

# NEWSLETTER

ISSUE NO. 44

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JANUARY/APRIL 2013

## Donald F. "Laughing Owl" Newell



BELMONT - Donald F. "Laughing Owl" Newell, 86, of 9 Durrell Mt. Road, died at the Lakes Region General Hospital, Laconia on Wednesday, Dec. 5, 2012.

Mr. Don Newell was born July 10, 1926, in Dixfield, Maine, the son of Celand T. and Arlene (Boivin) Newell. He had lived in the Lakes Region since 1964 and had been employed at J.J. Nissen for 39 years.

Mr. Newell served in the Merchant Marines during World War II, sailing to England seven times, France, Belgium, Egypt, Suez Canal to Iran, Puerto Rico, Aruba, Cancun, Venezuela and Japan. He was a member of the American Legion, Wilkins-Smith Post No. 1 of Laconia and was a member (#02284) of the Penobscot Indian Nation, Old Town, Maine.

Mr. Newell was a founding member and Elder of the New Hampshire Intertribal Native American Council and was a 50+ year member and Ordained Elder of the Church of Jesus Christ of Latter Day Saints.

Survivors include two sons, Peter Newell of Belmont and Michael Newell and his wife, Chris, of Belmont; a daughter, Susan Newell Montmagny, of Lebanon; 10 grandchildren, Julie Newell Guarente and her husband, Dan, Jolene Newell Price and her husband, David, Meredith Newell, Wesley Newell and his wife, Hope, Elizabeth Montmagny, Ben Montmagny, Josh Gentes, Kate Gentes, Jay Harris and his wife, Erin, and Jake Long; four great-grandchildren, Nicholas Guarente, Kyle Price, Jordanna Price and Emily Louise Newell; a brother, Homer Newell, of Rumford, Maine, and a sister, Ruth Holman, of Dixfield, Maine. In addition to his parents, Mr. Newell was predeceased by his wife of 61 years, Beverly (Anderson) Newell, in 2008, by a son, Lyn Newell, a grandson, Jerry Newell and by a sister, Elizabeth "Betty" (Newell) Lowe.

**SERVICES:** Calling hours were held on Friday, Dec. 7, 2012, from 6 to 8 p.m. in the Carriage House of the Wilkinson-Beane-Simoneau-Paquette Funeral Home, 164 Pleasant St., Laconia, NH.

A funeral service was held on Saturday, Dec. 8, 2012, at 11 a.m. at the Church of Jesus Christ of Latter Day Saints, 1242 Old North Main St., Laconia.

Burial was Monday, Dec. 10, 2012, at 11 a.m. at the New Hampshire Veterans Cemetery, 110 Daniel Webster Highway, Boscawen.

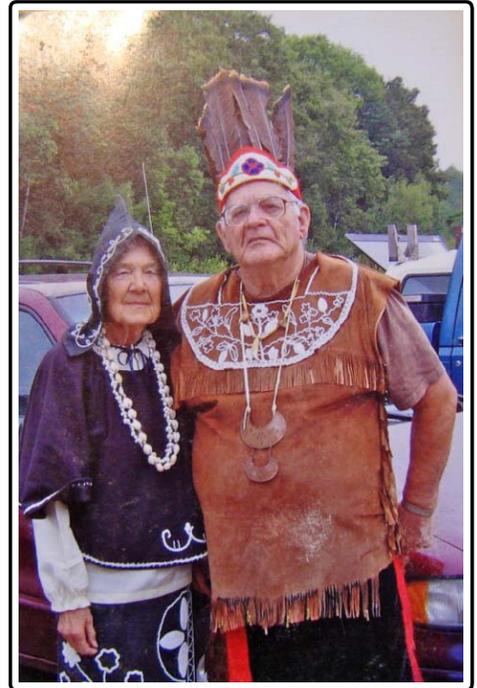
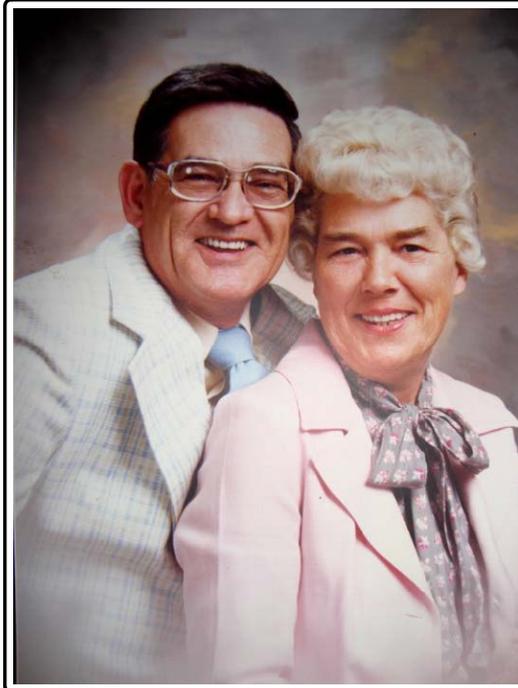
In lieu of flowers, you may make donations to the Native American Toy Fund, P.O. Box #111, Candia, 03034.

