

1/18-31-2. Vol:3.

VOL. NO. - VOL. NO 3	FILE NUMBER - DOSSIER NO 1/18-31-2
TO - À <i>Feb 1951</i> FROM - DE <i>Nov 1956</i>	SUBJECT - SUJET CUSTOMS & EXCISE REGULATIONS SEIZURE OF GOODS FROM INDIANS GENERAL

DEPARTMENT OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT
MINISTÈRE DES AFFAIRES INDIENNES ET DU NORD CANADIEN

[illegible]

1/18-31-2 VOL. 3

COLONIAL INDIAN

RELATED FILES - DOSSIERS CONNEXES	
FILE NUMBER - DOSSIER N°	SUBJECT - SUJET
1	
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INTRODUCTION

The REGISTRY is established to serve you but satisfactory service is largely dependent upon your prompt return of files. This file is charged to you and you are responsible for its return; unless you notify the Registry to transfer the charge to another person, the file will remain charged to you until it is returned. **If action cannot be taken within 48 hours B.F. File. Do not remove documents from the file, unless it is absolutely necessary for the proper conduct of any Division. If the paper is removed from file a sheet giving the nature of the paper withdrawn and stating where it is to be found should be placed on file in its stead.**

Particulars Re Use of File Cover

- Column 1 — Shows the office or name of the person to whom the file is routed. (Office designation where the system is in use.)
- 2 — Shows the reasons for the routing, or the date and identification number of the letter on file requiring your attention. May be used for cancellation of B.F. by entering a referral minute to this effect.
- 3 — Shows the date on which the file is routed to the user.
- 4 — Provides for initials of the person routing or rerouting a file.
- 5 — Provides space for the user to enter the date of P.A. (put away) when action is completed.
- 6 — Provides space for the user to write the BF (bring forward) date, the date the user wishes the file to be brought back to him.
- 7 — Provides space for the user to initial the entry when a file is to be P.A.'d, B.F.'d.
- 8 — Provides space for the Registry to enter the date on which the file is returned to the Registry and inspected before being put away.

L'objet du SERVICE DES ARCHIVES est de servir, mais la qualité du service est liée au prompt retour des dossiers. Il incombe à la personne au nom de laquelle le présent dossier est inscrit, de la renvoyer au service des archives; à moins qu'elle n'avertisse le service d'inscrire le dossier au nom d'une autre personne, le dossier restera inscrit à son nom, tant qu'il sera en circulation. **Si l'on ne peut s'occuper du dossier dans les 48 heures, indiquer la date de rappel. Ne pas enlever de documents du dossier, à moins qu'une Division en ait absolument besoin pour mener à bien ses travaux. Remplacer tout document retiré du dossier par une feuille précisant la nature du document et indiquant le service qui le détient, jusqu'à ce qu'il soit de nouveau versé au dossier.**

Détails concernant l'usage de la chemise

- Colonne 1 — indiquer le bureau ou le nom de la personne vers qui le dossier est acheminé. (La désignation du bureau qui a recours au système.)
- 2 — indiquer les raisons de l'acheminement ou la date et le numéro d'identification de la lettre au dossier dont le destinataire doit s'occuper. Peut servir à annuler une date de rappel, si l'on inscrit une note à cette fin.
- 3 — indiquer la date d'acheminement du dossier vers l'usage.
- 4 — réservée aux initiales de la personne acheminant ou réacheminant le dossier.
- 5 — réservée à l'inscription de la date de rangement par l'utilisateur, lorsqu'il a fini du dossier.
- 6 — réservée à l'inscription de la date de rappel, à laquelle l'utilisateur souhaite ravoit le dossier.
- 7 — réservée aux initiales de l'utilisateur, lorsque le dossier fait l'objet d'un rangement, d'un rappel.
- 8 — réservée au service des archives pour y inscrire la date ou le dossier lui est renvoyé et ou il est examiné avant d'être rangé.

File No.
Dossier N°

1/18-31-2

Subject – *Objet*

[illegible]

001642

File No.
Dossier N°

Subject – Objet

[illegible]

001643



DATED FROM..... FILE No.....
TO..... VOLUME No.....

CLOSED VOLUME

DO NOT PLACE ANY CORRESPONDENCE ON THIS FILE

FOR SUBSEQUENT CORRESPONDENCE SEE:

FILE No..... VOLUME No. 24.....

PLEASE KEEP ATTACHED TO TOP OF FILE

Superintendent, Saint John River Agency

Charles Bernard, Personal

Chief, Economic Development Division

1/18-31-2 (D.5)

Exemption of Customs Duties

February 13, 1961.

I wish to refer to your letter of February 3rd and copies of correspondence from Charles Bernard of the Edmundston Band in reference to a request for exemption from Customs Duties on equipment to be imported from the United States.

Mr. Bernard appears to have a misunderstanding concerning the position of Indians in relation to the payment of Customs Duties on goods imported from the United States. Many Indians have held the view that they were exempt from Customs Duties by the provisions of the Jay Treaty. This contention was brought before the Exchequer Court in the petition of Louis François, St. Regis Band, and that Court ruled on August 4, 1954, that Indians are not entitled to exemption from the payment of Customs Duties by virtue of that Treaty. Therefore, Indians are subject to this taxation in the same way as other Canadians. The Supreme Court of Canada upheld that ruling on June 11, 1956, and the judgments of the Supreme Court are final and conclusive.

If Mr. Bernard is interested in applying for a Revolving Fund Loan for the purchase of this equipment, you should advise him that a loan could only be used for the outright purchase of the equipment rather than a portion of the purchase price only. It will be necessary for the applicant to be able to provide 25% of the purchase price, and possibly more in this case, since the equipment may not have a ready resale value if repossession should be necessary. Any such application should be considered on its merits and all relevant information should be submitted at the time the application is made. It would be expected that

... 2

-2-

an estimate would be made on the volume of business that would be obtained through the use of the machine in order to ascertain that the project would be self-supporting.

I am informed that the British American Oil lease is paid in advance until 1965, and the possible renewal of that lease would not be a satisfactory basis on which to consider repayment of a possible loan.

R. F. Battle

TRK/r

c.c.to: Regional Supervisor of Indian Agencies,
Maritime Regional Headquarters,
AMHERST, N. S.

26/15

1/16-31-2

Chas. Bernard Laminating machines.

On or off reserve?

Bernard's Jan. 30 -

n. Ogden
or Penchman

What's this ^{has paid about} to 1965 -
BA oil lease?

Buying on time - presumably
a conditional sales agmt.

Band funds
effort. cap
\$14 rev

This would be a prior claim to
repossess, and with U.S. laws
involved, we don't want to
get into an inferior position as to
security + title.

Is there a Cdn. machine? If not, can we
buy there a Cdn. dealer?
on an installment basis?

Subject to pending ruling from
Legal Advisor -

Did
D's suggestion?
25% down payment
relate to 25% of \$100

25% of \$400 = \$100.

Interest + down
\$100

1. I doubt if we could get
a chattel mortgage + register it
+ have prior claim, if
there's a conditional sale
involved.

2. Even if we'd accept a
promissory note, or ^{procedural} machine
does not permit a "good"
lien note in these circumstances.

BA. Can paid in
advance to 1965 -

We'd prefer to see him buy "on time"
rather than get into a RFL.

- new lease pending to
Edmonton Lumber Co. Ltd.

An RFL would presumably involve
\$400, including an acct. advance of \$100
and a payment by us of \$300 to a U.S. firm
at a time when goods is ~~the~~ looking with
disfavor on imports e.g. equipment for Winter 6001647

MEMORANDUM • GOVERNMENT OF CANADA

TO : Chief, Economic Development Division.

YOUR FILE No:

FROM : Senior Administrative Officer.

OUR FILE No:
1/18-31-2 (Adm.1)

SUBJECT: Charles Bernard, Edmundston Band.

DATE:
February 8, 1961.

I would refer to the attached communication of February 3, 1961, and enclosures from the Superintendent, St. John River Agency, concerning Charles Bernard, Edmundston Band, who apparently wishes to import a laminating machine from the United States.

You will note that Mr. Bernard requests a loan from the Department to pay the customs duties on the machine if no exemption from such duties is forthcoming. We are therefore passing this matter to you for your attention.

The answer to the Superintendent's question is that Indians are in the same position as other citizens with respect to the payment of customs duties on goods imported into Canada.


Eric Acland.

Chief, Economic Development Division.

Senior Administrative Officer.

