of Louis Mitchell is here and she's also the Tribal representative. So instead of me delivering his message, we're going to have her deliver

his message the same way he delivered it to the legislature in the 1880s. And then we're going to have Dwayne Tomah read it in Passamaquoddy, so you get the full expression of this presentation. So Rena, she's going to magically transform.

Rena Newell:

Good morning. I'm not sure if I'm going to be able to deliver it in the same manner, but I'm absolutely honored. And good morning to the honorable members of the Task Force. As Donald introduced this speech, I'm going to re-read the words of my great-grandfather with much honor, and this is an excerpt of a 12-page speech that he presented back in 1887:

"I was authorized by the Passamaquoddy Tribe of Indians to come here before you for the purposes of making known to you what the Passamaquoddy Indians have done for the American people, and how we've been used by the American people, and how we use them. In 1775 or 1776, in the struggle between Great Britain and America, your people came to us for assistance. You authorized Colonel John Allen to speak to us, and you said, "He is our mouth. Believe what he says to you." After many kind words and promises, Francis Joseph, who was the Chief of the Tribe at the time, accepted his offer.

He promised to go and help his people gain their independence. Immediately, he sent his captains to different parts of this country to notify his people to prepare for immediate war. In a few days, Francis Joseph gathered an army of 600 men. At that time, and many years before that, the Passamaquoddy Tribe was the headquarters of the Abenaki Nation. Passamaquoddy Tribe can show you via letter from Colonel John Allen, when he authorized the Passamaquoddy Indians to guard the coast from Machias to Passamaquoddy, and authorized them to seize the enemy's vessels. And according to his orders, we can show you by affidavit, Captain Sopiell Soctomah, with 50 others of his tribe, captured an army schooner in Passamaquoddy Bay and they ran her to Machias and gave her up to Colonel John Allen. We know the Indians who served in that war are passed out of existence, but the Passamaquoddy Tribe helped the Americans in that war, and the Tribe is still in existence.

Now we bountifully ask your attention to help us by letting the legislature examine the papers, and refer them to Congress if they see fit. In the Treaties of 1725, 1794, and Governor Dummer's Treaty of 1727, and in the laws of Massachusetts and Maine at their separation, we were guaranteed the right to hunt and fish forever. In the year 1854 or 1857, some dishonest person or persons presented a petition to the Maine Legislature asking the State to sell the Indians' lands. Indians did not need it, so the legislature passed a resolve that a certain piece of land situated in the town of Perry, owned by the Indians would be sold by public auction. On such a day, they must've arranged everything so they wouldn't bid against each other, and that land was sold for the small sum of \$500. The Indians opposed the sale of it. Now their firewood costs the Indians of Pleasant Point \$1,500 a year.

If that land had not been sold, the Indians would not suffer for want of firewood. Thousands of cords of cordwood have been cut, and wood is on it yet. The land cleared by the Indians was

also sold. Now we claim again that this is not right. An Indian agent himself bought this land afterward and again, we lost the claim on the islands. The case Granger versus Indians, we did not only lost that claim, but \$2,500 of the Indians in favor of Mr. Granger. Just consider today how many rich men there are in Calais and St. Stephens, Milltown, Machias, East Machias, Columbia, Cherryfield, and other lumbering towns. We see a good many of them were thousands and even millions of dollars. We ask ourselves, how do they make most of their money? Answer is, they make it on lumber or timber once owned by Passamaquoddy Indians.

How many of their lands have been taken from them by the authority of the State? Now we say to ourselves, these Indians ought to have everything they asked for. They deserve assistance. We are sent here to help the poor and defend their rights. Now this plainly shows us how much worse the people of 530 souls are, stripped of their whole country, their privileges on which they depend on for their living, all the land they claim to own now being only 10 acres. If one or two men in this body were Indians, they would fight like braves for their rights. Now look at yourselves and see whether I am right or wrong. If you find any insulting language in my speech, I ask your pardon. I don't mean to insult anyone, but simply tell you of our wrong."

Kci woliwon. (thank you)
Dwayne?

Dwayne Tomah:

Distinguished members, my name is Dwayne Tomah from the Passamaquoddy Tribe. I am honored here today to speak on behalf of the Passamaquoddy Tribe, that our Ancestors' voices are still being spoken from 1887, 130 years ago. So it is an honor here to extend this speech to everyone, and to be able to say that it's very important that we listen to the words, and for us to take some action regarding Indigenous peoples problems that we are faced with. Louis Mitchell, the Passamaquoddy Tribe, State of Maine, 63rd legislature, March 9th, 1887. In our language, this is exactly what he was trying to say. There are many problems facing our people. The Indigenous people, not just in Maine, but throughout the country and I think this is a perfect opportunity, and a wonderful opportunity to be able to make a difference, to change things slowly, methodically, and to be able to recognize the first peoples, and their rights, their culture, and to continue this work that we're doing at this level. Thank you very much for having me the opportunity to speak on behalf of the Passamaquoddy Tribe. Woliwon. (thank you)

Sen. Michael Carpenter:

Thank you, Mr. Tomah. Thank you, Representative Newell, and former Representative Soctomah. History is how we get here. It's important for us to remember the positive sides, and the negative sides of our history. We learn from that. At this point, I would continue the introductions. Before we go any further, Representative Dillingham has joined us. We were doing introductions if you would just introduce yourself.

Rep. Kathleen Dillingham:

Good morning, I'm Representative Kathleen Dillingham, represent House District 72, which comprises of the towns of Oxford, Otisfield, and Mechanic Falls.

Rep. Donna Bailey:

Good morning, I'm Representative Donna Bailey, and I represent the wonderful city of Saco, House District 14, and I'm the House chair.

Chief Kirk Francis:

Good morning, Kirk Francis. I'm Tribal Chief at Penobscot Indian Nation.

Chief Clarissa S.:

Good morning, Clarissa Sabattis, Tribal Chief for the Maliseet Indians.

Rep. Marianne Moore:

Good morning, I'm Marianne Moore and I represent Senate District 6, which is all of Washington County, as well as Gouldsboro, Winter Harbor, and Sullivan, part of Hancock County as well.

Rep. Anne Perry:

Good morning, I'm Representative Anne Perry, I represent House District 140, which includes Indian Township, Baileyville, Baring, Calais, Charlotte, Robbinston, Perry, Pembroke, and Pleasant Point.

Paul Thibeault:

Paul Thibeault, Managing Director of the Maine Indian Tribal State Commission.

Chris Taub:

Good morning, I'm Chris Taub from the Attorney General's office.

Sen. Michael Carpenter:

Thank you. I'm going to recognize a couple of folks in the audience. Donna Loring, from Governor Mills's office. Also, Maulian Dana, in the back of the room, the Ambassador from the Penobscot Tribe. Representative Newell, we've already introduced. Former Representative Madonna Soctomah, with whom I served many years ago in the legislature, when we both didn't have hair of this color. There are several members of the Tribal State Commission here, I'm not going to go through everybody here, but thank you all for attending. Our purpose here is to try to move this conversation forward in a positive way, and with that we're going to flip the script a little bit from the agenda, and I think I'm going to add the third item on the agenda was a presentation by Mr. Thibeault, and so we're going to go to that before we go to item number two. So Mr. Thibeault, you have the floor.

Oh, I'm sorry. I was remiss. Let me introduce our very capable staff from the legislative offices here. Sam Stat, and Janet Stocco and they're back here behind us. They are a resource for the Task Force and for anybody else who has any questions that they may have about this process.