Wilkinson-Beane-Simoneau-Paquette Funeral Home & Cremation Services, 164 Pleasant Street, Laconia, was assisting the family with the arrangements. For more information and to view an online memorial go to [www.wilkinsonbeane.com](http://www.wilkinsonbeane.com).

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**Kim White Feather**  
**53 Route 16B**  
**Center Ossipee, NH 03814**

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<http://nhitnac.tripod.com>



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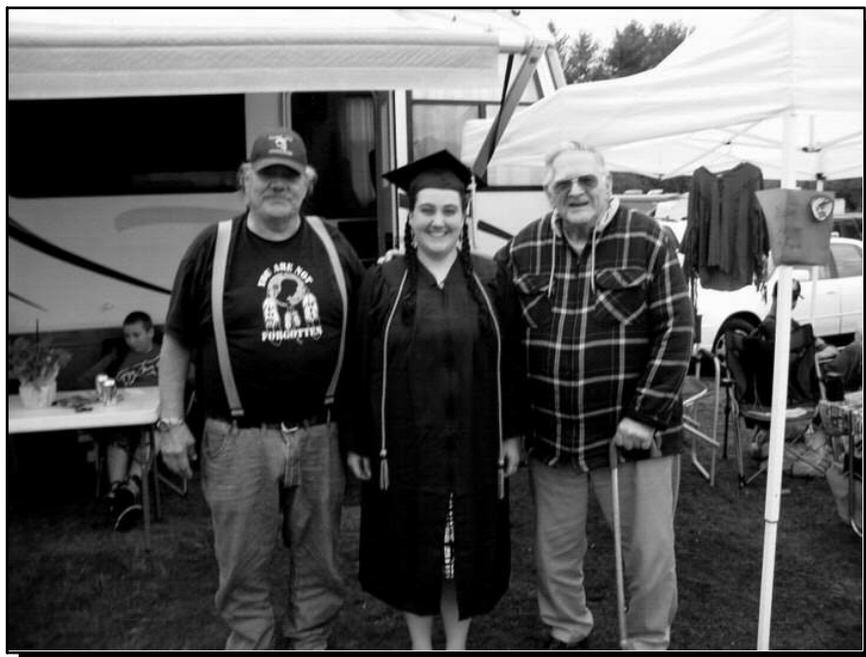
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Grandfather Newell at the new Veterans Cemetery for the dedication of the Monument in Boscawen, NH with Peter Newell.

Grandfather Newell and most of his beloved Family. Elizabeth Montmagny, Susan Newell Montmagny, Ben Montmagny, and Peter Newell



Peter Newell, Elizabeth Montmagny, and Grandfather Don Newell

## Study Shows Mother Earth Heading Toward Highest Temperatures in Human History by End Century - ICTMN Staff - March 09, 2013

Greenhouse gases and thus temperatures are skyrocketing and will most likely reach epic proportions by the year 2100, scientists at Oregon State University and Harvard University have found.