1/18-31-2 (Adm.1)

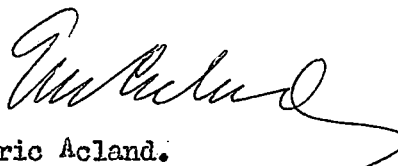
Charles Bernard, Edmundston Band.

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The answer to the Superintendent's question is that Indians are in the same position as other citizens with respect to the payment of customs duties on goods imported into Canada.


Eric Acland.

JDD:ma

MEMORANDUM • GOVERNMENT OF CANADA

118-31-2

TO : Indian Affairs Branch

YOUR FILE No:

FROM : Saint John River Indian Agency

OUR FILE No:

Charles Bernard, Personal.

SUBJECT: Exemption of Customs Duties.

DATE:

February 3, 1961.

Adm

We have had an unusual request from Charles Bernard of the Edmundston Band.

Copies of his letters and our reply to his original request are enclosed.

As you will see, his letters indicate that he is going into the laminating business and needs an American machine.

He learned this trade in the U.S.A. and has ideas of making it a profitable venture in this Province as there are no similar trades in the whole area. He explained to me that he would be making laminated signs for offices and businesses, souvenirs, pictures, novelties, etc. and could do well if once started.

If you know of any concessions that can be made to him as an Indian such as the exemption of this \$100.00 customs duty, we would be pleased to learn of it. we are not hopeful for sure but Charles (who is a very outspoken and determined man) is a hard man to satisfy and in order to clear ourselves, we are at least trying and hope to have a reply from you shortly.

B. G. Clench

B. G. Clench,
Superintendent.

Encls.-3.

BGC/mm

038504

FEB 6 12 10 PM '61
INDIAN AFFAIRS

Edmundston, N. B.
January 30, 1961.

Mr. B. G. Clench, Supt.,
St. John River Indian Agency,
Woodstock, N. B.

COPY

Dear Sir:

Would you be kind enough, to write to Ottawa, to the Superintendent General of Indian Affairs, and put in a good word for me, getting a duty-free exemption, is not an impossible feat all that is required is the right word from the proper authorities.

I can get that machine on time payment, the duty? NO! The government wants cold cash, the very same government put up a department for the welfare of the Indians. Do you call that welfare?

A machine like that is not being manufactured in Canada.

Should the department refuse to grant me the exemption, have them lend me the money, the exact amount I do not know, to be paid back in 1965, when the British-American Oil lease comes due.

Hopefully,

Charles Bernard,
Edmundston,
N. B.

INDIAN AFFAIRS BRANCH

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION



DIRECTION DES AFFAIRES INDIENNES

MINISTÈRE DE LA CITOYENNETÉ ET DE L'IMMIGRATION

OUR FILE No Charles Bernard, Pers.
Notre dossier n°.....

P. O. Box 944,
Woodstock, N. B.,
January 25, 1961.

Mr. Charles Bernard,
St. Basile Indian Reserve,
R. R. # 2,
EDMUNDSTON, N. B.

COPY

Dear Mr. Bernard:

This is in reply to your letter of January 24, 1961 concerning your request from the Department for a duty-free exemption for a laminating press for your new business.

I have checked with the Customs and Excise office here at Woodstock and have been informed that there is no duty-free exemption for Indians who purchase machines made in the United States. In other words, the same law applies to Indians which applies to non-Indians.

Therefore, I am afraid that you will be required to pay the \$100.00 duty required on this machine.

Yours truly,

B. G. Clench,
Superintendent.

GR/mm

Edmundston, N. B.

January 24th, 1961

Mr. B. G. Clench, Supt.
St. John River Indian Agency,
Woodstock, N. B.

COPY

Dear Sir:

I mentioned to you yesterday, that I was taking up a new business, this new business requires a little machine, which is called, (a laminating press). Its American made, and cost almost \$300.00 the entry for that machine would cost me about \$100.00;

So would you obtain for me, from the Dept., a duty-free exemption for the machine.

If I can save a \$100.00 so much the better for me, let me know as soon as possible.

I thank you, sincerely

Charles Bernard
Edmundston
N. B.

1/18-31-2 (Adm.)
EA/FL

Ottawa, January 15, 1960.

Dr. J. A. Charlton, M.P.,
Parliamentary Secretary to the
Minister of Citizenship and Immigration,
Ottawa.

Dear Dr. Charlton:

I would refer to your recent telephone call regarding the seizure of a motor vehicle owned by Mr. Russell Wilson Sandy of the Six Nations Reserve.

Inquiries in the field have confirmed that Mr. Sandy's car, a 1959 Chevrolet, was seized by the R.C.M.P. who have reported the matter to the Seizure Branch, Customs and Excise Division, Department of National Revenue.

It would appear that the offence is similar to that which occurred in April, 1959; namely that Mr. Sandy apparently imported an American motor vehicle on a 30-day tourist permit which, of course, implies United States residence.

Mr. Sandy, who operates a grocery store on the reserve and whose wife is a teacher in a reserve school, was elected Councillor in the Band Election held last month. Participation in this election would of course necessitate residential qualifications.

I am given to understand that Mr. Sandy is fully conversant with Customs Regulations, but of course the full circumstances would only be obtained from the Customs and Excise Division.

...2

- 2 -

If the foregoing information is correct I would suggest that Mr. Sandy would be well advised to meet the requirements of the Customs regulations in that storage charges will undoubtedly become an additional cost factor he may have to meet to regain possession of the vehicle.

Yours sincerely,

Original Signed by
H. M. JONES

H. M. Jones,
Director.

90

FIELD SERVICE

PLEASE QUOTE FILE

Your file 1/18-31-2

32/18-31



CANADA

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCH

Postal Station "Q",
25 St. Clair Ave. E.,
Toronto, Ontario,
January 12, 1960.

adm

Col. H. M. Jones,
Director,
Indian Affairs Branch,
Ottawa, Ontario.

Dear Col. Jones, Re: Complaint of Mr. Russell Wilson Sandy
to Dr. J. A. Charlton, M.P., in connection
with the seizure of his motor vehicle.

Attached is a copy of Mr. Stallwood's letter of January 11th which sets out the details in connection with the seizure of Mr. Sandy's American licensed motor vehicle by the R.C.M.P. Detachment at Ohsweken.

It would appear that a full report of this seizure has been sent to Customs and Excise Division, Department of National Revenue, Ottawa.

Mr. Russell Wilson Sandy had just been elected as a member of the Council of the Six Nations Reserve. His wife, Mrs. Sylvia Sandy, was the teacher who was so active in the uprising last spring. Mr. Sandy is not complying with the Customs Regulations, which of course applies in this particular instance. I was at the Council Meeting last Thursday and I met Mr. Sandy. He drove to the meeting in a new 1959 DeSoto with Canadian licenses on it. He is quite a successful and capable businessman and is definitely aware of Customs Regulations with respect to motor vehicles. Note: Although Mr. Stallwood in his report does not make any mention of it, this is the second time that his car was seized by the Mounted Police. The first time he paid a fine of \$25.00 and it is my understanding that he took it back to the United States and then renewed his 30-day permit. I expect that the full report to the Department of National Revenue would advise of this earlier seizure.

Yours sincerely,

J. E. Morris

J. E. Morris,

Regional Supervisor of Indian Agencies

JEM/am
Attach.

adm 6/1/60

001657

016442

CENTRAL REGISTRY

JAN 13 12 06 PM '60

INDIAN AFFAIRS

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION

TO: Regional Supervisor, Toronto

OUR FILE: 32/18-31

FROM: Superintendent, Six Nations

YOUR FILE:

SUBJECT: Mr. Russell Wilson Sandy
Storekeeper - Six Nations Reserve

DATE: January 11, 1960

This will acknowledge your letter of January 8th concerning a United States registered motor vehicle owned by Mr. Sandy which has been seized by the Ohsweken Detachment of the R.C.M.P.

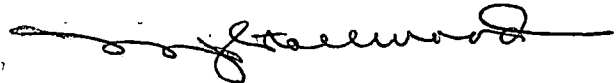
Mr. Sandy operated a store in #6 District on the Reserve for several years. In 1958 he purchased another store in the Village of Ohsweken. That year he had difficulty meeting his debts due to bad accounts and trying to run two stores with hired help. He then decided to close both stores and seek employment in the United States in construction. In a few months time he had made enough money to settle his debts and to purchase some new stock for his Ohsweken store. Then he re-opened and has been operating it since. He has a home in #6 District where he and his wife live. His wife is a school teacher on the Reserve.

