

M E M O R A N D U M

September 5, 1979

TO: Jim Case

FROM: Estelle Lavoie

RE: Summary of my June 27 meeting with representatives  
of the Micmac and Maliseet Tribes.

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On Wednesday morning, June 27, I met with several representatives of the Micmac and Maliseet Tribes of Aroostook County to discuss their desire to obtain federal recognition and with it, federal funds, and their land claim for Aroostook County. Present were Maynard Polchies, President of the Association of Aroostook Indians, Inc., John Joseph, James Tomah, Jim Wherry, John Stevens -- former Passamaquoddy tribal governor who has been hired to assist on this endeavor, and Gregory Buesing of the Federal Regional Council in Boston.

Several factors prompt them in pursuing a settlement with the federal government:

- 1) The state's withdrawal of funding and services, presently totaling \$500,000 beginning next fall;
- 2) The April 1, 1980, statute of limitations on the filing of claims under the Nonintercourse Act;
- 3) The refusal of the present Passamaquoddy leadership to cut them in on any settlement they may get out of their land claim;
- 4) A statement, in the Joint Memorandum of Understanding, which would preclude any further claims to the land claimed by the Penobscots and Passamaquoddies.

#### Background

There are today approximately 1500 Micmac and Maliseet Indians scattered in Maine. While there is no reservation or land area set aside for them, the largest group of Maliseet Indians numbers 300 to 400, lives in a particular section of Houlton, and calls itself the Houlton band. The Maliseets, which are somehow related to the Passamaquoddies in terms of blood line and lineage, say they have a land claim to most of Aroostook County, potentially three million acres. Because their chiefs spoke along with the

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Passamaquoddy chiefs at the time the now-famous 1800 treaties were signed, they believe they also have a valid claim to federal services. The Micmacs have no land claim and the Bureau of Indian Affairs would apparently be reluctant to give them services under any condition.

While the major Indian land claim was brewing during the mid-1970's, the Passamaquoddy leadership at that time, including John Stevens, apparently told the Micmacs and Maliseets that they would share some of the proceeds of their land claim settlement once it was finalized and suggested that their northern brothers remain quiet during the course of negotiations. The new Passamaquoddy governors are no longer promising anything, and the Aroostook Indians, who are quite poor, are naturally concerned about their future well-being since the state is also cutting off all services.

In order to protect themselves, the Aroostook Indians have done some historical research on their origin and done some genealogical studies. Attached is a copy of their report. It was obvious to me, during the course of the meeting, that the tribes really were not sure how to proceed and had done very little in terms of substantive legal research. They do not want to sue the Passamaquoddies and Penobscots for land. On the other hand, they know they will be totally destitute without any kind of state or federal assistance.

They wanted to know Senator Muskie's thoughts on their report and to have his guidance. I simply replied that an additional land claim would not make matters easier and that Muskie really had no opinion on their report.

When pressed for their precise claims, they replied:

- 1) Federal services;
- 2) A non-residential land base, for social and cultural purposes primarily. They have not identified any tracts of land, and gave a preliminary figure of 10,000 acres.

I will add in closing that, at the time of the meeting, these Indians had no legal counsel. Tom Tureen has told them that he (and the Native American Rights Fund) would be in conflict if he represented them as well as the other Maine tribes. While the Micmacs and Maliseets are quite poor and said they couldn't afford to hire counsel, they have obviously discovered a means to obtain legal representation.