Funded by the National Science Foundations Paleoclimate Program, and published in the March 8 issue of the journal *Science*, the study covers 11,300 years and finds temperatures higher than they have been over 70 to 80 percent of that time, OSU said in a statement on March 7.

A team headed by Shaun Marcott, a postdoctoral researcher in OSUs College of Earth, Ocean and Atmospheric Studies, reached further back than most other studies, which he said usually dont go beyond 2,000 years ago, to give the current climate change issues some context. They studied data from 73 sites around the world, to tell Earths temperature history back to the end of the last Ice Age. The current age, called the Holocene, began when the great ice sheets of northern Turtle Island and Europe receded. What they found may well heat up the climate change debate.

First, Earth cooled about 1.3 degrees Fahrenheit for most of the past 5,000 years, but warmed back up by the same amount over just the past 100 years, the researchers said. And the bigger the land masses and the larger the populations, the warmer it gotas in the Northern Hemisphere.

Predictions from climate change models expect the temperatures to increase another 2.0 to 11.5 degrees by the end of the century, the OSU statement said, significantly greater than at any time during the past 11,300 years, said Peter Clark, an OSU paleoclimatologist and co-author on the *Science* article, in the statement.

We already knew that on a global scale, Earth is warmer today than it was over much of the past 2,000 years, Marcott said in an OSU statement. Now we know that it is warmer than most of the past 11,300 years. This is of particular interest because the Holocene spans the entire period of human civilization."

Moreover its an anomaly because of the speed with which it is happening, said Candace Major, the program program in the National Science Foundations Division of Ocean Sciences, which funded the research along with NSF's Division of Atmospheric and Geospace Sciences.

Breaching the Holocenes temperatures would be a first, the scientists said. Although 20002009 was one of the warmest since the U.S. started keeping records, the temperatures have been lower than the ages overall. But no more.

The last century stands out as the anomaly in this record of global temperature since the end of the last ice age, said Majo in OSUs statement. This research shows that weve experienced almost the same range of temperature change since the beginning of the industrial revolution as over the previous 11,000 years of Earth historybut this change happened a lot more quickly.

Read more at <http://indiancountrytodaymedianetwork.com/2013/03/09/study-shows-mother-earth-heading-toward-highest-temperatures-human-history-end-century>



## Passamaquoddy official says LePage threatened Tribal group over elvers during enraged phone call...

Sun Journal Staff - Mario Moretto, Bangor Daily News Maine- Tuesday, April 2, 2013 at 9:53 am

ELLSWORTH Gov. Paul LePage issued an ultimatum to the Passamaquoddy tribe Monday morning: Play by the states fishing rules or face consequences from his office, tribal officials said.

According to a Passamaquoddy official who sat in on a phone call from the governor, LePage threatened to withdraw support for issues of importance to the Passamaquoddy including the Truth and Reconciliation Commission and the possibility of a casino in Washington County during a brief call with tribal leaders Monday morning.

Newell Lewey, a member of the Tribal Council, said he and several others sat in on the call, which LePage made to Chief Clayton Cleaves. LePage told the tribe hed make good on those threats if they didnt stand down on their claim to authority over tribal members right to harvest elvers.

Gov. LePage also threatened he would shut down the entire fishery, Lewey said Monday evening, quoting a letter sent by the tribe to Senate President Justin Alford, informing him about the phone call.

Lewey said there was no mistaking LePages intent or anger, describing the governors message as loud, enraged and demanding.

Hes going to try to hold us hostage, thats what hes going to do, Lewey said. I was in there. I heard it. I heard his tone. There was no mistake.

Repeated efforts to contact LePages press secretary this week have been unsuccessful. Efforts to reach Department of Marine Resources Commissioner Patrick Keliher also have been unsuccessful.