The R.C.M.P. have informed me that they seized the vehicle, a 1959 Chevrolet, because Mr. Sandy was operating it on a 30-day Tourist permit which implies residence in the U.S.A. Mr. and Mrs. Sandy claim that the Indian Act (Section 88) has precedence over the Customs Act and make reference to the Jay Treaty. However, I believe they misunderstand the meaning of the Jay Treaty and Act No. 234 - 70th Congress which reads as follows. "Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that the Immigration Act 1924 shall not be construed to apply to the right of American Indians born in Canada to pass the borders of the United States: provided, That this right shall not extend to persons whose membership in Indian Tribes or families is created by adoption." Approved April 2, 1928.

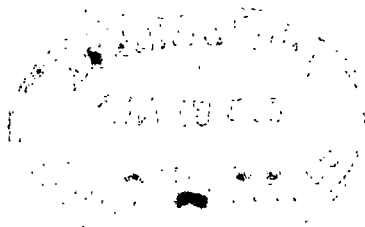
The R.C.M.P. have informed me that their complete report on the seizure will be in the hands of the Seizure Branch, Customs and Excise Division, Department of National Revenue, Ottawa, by this time. In

conclusion, I might add that it seems to be the belief of the North American Indian Brotherhood and the Iroquois Confederacy that the North American Indians are not subject to the Canada Customs Act. It would appear that the only recourse of Mr. and Mrs. Sandy is to their right of appeal. It would be advisable for them to pay the fine as soon as possible because storage charges are mounting up.

RJS:GJ



R. J. Stallwood,
Indian Superintendent,
Six Nations Agency





Superintendent, Six Nations Agency

Regional Supervisor, Toronto

32/18-31

1/18-31-2

January 8, 1960

Adm!

Attached is a copy of the Director's letter of January 6th along with photocopy of letter of April 23rd, 1959 from the Director to Dr. Charlton, M.P., concerning U.S. registered motor vehicle owned by Mr. Russell Wilson Sandy of the Six Nations Reserve.

While it is known that Mr. Sandy has operated a store on the reserve for a couple of years and that his wife has been teaching in an Indian Day School on the reserve for a number of years, we would ask you to give us a full report in duplicate not only on the seizure in question but the residence of the Sandys as well.

013876

RECEIVED
JAN 11 9 27 AM '60

[Signature]
W. E. Morris.

TLB/am
Attach.

Mail to → c.c. Col. H.M. Jones, Director, Indian Affairs, Ottawa
(file: 1/18-31-2)

6-1
001662

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION

Indian Affairs Branch

NOTE: This slip to be used for passing correspondence when the main file is charged out or is not required, and must not be removed but will be attached to the main file as soon as possible.

Slip No.

Indian Affairs File No. 1/18-31-2

Subject of File

MAIN FILE ON CHARGE TO

Adm 6-1

REFERENCE				DISPOSAL			
REFERRED To	By	REMARKS	DATE	PA OR BF	By	DATE	FOR RECORDS USE
<i>Adm 29</i>		<i>013876</i>	<i>11-1-60</i>	<i>PA</i>	<i>Adm</i>	<i>12/1/60</i>	
<i>Adm: adm</i>		<i>your information</i>	<i>12/1/60</i>	<i>PA</i>	<i>Adm</i>	<i>12/1</i>	

Note: If action cannot be taken without the file, please make statement to that effect and return paper to Records Division.

1/18-31-2 (Adm.)
EA/FL

Ottawa, January 6, 1960.

J. E. Morris, Esq.,
Regional Supervisor of Indian Agencies,
Postal Station "Q",
25 St. Clair Ave., E.,
Toronto, Ontario.

Dear Mr. Morris:

You may recall that in April 1959 Mr. Russell Wilson Sandy of the Six Nations Reserve was involved with the police respecting the importation of a motor vehicle with New York license plates.

At that time Dr. J. A. Charlton, M.P., made enquiries concerning the matter and I wrote him on the subject. I attach hereto a copy of my letter dated April 23.

It is noted that Mr. Sandy was elected to the Band Council on December 14, 1959 last.

Dr. Charlton has now been informed by Mr. Sandy that his car has again been seized and, he claims, the R.C.M.P. have informed him it will be released on payment of \$100.00.

It seems to me that if Mr. Sandy claims he owns the vehicle in question as a resident of the United States then his participation in a Band Election as one ordinarily resident on the Reserve would certainly not add strength to his claim of New York residence.

...2

- 2 -

However, I would appreciate receiving a complete report on this matter as it now stands.

Yours sincerely,

Original Signed by
H. M. JONES
H. M. Jones,
Director.

VICTOR
MADE IN CANADA

42

1/18-31-2 (Adm.)
EA/FL

Ottawa, April 23, 1959.

Dr. J. A. Charlton, M.P.,
House of Commons,
Ottawa.

Dear Dr. Charlton:

You will recall enquiring as to particulars involving police action on the Six Nations reserve concerning a motor vehicle owned by Mr. Russell Wilson Sandy and said to be bearing New York State license plates.

Our Superintendent has ascertained from the local R.C.M.P. detachment that Mr. Sandy, who operates a grocery store on the reserve, purchased the motor vehicle in the United States and has been bringing it into Canada on a 30-day Tourist Permit. The police are apparently of the opinion that Mr. Sandy cannot be regarded as a tourist, and therefore the motor vehicle is in Canada illegally.

I understand that further details, if you desire same, could be obtained from the Seizure Branch, Customs and Excise Division, Department of National Revenue, who are handling this particular case.

I hope the foregoing will be of some assistance to you.

Yours sincerely,

Original Signed By
H. M. JONES

H. M. Jones,
Director.

Document disclosed under the Access to Information Act
Document divulgué en vertu de la Loi sur l'accès à l'information
C. 21.81

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION

TO: Indian Affairs Branch, Ottawa
FROM: Superintendent, Six Nations
SUBJECT: Police action on Reserve

OUR FILE: 32/18-31

YOUR FILE: 1/18-31-2

DATE: April 21, 1959

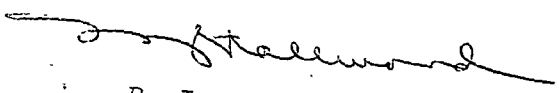
This refers to your letter of April 20, 1959 regarding information requested by Dr. Charlton, M.P. in connection with the seizure of a motor vehicle bearing New York License 9752ER owned by Russell Wilson Sandy.

Mr. Sandy who owns and operates a Grocery Store on the Six Nations Reserve purchased this car in the U.S.A. and according to the local R.C.M.P. Detachment he has been bringing it into Canada on a 30-day Tourist Permit. However, it appeared to the Police that he could not be regarded as a Tourist and therefore, was keeping the car in Canada illegally.

It has been suggested by the Officer-in-Charge of the R.C.M.P. that Dr. Charlton be referred to the Department of National Revenue, Customs and Excise Division, Seizure Branch, Ottawa, for details regarding this specific case.

Trusting this information will be of assistance.

RJS:GJ


R. J. Stallwood,
Indian Superintendent,
Six Nations Agency

029178
REGISTRY

APR 22 10 58 AM '59

INDIAN AFFAIRS

cc. Regional Office, Toronto

Superintendent, Six Nations Agency

Senior Administrative Officer

Police action on Reserve

April 20, 1959

Dr. Charlton, M.P., has requested information of the Director concerning recent police action involving Russel W. Sandy who apparently was driving a motor vehicle bearing New York license 9752ER. Mr. Sandy apparently resides in Buffalo and is said to have faced a charge when visiting his wife on the Reserve.

Would you please let us have the relevant facts of this case at your earliest convenience.



Eric Acland.

1/18-31-2 (Adm.1)
JDD:RQ

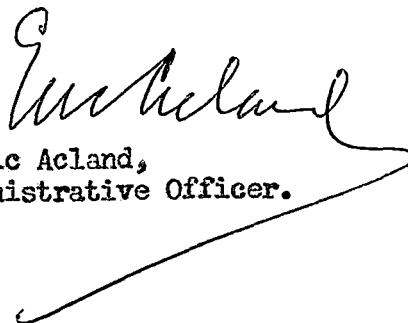
Frank Sappier, Esq.,
Maliseet, N.B.

Ottawa, February 6, 1959

Dear Mr. Sappier:

... I am enclosing herewith a receipt in your name
which was forwarded to us by Mr. Andrew Paull, President of
the North American Indian Brotherhood.

Yours sincerely,



Eric Acland,
Senior Administrative Officer.

Indian Commissioner for British Columbia

Senior Administrative Officer

1/18-31-2 (Adm.1)

JDD:EQ

208/3-8-1

February 6, 1959

This will refer to your 208/3-8-1 of January 28, 1959, regarding a matter of concern to Mr. Andrew Paull which involves the payment of customs duties by two Indians in the Maritimes and their petitions to recover the moneys paid.

Mr. Paull wrote to the Director about this matter on January 15. In his reply of January 26, the Director pointed out that with respect to the importation of goods from the United States, Indians are, before law, subject to the same responsibilities as other citizens. The Director also informed Mr. Paull that we have written to the Indians concerned suggesting they refer their petitions to the Customs and Excise Division of the Department of National Revenue, the responsible authority in matters of this kind.

We are forwarding the duty receipt, which you enclosed with your letter, to Mr. Frank Sappier, of Maliseet, N.B., the person to whom the receipt was issued.



Eric Acland.

INDIAN AFFAIRS BRANCH

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION



CANADA

DIVISION DES AFFAIRES INDIENNES

MINISTÈRE DE LA CITOYENNETÉ ET DE L'IMMIGRATION

OUR FILE NO. 208/3-8-1
Notre dossier n°.....

Adm 1
Col. H.M. Jones,
Director,
Indian Affairs Branch,
Dept. of Citizenship & Immigration,
Ottawa, Ontario.

P.O. Box 70,
Postal Station "A",
Vancouver 2, B.C.

January 28, 1959

Dear Colonel Jones:

I had occasion yesterday to visit Mr. Andrew Paull in St. Paul's Hospital at which time he asked me if I would draw to the attention of Colonel Fortier a matter he had been writing about. It is my understanding it involves customs duty being paid by Indians in the Maritimes crossing the International Border and that an appeal is being made to have the customs duty charged, refunded. Mr. Paull asked me to forward the attached Custom's receipt issued to Frank Sappier, Molinet, N.B., indicating duty to the amount of \$31.37 was paid on January 9, 1958.

Mr. Paull seems under the impression that an effort is being made by the Department to have the Customs Department refund to the Indian, duty which Mr. Paull states was wrongly charged.

I regret that I have not much information concerning this matter and trust that his previous correspondence may be identified. Should the correspondence not be located I would appreciate your returning the receipt which I shall give to Mr. Paull at a convenient time.

Yours sincerely,

W.S. Arneil

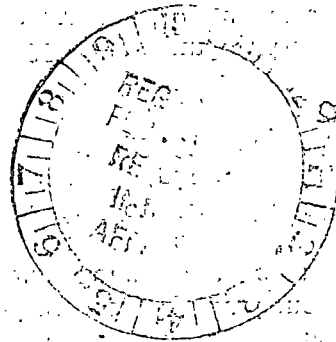
W.S. Arneil,
Indian Commissioner for B.C.

/bl
encl

001671

028135

FEB 2 10 16 AM '59
INDIAN AFFAIRS



1/18-31-2 (Adm.1)
JDD:EQ

Lumis J. Sappier, Esq.,
Maliseet, New Brunswick.

Ottawa, January 26, 1959.

Dear Mr. Sappier:

Your letter of January 11, 1959, addressed to Mr. Andrew Paull, President, North American Indian Brotherhood, concerning your petition on behalf of yourself and your father for the recovery of moneys paid as customs duties on the importation of certain goods into Canada from the United States, has been referred to this Administration for attention.

In reply thereto, I wish to inform you that the responsible authority in matters of this kind is the Customs and Excise Division of the Department of National Revenue, Ottawa, and I would, therefore, suggest that you refer your petition to that Department. I would also point out that the Supreme Court of Canada has found that with respect to the importation of goods from the United States, Indians are, before law, subject to the same responsibilities as other citizens.

I hope you will find this information satisfactory.

Yours sincerely,



Eric Acland,
Senior Administrative Officer.

1/18-31-2 (Adm.1)
JDD:RQ

Ottawa, January 26, 1959

Andrew Paull, Esq.,
President,
North American Indian Brotherhood,
P.O. Box 211,
Vancouver, B.C..

Dear Mr. Paull:

This will refer to your letter of January 15, 1959, addressed to the Deputy Minister, concerning petitions by Mr. Frank Sappier and Mr. Lumis J. Sappier, of Maliseet, New Brunswick, for the recovery of moneys paid as customs duties on the importation of certain goods into Canada from the United States.

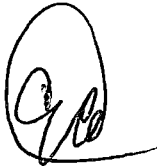
In reply thereto, I wish to inform you that we are writing to these men suggesting they refer their petitions to the Customs and Excise Division of the Department of National Revenue, Ottawa, the responsible authority in matters of this kind. No doubt you are aware that the Supreme Court of Canada has found that with respect to the importation of goods from the United States, Indians are, before law, subject to the same responsibilities as other citizens.

May I express the regret of this Department that you have been feeling unwell and may I also wish you a rapid recovery.

Yours sincerely,

Original Signed by
H. M. JONES

H. M. Jones,
Director.



001674

Maliseet, N.B.

Jan 11th 1959

Dear Mr Paul

I am writing for my father
Frank Sappier, he also has a
complaint about the Canadian
and the American Customs.

He's been living on the other side
of the border for quite some time
and he's had a Canadian car all
this time, but he traveled back
and forth staying on the reserve
over the weekends. On Jan 9th of
this year he moved back here
on the reserve. At the Customs
Gordon London, ^{Doug} Moss / uth, and the
head Customs man, held his second
hand furniture he had ~~bought~~
bought while living over there.

London London walked over to the American border and told the head Customs to tell my father that he would let the furniture go through, but he'd seize the car the next time ~~he~~ ^{my father} went over.

And so they forced him to pay duty on the furniture for the sum of \$31.00 And if you could redeem his money he would be very grateful.

Sincerely
Frank Sappier

P. S. We are inviting you to come to Maliseet this summer and we would like to know how much ^{money} you will need.

Frank Sappier

Maliseet, M.B.

Jan 11th 1959

Dear Mr Paul

I am requesting you to please look into the Fort Fairfield and the Andover Customs concerning the Jay treaty, I would like to have the head custom man, Gordon London, and Douglas Monticeth investigated, and if possible have them discharged for refusing to recognizing the Jay treaty.

In Dec. of 1952 Gordon London Seized my truck over two used tires and a leather Jacket, the duty cost me \$48.00. If its possible could I get my money back.

Yours truly

Ernest J. Day 001677

PRESIDENT
ANDREW PAULL
P.O. BOX 211
NORTH VANCOUVER, B.C.

VICE-PRESIDENT
JOSEPH DELISLE, JR.
P.O. BOX 11
CAUGHNAWAGA, QUE.

SECRETARY
CHESTER DIABO
9041 INKSTER ROAD
LIVONIA, MICH.

ASST. SECRETARY
MRS. MARGUERITE DIABO
9041 INKSTER ROAD
LIVONIA, MICH.

EXECUTIVE SECRETARY
JOSEPH BEAUVAIS
CAUGHNAWAGA, QUE.



GRAND COUNCIL



North American Indian Brotherhood

TREASURER
CHIEF TELFORD ADAMS
R.R. 1
CORUNNA, ONT.

Office of.....PRESIDENT.....

January 15th. 1959

1/18-31-2

PRINCE EDWARD ISLAND

CHIEF FRANK JADIS

NOVA SCOTIA

CHIEF BEN E. CHRISTMAS
CHIEF STEPHEN KNOCKWOOD

NEW BRUNSWICK

ANDREW FRANCIS
CHIEF THOS. GEDEON
CHIEF PAUL TAYLOR
CHIEF ANDREW JOE

Mons. Laval Fortier Q.C.
Deputy Minister
Citizenship and Immigration

Ottawa, Ont.

QUEBEC

CHIEF GEO. A. CREE
FRANK STACEY
PAUL K. DIABO
CHAS. K. CANADIAN
RAYMOND DIABO
TOM LEFEVRE
CHIEF E. A. CREE
HOWARD STACEY
TOM TWO RIVERS
ROBERT METALLIC

Dear Mr. Fortier;-

ONTARIO

CHIEF LEN BIG CANOE
CHIEF WM. MCGREGOR
NUGENT BARDY
PHILIP MCDUGAL
GUS MAINVILLE
CALVIN ADAMS
WM. SMITH
JAMES MARTIN
JACK HANNAWK
SOLOMON BRANT
CHIEF GILBERT FARIES
CHIEF SIMON SCOTT
CHIEF JOHN TWAIN
ROBERT MARSDEN
CHIEF T. FAVELL, SR.
CHIEF ALEX PADGENA
CHIEF W. SHAWKENCE
CHIEF I. BEBAMISH
CHIEF OMAR PETERS
CHIEF G. SAHANATIEN
A. TRUDEAU
JOHN C. JONES
WALTER SANDS
DOM. ODJIG
CHIEF L. TABOBINDUNG
CHIEF WM. MINIWASIGA
LAWRENCE PELLTIER
BAZIL GREY
HENRY RILEY

Enclosed is a letter from an Indian who wishes to have his money refunded for goods he brought into Canada from the U.S.A.