Rumors also swirled in Augusta on Monday that LePage had threatened to call the National Guard to help enforce the states rules on elver harvesting, though that threat has not been confirmed.

For its part, the Passamaquoddy say they arent backing down. Lewey said that even if he wanted to, the chief couldnt back down because the Joint Tribal Council which represents Passamaquoddis in Indian Township and Pleasant Point had already spoken.

The chief of the tribe is acting on a Joint Council Resolution, shaped by the people of the tribe, and the council voted unanimously, all 12 council members, to support the elver fisheries management plan, he said. The chief cannot override that.

The dispute began last week when DMR announced that it would invalidate all but 150 of the 575 elver licenses issued by the tribe. A new state law limits the number of elver permits available to the Passamaquoddy to 200 150 permits to set fyke nets anywhere in the state and 50 permits to use dip-nets in the St. Croix River.

Keliher said the Passamaquoddy had put the state out of compliance with rules imposed by the Atlantic States Marine Fisheries Commission. Enforcement of the law began March 31, and Keliher said any Passamaquoddy fishing with a permit number higher than 150 would be issued a summons and have their nets confiscated.

On Sunday night, there was a confrontation between tribal leaders, backed up by a crowd of Passamaquoddis, and Marine Patrol in Pembroke. State police were called to backup DMRs effort to enforce its rules and, ultimately, Keliher, who was on scene during the incident, agreed to hold off on issuing summonses, but nets were still confiscated.

Keliher later told legislators in Augusta that the police involved in the Sunday incident had become fearful for their safety due to the number of Passamaquoddy protesting their action.

At least three summonses have been issued to tribal fishermen, though DMR has not returned calls for comment, so the total number of summonses issued is unknown.

Fred Moore III, a former Passamaquoddy representative to Augusta and a member of the tribes fisheries committee, said attempts to strip indigenous fishing rights would only result in more tribal fishing.

They can come and take a couple of us to jail, and 300 more will join in. he said Monday.

The sovereignty dispute has grown hotter by the day, with the Passamaquoddy attacking the states elver management plan and touting the superiority of its own conservation techniques.

Lewey said the states effort to protect the elver population by limiting the number of licenses was inferior to the tribal management plan, which instead sets a total allowable catch limit of 3,600 pounds.

The idea that we have jeopardized the entire fishery for the state is an outright lie, Lewey said Monday night. He [Keliher] keeps coming back to that number, that 150 or 200 licenses, but it doesnt really matter because at 3,600 pounds, were shutting down, whether we reach that in early April or mid-May.

On Monday, the Legislatures Marine Resources Committee said a bill aimed at tightening elver rules and creating steeper fines ought to pass, as amended.

The bill, LD 632, would make second and subsequent elver license violations a criminal rather than civil offense; make a \$2,000 fine for violations mandatory; create a mechanism to seize any elver catch that contains illegal harvested elvers; make assisting in illegal harvesting of elvers a civil offense; and require that a license holder be able to furnish a photo ID before selling his catch.

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The lucrative elver season runs from March 22 to May 31. Last year, harvesters netted 19,000 pounds of the juvenile American eels and were paid nearly \$38 million for their catch. Individual fisherman sometimes received more than \$2,000 per pound.

Regardless of whether the tribes management plan is superior, Bennett emphasized that the Passamaquoddys are not in compliance with the law on the books.

There were no concerns like this brought up during the legislative process, albeit it was a relatively quick process, Bennett said, referring to the rule passed in March that limited the number of Passamaquoddy elver licenses. It's very clear that the tribe is defying state law.

While the Passamaquoddy seem to have drawn a line in the sand over the elver issue, Bennett said the governor hoped a resolution could be found before the dispute escalates further.

We hope the lines of communication remain open, she said. The governor has a background of trying to improve tribal relations. He would hate to see this issue jeopardize that relationship.

BDN reporter Robert Long contributed to this report. Follow Mario Moretto on Twitter at @riocarmine.

#### CORRECTION:

An earlier version of this story stated that Attorney General Janet Mills released a legal opinion on the jurisdiction dispute on Tuesday. While the opinion was released on Tuesday, it was dated March 12, 2013.



CALAIS, Maine Imposing a catch limit is a better way of protecting the states elver population than limiting the number of licenses that may be issued to fishermen, Clayton Cleaves, chief of the Passamaquoddy Tribe at Pleasant Point said Sunday at a press conference outside the Wabanaki Culture Center.

Tribal representatives said that limiting the catch to 3,600 pounds and allowing fishermen to use just one net was a better way to manage the resource than issuing a set number of licenses to tribal members.

Fishing is part of our tradition, Cleaves said. It's part of our religion.

In a telephone interview after the press conference, Maine Department of Marine Resources Commissioner Patrick Keliher said the tribe started talking about a quota-based system very late for it to be implemented this year.

Conceptually, were not opposed to that, but for a successful quota-based system, you have to be able to monitor the harvesters and the dealers, he said. They're not in control of the dealers.

The press conference, which drew about 100 people to the Wabanaki Culture Center, was held in response to a statement Friday by Keliher that the tribe had put the state out of compliance with fishing restrictions imposed by the Atlantic States Marine Fisheries Commission by issuing more than twice the number of elver licenses than it should have.

Keliher said that by issuing 575 licenses, the tribe has put Maine out of compliance with federal elver regulations.

The Passamaquoddys have jeopardized this entire fishery for the entire state, Keliher said.

Keliher said that on March 21, the day before the start of Maine's 10-week elver season, Gov. Paul LePage signed into law emergency legislation that limits the tribe to a total of 200 licenses.

For that reason, Keliher said Friday, the department is invalidating all but 150 of the 575 licenses issued by the Passamaquoddy tribe.

Each of those licenses are numbered, so we are going in order, Keliher said.

Any tribal license numbered 151 or higher will be considered void by Maine Marine Patrol, he said.

As a result, starting at noon Sunday, anyone caught using a Passamaquoddy license numbered 151 or higher will be summoned on a civil charge and have their gear confiscated by marine patrol, he said.

The newly enacted state law indicates that 50 of the tribes 200 valid licenses must limit the license holder to using one hand-dip net only in the St. Croix River, Keliher said Friday. However, none of the 575 issued by the tribe have this restriction. For that reason, he said, the department will allow the tribe to issue 50 more licenses with that restriction. When added to the 150 validated by DMR, that will bring the number of validated Passamaquoddy licenses to 200.

Cleaves said at 2 p.m. Sunday that he had learned that, so far, three tribal members had been issued summonses.

Arrest me instead of my people, he said. We gave them the right to go fish.

Cleaves said that the tribe would challenge the summonses in court, all the way to the Maine Supreme Judicial Court, if necessary.

They should be focused more on [working with state and federal authorities on a new plan] than on breaking the law, the commissioner said.

The total number of summonses issued by the state was not available Sunday.

The chief said the tribes conservation framework, developed over the past 18 months by the Fisheries Advisory Committee, is superior to the states plan.

Recently, the Passamaquoddy Tribe has been accused of placing the glass eel fishery in such extreme danger that



the Atlantic States Marine Fisheries Commission might force the shutdown of the states glass eel fishery, he said in an email announcing the press conference. Nothing can be further from the truth. In fact, the Passamaquoddy approach to the glass eel fishery is rooted in traditional knowledge of the species, an inherent and inalienable connection to the rivers and oceans that are the home of the Passamaquoddy people and of the American eel, and a profound scientific understanding of the ecology of the watershed resulting in a strict conservation framework. This framework is superior to that of the state of Maine.

Interest in Maines elver fishery has dramatically increased in the past two years as prices for the juvenile American eels have skyrocketed. In 2010, elver fishermen in Maine cumulatively caught 3,100 pounds of elvers and were paid \$585,000 total for their trouble. In 2012, Maine fishermen caught 19,000 pounds of elvers and were paid a total of nearly \$38 million.