I think these are personal goods, and I beg of you to help him to recover the money he paid in duty for the goods.

I have not been feeling too good with a bad heart so I beg of you to help this Indian and thanking you, and with the hope that I may see you once more,

Respectfully yours

U. S. A.

LEWIS ADAMS
MRS. CELIA THOMAS
ERNEST BENEDICT
MIKE BOOTS
ANGUS HORNE

Andrew Paull
President.

Andrew Paull

MANITOBA

A. E. THOMPSON
CHIEF PAUL COURCHENE
CHIEF GEO. BARKER

SASKATCHEWAN

JOHN B. TOOTOOSIS
CHIEF JOHN SKEEBOSS

ALBERTA

CHIEF CHARLIE BLACKMAN

BRITISH COLUMBIA

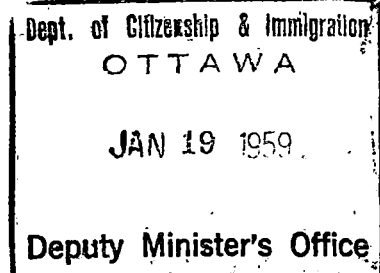
FRANK CALDER M.L.A.
CHIEF WM. SCOW
CHIEF THUNDERBIRD
CHIEF ANTHONY AUGUST
WILSON LITTLE
ALEX MCKINNON
CHIEF MICHAEL ANTHONY
WM. G. JEFFREY

YUKON, N.W.T.

BILLY SMITH

HONORARY MEMBERS

MRS. LOUIS MCCUMBER
CHIEF POKINFIRE
CHIEF F. E. BARNHAM
LOUIS WOOLFE



65. WA 44 8 02 NVP

90 [illegible]

Dept of Justice

1/18-31-2

Adm 18

a pair of [illegible]
in the village [illegible]
Outside, by [illegible]
South of [illegible]
the State [illegible]
Borders [illegible]
repair on [illegible]

Open



471287

471287

Copy for Indian Affairs Branch

1/18-31-2 (Adm.1)

JD:MD

Nov 12 3 33 PM '57

Ottawa, November 7, 1957.

INDIAN AFFAIRS

Adm 1

Mrs. Nancy Oakes,
St. Regis Indian Reserve,
Hogansburg, N.Y.,
U. S. A.

Dear Mrs. Oakes:

I have been directed by the Acting Minister to reply to your letter of October 5, 1957, addressed to the Prime Minister.

I would point out that the matter to which you refer does not involve the Indian Act in any way, but has to do with other laws respecting all Canadians. It should also be mentioned that the Jay Treaty is not a Treaty between Indians and any government, but rather between the Government of the United States and the Government of the United Kingdom.

It is noted that the Supreme Court of Canada has found that, concerning the importation of goods from the United States, Indians are before law subject to the same responsibilities as other citizens. In view of the fact that decisions of the Supreme Court of Canada are final and conclusive and are not subject to amendment either by judiciary or executive branches of Government, I regret that I am unable to assist you beyond giving this information.

Yours sincerely,

[Signature]
(Miss) A. C. Bow,
Associate Private Secretary.

[Handwritten mark]

Document divulgué en vertu de la Loi sur l'accès à l'information



AM

1/18-31-2(Adm.1)

JD:MD

Ottawa, November 7, 1957.

Mrs. Nancy Oakes,
St. Regis Indian Reserve,
Hogansburg, N.Y.,
U. S. A.

Dear Mrs. Oakes:

I have been directed by the Acting Minister to reply to your letter of October 8, 1957, addressed to the Prime Minister.

I would point out that the matter to which you refer does not involve the Indian Act in any way, but has to do with other laws respecting all Canadians. It should also be mentioned that the Jay Treaty is not a Treaty between Indians and any government, but rather between the Government of the United States and the Government of the United Kingdom.

It is noted that the Supreme Court of Canada has found that, concerning the importation of goods from the United States, Indians are before law subject to the same responsibilities as other citizens. In view of the fact that decisions of the Supreme Court of Canada are final and conclusive and are not subject to amendment either by judiciary or executive branches of Government, I regret that I am unable to assist you beyond giving this information.

Yours sincerely,

(Miss) M. C. Hoey,
Associate Private Secretary.

Oct. 8 1957
St. Regis Reserve

The Right Honorable John Diefenbaker
Prime Minister of Canada
Ottawa, Ontario

Sir.

We the Indian residents of St. Regis Reserve humbly beg to learn if our treaties are still good. We ask that you ask the Queen during her visit here and that you send her answer to us.

We are having hardship from the Indian Act in our seeking after our daily needs for we are stopped at the International Boundary from bringing in our fuel, wood, coal or oil.

2

The Jay Treaty gave us the
right to bring all our goods
from across the boundary
but the former government said
that the Treaty was no good.
We want to know if that
is the wish of the Queen.

Respectfully Submitted
Mrs. Nancy Oakea
Hogansburg
New York
St. Regis Reserve

Document disclosed under
Document divulgué en vertu

(Melba)

001685

MINISTER OF CITIZENSHIP AND IMMIGRATION

OTTAWA, November 4, 1957

Adm

COPY

Placed on

33/33-1

TO: Deputy Minister

FOR: Director of Indian Affairs

Preparation of reply for signature of Associate Private Secretary
(by direction of the Acting Minister)

Discussion with.....

Perusal and necessary action.....

Report.....

to the attached letter, dated October 8, 1957, addressed to the Prime Minister, together with copy of acknowledgment from the Prime Minister's Office, from Mrs. Nancy Oakes, St. Regis Reserve, Hogansburg, N.Y., U.S.A., concerning the difficulties which she is having with respect to transporting fuel, wood, coal and oil across the International Boundary.

I am also attaching a letter addressed to the Prime Minister from Mrs. Oakes, dated August 1, 1957, concerning property dispute. This letter is addressed from the St. Regis Reserve, Quebec.

This letter has not been acknowledged by this office.

M. G. Stogey
Associate Private Secretary



2 8 7 4 7
Nov 6 9 09 AM '87
INDIAN AFFAIRS

Y900
NOV 11 1987

OFFICE OF THE DEPUTY MINISTER

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION

Date *Jan 19* 19*59*

To:

- ☐ Minister
- ☐ Director of Immigration
- ☒ Director of Indian Affairs
- ☐ Director of Canadian Citizenship
- ☐ Registrar of Canadian Citizenship
- ☐ Director of Technical Services
- ☐ Chief Editorial and Information
- ☐ Personnel Division
- ☐ Legal Division
- ☐ Translators
- ☐

-
- ☒ For action
 - ☐ For Direct Reply
 - ☐ For reply and signature on D.M.'s behalf
 - ☐ For preparation of Reply
 - ☐ For report or comments
 - ☐ For discussion with undersigned
 - ☐ For translation
 - ☐ For information
 - ☐ To note and return
 - ☐ To note and pass to

[Signature]

*Noted
19.1.59
M. J. N.*

001688

001689

1/18-31-2 (Adm.1)

BEST AVAILABLE COPY

Ottawa, June 3, 1958.

A. H. Nicholas, Esq.,
c/o Department of Transport,
Aishihik (via Whitehorse),
Yukon Territory.


Dear Mr. Nicholas:

This will refer to your letter of May 25, 1958, in which you request information concerning the position of Indians with respect to the payment of duty on goods imported from the United States.

In reply thereto I wish to advise that Canadian customs laws apply equally to Indians as they do to other citizens of Canada. For further information in this regard I would suggest that you direct your inquiries to the Customs and Excise Division of the Department of National Revenue, Ottawa, within whose province matters of this nature lie.

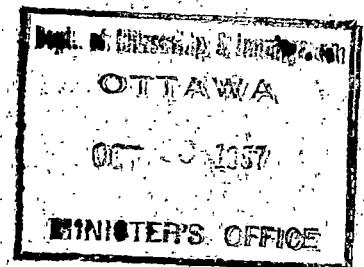
I am returning herewith the appraisal note attached to your letter and hope that the information we have given will be of value to you.

Yours sincerely,


Eric Acland,
Senior Administrative Officer.

JD:MD





O t t a w a (4),
October 28, 1957.

Mrs. Nancy Oakes,
St. Regis Reserve,
Hogansburg, N. Y.,
U. S. A.