For individual fishermen, the soaring value of the fishery has been a windfall. In 2010, elver fishermen in Maine on average were paid \$185 per pound for their catch. The average price rose to nearly \$900 per pound in 2011 and last year kept rising to nearly \$2,000 per pound.

Prices that dealers are offering fishermen so far this season range from \$1,700 to \$2,000 per pound, fishermen and state officials have said.

Maine and South Carolina are the only two states where fishing for the transparent or glass juvenile eels is allowed.

During the 10-week season, which runs from March 22 through May 31, fishing is not allowed from noon Saturday to noon Sunday or from noon Tuesday to noon Wednesday.



**WE RAISE OUR HANDS HIGH IN GRATITUDE**

Creator of all Good Things, Good Grandmothers and Grandfathers...  
We are Grateful for Our Most Sacred Gift: Our Life. (ejh)

## Federal Court of Appeal Decision to Continue Canadian Human Rights Tribunal - March 12, 2013

### Assembly of First Nations Welcomes Federal Court of Appeal Decision to Continue Canadian Human Rights Tribunal in Support of Equity and Fairness for First Nation Children

(Ottawa, ON) Assembly of First Nations (AFN) National Chief Shawn A-in-chut Atleo welcomes the March 11 decision by the Federal Court of Appeal to continue Canadian Human Rights Tribunal hearings on First Nations child welfare.

It remains unfortunate that the federal government continues to battle us in court on a fundamental issue of justice and equity for First Nations children. It should not have to get to this, however yesterday's decision is a welcome step by the Federal Court of Appeal and one that will ensure these important hearings continue before the Canadian Human Rights Tribunal, said AFN National Chief Shawn Atleo.

The Canadian Human Rights Tribunal began hearing evidence February 25, 2013 for a human rights complaint alleging discrimination against First Nations children. The hearings are based on the February 27, 2007 complaint filed with the Canadian Human Rights Commission by AFN and the First Nations Child and Family Caring Society of Canada regarding the longstanding pattern of inequity in government funding and child welfare services for First Nation children.

National Chief Atleo made opening statements at the Tribunal February 25, supporting and advocating for equity and fairness for First Nation children. Hearings before the Tribunal will resume in April and are expected to conclude this summer.

The Government of Canada applied to stop the Canadian Human Rights Tribunal from continuing hearings on the basis that one cannot compare federal programs and funding to those of provincial governments. The federal government argued that the Federal Court misapplied legal standards and adopted its own interpretation of the section 5(b) of the Human Rights Act. The Federal Court of Appeal disagreed and upheld the decision of the Federal Court. The Government of Canada has 60 days to appeal the decision to the Supreme Court of Canada.

The Assembly of First Nations is the national organization representing First Nations citizens in Canada. Follow us on Twitter @AFN\_Updates, @AFN\_Comms

#### Contact information:

Jenna Young AFN Communications Officer  
613-241-6789, ext 401; 613-314-8157 or [jyoung@afn.ca](mailto:jyoung@afn.ca)

Alain Garon AFN Bilingual Communications Officer  
613-241-6789, ext 382; 613-292-0857 or [agaron@afn.ca](mailto:agaron@afn.ca)



## Laughter Corner



A very beautiful Lakota woman was sitting at a bar in the Prairie Wind Coffee Shop enjoying an after work coffee with her girlfriends, when an exceptionally tall, handsome, middleaged Crow man with long braids entered. He was so striking that the Lakota woman could not take her eyes off him.

The confident Crow man noticed her overly attentive stare and walked directly toward her.

Before she could offer her apologies for so rudely staring, he leaned over and whispered to her, "I'll do anything, absolutely anything, that you want me to do, no matter how kinky, for \$20.00.....on one condition."

A bit startled but intrigued, the Lakota woman asked what the condition was.

He then replied, "You have to tell me what you want me to do in just three words."