COPY
Placed on
File 33/33-1

Dear Mrs. Oakes:

The Prime Minister has asked me to acknowledge your two letters of recent date in which you mention hardships endured by the Indians at the St. Regis Reserve and also a personal problem of your own concerning your property.

Mr. Diefenbaker regrets very much to learn of these difficulties and at his direction, the communications are being sent at once to the Acting Minister of Citizenship and Immigration.

Yours sincerely,

D. R. C. BEDSON

Private Secretary.

c.c. Acting Min. of Citizenship and Immigration

Ne Skenno, Ne Gai Wuo, Ne Gashasda Sa

Peace, Prosperity, Power and Equality to All

Indian Defense League of America

Home Office, Box 305 Niagara Falls, N. Y.

CHIEF CLINTON NICKARD
Grand President,
Tuscarora Reserve, Sanborn, N.Y.

CHIEF DAVID HILL
First Vice Grand President,
449 - 4th St.,
Niagara Falls, N.Y.

MRS. NORMA GILBERT
Grand Secretary



MR. LEHIGH ANTONE
Grand Treasurer

MR. MORRIS ANTONE
Grand Chaplain

Annual Border Crossing Celebration Every 3rd Saturday of July, Niag. Falls, N.Y. and Niag. Falls, Ontario.
September 17, 1957

H.M. Jones, Director
Department of Indian Affairs
Ottawa, Canada.

Dear Sir;

Acknowledging receipt of your letter of September 3rd, the contents being of a nature that is to be expected.

The founding fathers' devout dedication to an honest concept of human dignity, as evinced in the many treaties, after freedom had been won, solemnly affirming their creed of human freedom; the right of the human family to determine the course of their lives, or have their liberty. These were intelligent men who spoke courageously and in equity.

We cannot understand why it is so terrible that the Totalitarian Governments have not cast off the attitude of superiority and indiscriminate domination, while at the same time the Indian Administration themselves practice indiscriminate domination on the Indians. They have practiced unwarranted (according to International Law) egotistical, self-righteous hypocrisy, since 1941.

Certainly there is enough validity in these charges to be deplorably true. Please take notice that we have not given up our pleas for Justice.

Lehigh Antone

*Submitted to Admin.
who advised to
P.A. - 18.9.57
2.2.7*

1/18-31-2 (Adm.)
EA/FL

Ottawa, September 3, 1957.

Lehigh Antone, Esq.,
Grand Treasurer,
Indian Defense League of America,
Box 305,
Niagara Falls, N.Y., U.S.A.

Dear Mr. Antone:

Your letter of August 12 addressed to the Secretary of State has been forwarded to this Department for attention.

I note that you again protest the decision of the Supreme Court of Canada in respect to the payment of duty by Canadians of Indian racial origin, and I can only again inform you that decisions of the Supreme Court of Canada are final and conclusive and are not subject to amendment either by the judiciary or executive Branches of Government.

Yours sincerely,

Original Signed by

H. M. JONES

H. M. Jones,
Director.



Ne Skenno, Ne Gai Wuo, Ne Gashasda Sa

Peace, Prosperity, Power and Equality to All

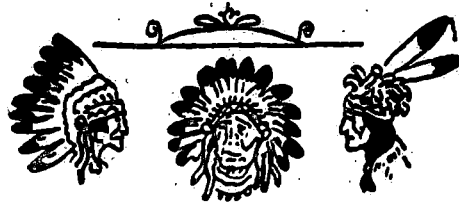
Indian Defense League of America

Home Office, Box 305 Niagara Falls, N. Y.

CHIEF CLINTON RICKARD
Grand President,
Tuscarora Reserve, Sanborn, N.Y.

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First Vice Grand President,
449 - 4th St.,
Niagara Falls, N.Y.

MRS. NORMA GILBERT
Grand Secretary



MR. LEHIGH ANTONE
Grand Treasurer

MR. MORRIS ANTONE
Grand Chaplain

Annual Border Crossing Celebration Every 3rd Saturday of July, Niag. Falls, N.Y. and Niag. Falls, Ontario.

August 12, 1957

Honourable E.L. Fairclough
Secretary of State
Government House
Ottawa, Ontario.

Honourable Sir;

Whereas treaty rights were violated in the last decade,
contrary to our concept of the principles of Democracy and Justice.


Whereas, by virtue of a resolution passed on July 28, on the
Oneida Reservation, at a Grand Body Meeting of the Indian Defense League,
it was resolved to renew our protest regarding duty imposed on the Indians'
own proper goods brought in in transit from the United States into Indian
territory, via the Dominion of Canada.

A protest was duly made through Governor-General Massey,
who in turn transferred it to the then Minister of Citizenship Pickersgill.
The protest was referred to the Director of Indian Affairs, H.M. Jones, by
J.W. Pickersgill, for reply thus evading his obligation of protection.

A copy of letter to Governor-General Massey is herein
enclosed together with copies of the Jay Treaty and the Treaty of Ghent

It is with an abiding confidence, in the present Government
of the Queen, for justice that we hereby submit our humble petition.

Respectfully


Lehigh Antone

Ne Skenno, Ne Gai Wuo, Ne Gashasda Sa

Peace, Prosperity, Power and Equality to All

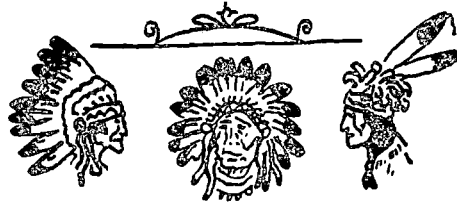
Indian Defense League of America

Home Office, Box 305 Niagara Falls, N. Y.

CHIEF CLINTON RICKARD,
Grand President,
Tuscarora Reserve, Sanborn, N.Y.

MISS EMILY GENERAL,
First Vice Grand President,
Ohsweken, Ontario, Canada

MRS NORMA GILBERT
Grand Secretary



MR. LEHIGH ANTONE
Grand Treasurer

MR. MORRIS ANTONE
Grand Chaplain

Annual Border Crossing Celebration Every 3rd Saturday of July, Niag. Falls, N.Y. and Niag. Falls, Ontario.

November 5, 1956

The Honourable Vincent Massey
Governor-General of Canada
Ottawa Canada.

TRUE COPY

Your Excellency;

As a National Indian Organization, avowed to the principles of Democracy, we are asked to submit the decisions of its members, the knowledge of the Indian Defense League of America and general among the Indians, especially of the Six Nations. In the present confused world condition, Democracy is in need of every bulwark dedicated to the preservation of freedom in every form.

In view of the recent ruling of the Supreme Court of Canada (in the case of Louis Francis, an Indian from the St. Regis Reserve) that "no one is entitled to any deduction, exemption or immunity from, or any privilege in respect to any duty or tax imposed by an Act of Parliament of Canada", we ask your indulgence in modifying this decision for the following reasons: -

1. Indians (Six Nations) are not subjects of the British Crown but ALLIES. DARTMOUTH wrote to Guy Johnson July 5, 1775- "It will be proper however, THAT YOU SHOULD ASSURE THEM IN THE STRONGEST TERMS OF HIS MAJESTY'S FIRM RESOLUTION TO PROTECT THEM AND PRESERVE THEM IN ALL THEIR RIGHTS".
2. In the struggle for control of North America, the Indian held the balance of power. The British asked them for help and were the deciding factor in making this country a British Commonwealth.
3. ARTICLE XL. of the capitulation of Montreal refers to the Indians as "INDIAN ALLIES OF HIS MOST CHRISTIAN MAJESTY."
4. Probably the best authority of all, SIR WILLIAM JOHNSON DEPRECATED THE USE OF THE TERM SUBJECTS, and said, THEY WERE A FOREIGN PEOPLE to be dealt with by the King himself, or his representative impliedly, as the treaty making power rested in the Sovereign. This was the settled policy of Great Britain in

dealing with the Indians that their concerns must be continued under the exclusive superintendence of the Crown". See Lord Glenelg's Despatch to Lord Durham, August 1838.

5. ARTICLE III of the JAY TREATY (an International Treaty) provides duty exemptions to Indians on their own proper goods. The TREATY OF GHENT of 1814 restores "all the rights and privileges which they may have enjoyed or been entitled to before such hostilities". Such being the historic relation of the Six Nations to the Nations making the treaties, it would seem clear that the quoted extracts was not a temporary stipulation as to trade, commerce, mutual rights and the like, BUT WAS TO BE THEREAFTER OBSERVED IN THE FUTURE BY CANADA and the UNITED STATES in reference to Indians.