The woman considered his proposition for a moment, then slowly removed a \$20 bill from her purse, which she pressed into the man's hand along with her address. She looked deeply into his eyes, and in a slow and sultry voice she said...."Clean my house."

**NH INTERTRIBAL NATIVE AMERICAN COUNCIL**

**Presents The - 20th Anniversary  
Grandmother Beverly Newell Memorial  
Tamworth Pow Wow**

**On May 18th & 19th , 2013**

**Free Raffle ticket for Non-Perishable food item.**

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*Some of the many Activities will include:*

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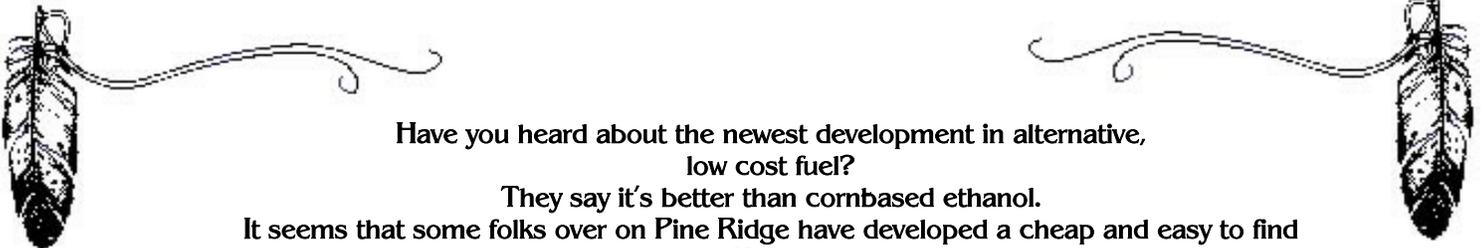
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***ABSOLUTELY NO DRUGS OR ALCOHOL  
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**For information, Please contact  
Sandy at 603-651-8769**

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On site Trailer Rentals at 603-323-8031**



Have you heard about the newest development in alternative,  
low cost fuel?

They say it's better than cornbased ethanol.

It seems that some folks over on Pine Ridge have developed a cheap and easy to find  
ingredient. Used frybread oil!

The fuel is going to be marketed as Rezanol.

***A FEW UP COMING EVENTS;***

April 3rd, 2013 - NH Intertribal Native American Council Monthly Meeting - Laconia Police Station, New Salem Street, Laconia. Meeting Starts at 7PM

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April 13th, 2013 - L.I.H.A. Annual Sugar Run Pow-Wow Memorial Middle School, 150 McGrath Street, Laconia, NH 603-878-5697

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April 27th Harvard University Native American Program - Annual Pow-Wow, Radcliffe Lawn, 10 Garden Street, Cambridge, MA (Tent) 617-495-4923

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May 1st, 2013 - NH Intertribal Native American Council Monthly Meeting - Laconia Police Station, New Salem Street, Laconia. Meeting Starts at 7PM

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May 18th & 19th, 2013, - NHINAC 20th Annual Grandmother Morning Dove - Tamworth Pow-Wow, Tamworth Campground, Tamworth, NH 603-651-8769

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June 5th, 2013 - NH Intertribal Native American Council Monthly Meeting - Laconia Police Station, New Salem Street, Laconia. Meeting Starts at 7PM

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June 8th & 9th, 2013 - NH Intertribal Native American Council Spirit of the Bear Pow-wow, Enfield Maine - 710 Dodin Road, Enfield Maine - 207-732-5366

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June 29th & 30th, 2013 - Medicine Bear Drum group - Intertribal Pow-Wow, Rochester Fairgrounds, - 72 Lafayette Street, Rochester, NH 603-966-5235

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July 3rd, 2013 - NH Intertribal Native American Council Monthly Meeting - Laconia Police Station, New Salem Street, Laconia. Meeting Starts at 7PM

NHINAC  
9 Durrell Mountain Road  
Belmont, NH 03220