6. At the time the boundary line between the United States and the new Dominion of Canada was fixed and located by agreement with Great Britain, the line was run through what may be termed as Indian Territory in the sense of lands termed the rights of occupancy, of which was recognized by both parties, to be in the Indians. The boundary line to establish the respective territory of the United States and of Great Britain was clearly not intended to and just as clearly did not affect the Indians. IT MADE NO DIVISION OF THEIR COUNTRY. They were and always have been regarded as a separate people.

7. On January 3rd 1787, Judge Powell said, "my personal opinion was ever in favor of the entire independence of the Indians."

8. Governor Simcoe's letter to Sec. of State Dundas July 3, 1794, said, "I have always considered an ARTICLE of the Treaty of Utrecht to be the only Document that defines the state of the Indians"..... "considers the natives as entirely independent."

9. On August 25, 1874, The Governor-General and the Countess of Dufferin visited the Six Nations, Brantford. He said, "The people of Canada, and the people of Britain, will not cease to recognise those obligations which have been impressed upon them by the hands of Providence..... and never shall the word of Britain, once pledged, be broken, but from one end of the Dominion to the other, every Indian shall be made to feel that he enjoys the rights of a free man, and that he can with confidence appeal to the British Crown for protection."

10. Col. Johnson in his letter to GOVERNOR CLINTON of Nov. 22, 1749, said; "Your Excellency is a Plenipotentiary with the Indians, who though called subjects, are a foreign people, and are to be treated with as immediately from the King by his Majesty's Governor."

II. It should not be forgotten in consideration of these matters, that neither the Province in its Colonial days, nor the Imperial Parliament of Great Britain ever passed either Act of Assembly or Parliament, by which it sought to regulate, govern or interfere with the affairs of the Six Nations Indians, and that the first Act of Parliament which ever did was that passed by Canada in 1859, reserved by the then Governor-General for her Majesty's special sanction (Despatch No. 36). It received the Royal assent only on the assurance of the Governor-General in his Despatch transmitting a draft of same to England made "no changes whatever in the rights of the Indian Tribes, the Royal instructions for the management of Indian affairs of July 10th 1764 or its amendments promulgated from time to time"; and which will again be referred to, imposed no restrictions on the Indians, but only on the whites.

The contention by the Court, that Louis Francis is subject "to the provisions of the Indian Act" is erroneous. The Six Nations have never accepted the Indian Act. It was forced on them. The protection stipulated to be afforded to the Indians, was understood by all parties, as only binding the Indians as dependent Allies. A weak power does not surrender its independence and right of self Government by associating with a stronger, and taking its protection. This is the settled doctrine of the Law of Nations. These are not the promulgation of any new doctrines for the several Governments before the revolution never regarded the Indian Nations as subjects, or members of the body politic and amenable individually to their jurisdiction. They treated the Indians within their respective territories as free and independent tribes, governed by their own laws and usages, under their own Chiefs, and competent to act in a national and representative character, and exercise self-government and while residing on their own territories owing no allegiance to the municipal laws of the whites (Kent's Comm. VOL. 3. P. 385.) see also Halle International Law. P. 338.

It is hoped that His Excellency will take Judicial Notice of the fact that the home of the Six Nations Indians lies not in the Dominion of Canada, Not in the United States, but in North America; of the treaties hereinbefore quoted; that the United States and the British Crown have ostensibly divided the earth here between them, by a line following eastward to the St. Lawrence River, which strikes at the point of Cornwall Island, running thence up to the waters of the great lakes; that when the Six Nations in 1783 requested by what right they had to consent to such a division as against them (Life of Sir Haldimand, in MAKERS OF CANADA VOL. 3. p. 256) the United States and the British Crown found the question embarrassing, for it would have been impossible on any theory of the Law of Nations for Great Britain or the United States, to establish a prerogative in themselves for drawing a line through Six Nations territory; which would restrict intercourse and free passage. The wrong done these people was painfully confessed when ARTICLE III was incorporated in the JAY TREATY. The language used there treated these people as being outside the circle of British subjects and outside United States Citizenship and Sovereignty.

COPY

When we first heard that the case was coming up before the Supreme Court of Canada, we were under the impression that the entire proceeding was to revolve itself around frigidaires and washing machines. We never suspected the probability of the Jay Treaty being abrogated.

Due to the discrimination and prejudice which existed against the original inhabitants, many of our people were forced to seek more lucrative employment in the United States and improve their living conditions. Many return to their homes every week end. They should not be penalized by payment of duty on their own personal goods and other daily necessities.

Our youth served voluntarily in world wars I and II. Also in Korea that the principles of Democracy may be preserved. We have, in every way, fulfilled our obligation as FAITHFUL ALLIES.

Should Your Excellency desire further information in clarifying the status of the Six Nations, we feel that a delegation of our leaders could do much to clarify these misunderstandings and create an atmosphere of mutual understanding.

Very Respectfully

Lehigh Antone

Ne Skenno, Ne Gai Wuo, Ne Gashasda Sa

Peace, Prosperity, Power and Equality to All

Dept. of Citizenship & Immigration
OTTAWA

AUG 29 1957

Indian Defense League of America

Home Office, Box 305, Niagara Falls, N. Y.

CHIEF CLINTON RICKARD,
Grand President,
Tuscarora Reserve, Sanborn, N.Y.

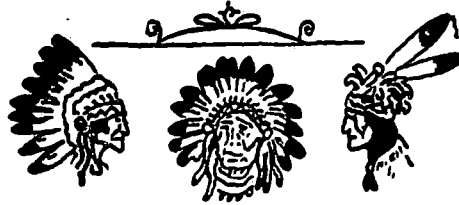
MISS EMILY GENERAL,
First Vice Grand President,
Ohsweken, Ontario, Canada

MR. GORDON MARTIN,
Second Vice Grand President

MRS. NORMA GILBERT,
Grand Secretary

MRS. GERTRUDE SCHULER,
Assistant Grand Secretary

MR. LEHIGH ANTONE,
MR. WALTER HUNTER,
Associate Grand Treasurers



- MINISTER'S OFFICE
1. NIAGARA BRANCH
NIAGARA FALLS, N. Y.
 2. BUFFALO BRANCH
BUFFALO, N. Y.
 3. CONFEDERACY BRANCH
OHSWEKEN, ONT.
 4. HAMILTON BRANCH
HAMILTON, ONT.
 5. A-KWE-SAS-NE BRANCH
HOGANSBURG, N. Y.
 6. BRANTFORD BRANCH
BRANTFORD, ONT.
 7. ONEIDA BRANCH
MUNCÉY, ONT.

Annual Border Crossing Celebration Every 3rd Saturday of July
(MALLOYS TREATIES AND CONVENTIONS. VOL. I. P. 590.
GOVERNMENT PRINTING OFFICE, WASHINGTON. - 1910))
ARTICLE 3 OF THE JAY TREATY.

"It is agreed that it shall, at all times be free to His Majesty's subjects, and to the Citizens of the United States, and also to the Indians dwelling ON either side of the boundary line, freely to pass and repass by land, inland navigation, into the respective territories and countries of the two parties, on the continent of America (the country within the limits of the Hudson's Bay Company only excepted) and to navigate all the Lakes, Rivers, and Waters thereof, and freely to carry on trade and commerce with each other

"No duty of entry shall ever be levied by either party on peltries brought by land or inland navigation into the said territories respectively, nor shall the Indians passing or repassing with their own proper goods and effects of whatever nature, pay for the same any import or duty whatever, but goods in bales or other large packages unusual among Indians, shall not be considered as goods belonging bona fide to Indians."

SUPPLEMENTED UNDER DATE OF MAY 4th 1796. (DO. 607)
BY AN EXPLANATORY ARTICLE DECLARING :-

"That no stipulation in any treaty subsequently concluded by either of the contracting parties with any other State or Nation, or with any Indian Tribe, can be understood to derogate in any manner from the rights of free intercourse, and commerce, secured by the aforesaid third Article of the treaty of Amity, Commerce and Navigation, to the subjects of His Majesty and to the Citizens of the United States and to the Indians dwelling on either side of the boundary line aforesaid, but that all the said persons shall remain at full liberty to pass and repass by land or inland navigation into the respective territories and countries of the contracting parties on either side of the boundary line, and freely to carry on trade and commerce with each other, according to the stipulation of the third Article of the Treaty of Amity, Commerce and Navigation."

Ne Skenno, Ne Gai Wuo, Ne Gashasda Sa

Peace, Prosperity, Power and Equality to All

Indian Defense League of America

CHIEF CLINTON RICKARD,
Grand President,
Tuscarora Reserve, Sanborn, N.Y.

MISS EMILY GENERAL,
First Vice Grand President,
Ohsweken, Ontario, Canada

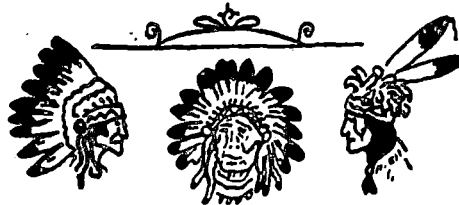
MR. GORDON MARTIN,
Second Vice Grand President

MRS. NORMA GILBERT,
Grand Secretary

MRS. GERTRUDE SCHULER,
Assistant Grand Secretary

MR. LEHIGH ANTONE,
MR. WALTER HUNTER,
Associate Grand Treasurers

Home Office, Box 305, Niagara Falls, N. Y.



BRANCHES

1. NIAGARA BRANCH
NIAGARA FALLS, N. Y.
2. BUFFALO BRANCH
BUFFALO, N. Y.
3. CONFEDERACY BRANCH
OHSWEKEN, ONT.
4. HAMILTON BRANCH
HAMILTON, ONT.
5. A-KWE-SAS-NE BRANCH
HOGANSBURG, N. Y.
6. BRANTFORD BRANCH
BRANTFORD, ONT.
7. ONEIDA BRANCH
MUNCHEY, ONT.

Annual Border Crossing Celebration Every 3rd Saturday of July

(copy) Following the war of 1812 Between Great Britain and the United States came the Treaty of Ghent in 1814.

"MALLOY'S TREATIES AND CONVENTIONS -VOL.I.P612."
PRINTED -1912

ARTICLE IX

"The United States of America engage to put an end immediately after the ratification of the present Treaty, to all hostilities with all the tribes or nations of Indians with whom they may be at war at the time of such ratification, and forthwith to restore to such tribes or nations, respectively all the possessions, rights and privileges which they may have enjoyed or been entitled to in one thousand eight hundred and eleven, previous to such hostilities; provided always that such tribes or nations shall agree to desist from all hostilities, against the United States of America, their Citizens and subjects, upon the ratification of the present treaty being notified to such tribes or nations, and shall so desist accordingly. And His Britannic Majesty engage on His part, to put an end, immediately after the ratification of the present treaty, to hostilities with all the tribes or nations of Indians with whom He may be at war at the time of such ratification and forthwith to restore to such tribes or nations respectively all the possessions, rights and privileges which they may have enjoyed or been entitled to in one thousand eight hundred and eleven, previous to such hostilities; provided always that such tribes or nations shall agree to desist from all hostilities against His Majesty and His subjects, upon the ratification of the present treaty being notified to such tribes and nations and shall so desist accordingly."

COPY.

GOVERNMENT HOUSE

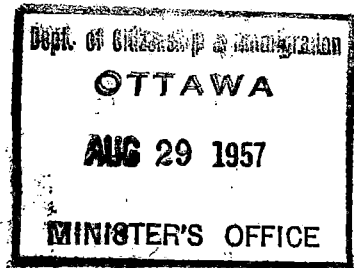
OTTAWA 2.

November 9th. 1956

The Secretary to the Governor
General is commanded by His Excellency
to acknowledge the receipt of

Mr. Antone's
letter of November 5th
and to inform him that it has been
transferred to the Indian Affairs
Branch of the Department
of Citizenship and Immigration
at Ottawa for attention

OFFICE OF THE PRIVATE SECRETARY
CABINET DU SECRÉTAIRE PARTICULIER



Ottawa, August 28, 1957

Miss M. C. Hoey,
Associate Private Secretary to the Minister,
Department of Citizenship and Immigration,
Woods Building,
Ottawa, Ontario

Dear Miss Hoey,

I am enclosing herewith a letter from Mr. Lehigh Antone, of the Indian Defense League of America, with enclosures, which I believe you will find to be self-explanatory.

As this appears to be a matter on which there has been some correspondence in the past, also directed to your Department, I feel that perhaps the reply should come from there.

Thank you for your trouble in this matter.

Yours very truly,

J. R. Moodie
Executive Assistant

Enclosure

CJS/SR

Minister's Office
Indian Affairs Branch

1/18-31-2

Ottawa, August 29th, 1957.

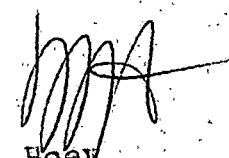
J.R. Moodie, Esq.,
Executive Assistant to the
Secretary of State of Canada,
Ottawa.

Dear Mr. Moodie:

I have received your letter
August 28th, together with enclosures, which have
come to the attention of Your Minister and were
submitted by Lehigh Antone of the Indian Defense
League of America.

We have had correspondence from
Mr. Antone regularly over the years, and his
problems will be looked into by our Indian
Affairs Branch.

Yours sincerely,


Marguerite C. Hoey
Associate Private Secretary

INDIAN AFFAIRS
AUG 30 3 28 PM '57

042203

MINISTER OF CITIZENSHIP AND IMMIGRATION

OTTAWA, August 29th, 1957

Adm

1/18-31-2

TO: Deputy Minister

FOR: Director of Indian Affairs

Preparation of reply for signature of.....

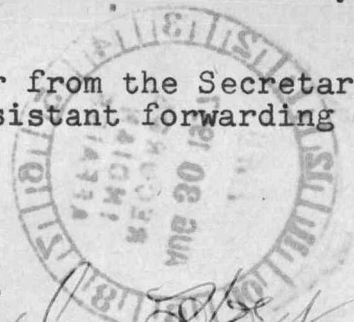
Discussion with.....

Perusal and necessary action..... **X**

Report.....

Attached is further correspondence from Lehigh Antone of the Indian Defense League of America, which have come to the attention of the Secretary of State and have been referred to this office for necessary action.

I attach a letter from the Secretary of State's Executive Assistant forwarding this correspondence.



NOTED - 30.8.57

M. C. [Signature]
Associate Private Secretary

CJS/SR

001705



039
Copy for Indian Affairs Branch

1/18-31-2(Adm.1)
JD:MD

adm!
HUG 26 3 56 PM '57
INDIAN AFFAIRS
Ottawa, August 23, 1957.

I. G. Pyper, Esq.,
Executive Assistant,
Office of the Minister of Justice,
Ottawa, Ontario.

Dear Mr. Pyper:

I would refer to your communication of August 15, 1957, requesting comments concerning material that you have recently received from Mr. Lahigh Antone, Grand Treasurer, Indian Defense League of America.

For your information I wish to advise that communications have been received from time to time from this organization putting forward the view that the Six Nations Indians are not subject to the Laws of Canada but are, rather, an independent body to be negotiated with on the same basis as foreign governments. Substantiation of these claims is sought by appeal to the Treaties of Jay and Ghent.

Strong exceptions have been taken on the part of this organization to a recent ruling of the Supreme Court of Canada in the case of the appeal of one Louis Francis, an Indian of the St. Regis Reserve convicted on a charge of failing to pay duty imposed on goods imported from the United States. In this regard letters were sent over the signature of Mr. Antone to His Excellency the Governor-General, the Minister of National Revenue, the Minister of Justice, and the Minister of this Department, requesting the setting aside of this judgment.

Mr. Antone was informed that decisions of the Supreme Court of Canada are final and conclusive, and not subject to amendment either by the judiciary or executive branches of Government. Following this he requested the submission of this matter to the United Nations Organization. Mr. Antone was advised that the United Nations Organization is not authorized to alter judgments of the Supreme Court of Canada and he has subsequently written to the Minister of Justice making similar demands.

Yours sincerely,

Laval Fortier
Laval Fortier.

001707

COLL. 104 JUNE 1978 TELUGU

1/18-31-2(Adm.1)

JD:MD

Ottawa, August 23, 1957.

I. G. Pyper, Esq.,
Executive Assistant,
Office of the Minister of Justice,
Ottawa, Ontario.

Dear Mr. Pyper:

I would refer to your communication of August 15, 1957, requesting comments concerning material that you have recently received from Mr. Lehigh Antone, Grand Treasurer, Indian Defense League of America.

For your information I wish to advise that communications have been received from time to time from this organisation putting forward the view that the Six Nations Indians are not subject to the laws of Canada but are, rather, an independent body to be negotiated with on the same basis as foreign governments. Substantiation of these claims is sought by appeal to the Treaties of Jay and Gent.

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Mr. Antone was informed that decisions of the Supreme Court of Canada are final and conclusive, and not subject to amendment either by the judiciary or executive branches of Government. Following this he requested the submission of this matter to the United Nations Organization. Mr. Antone was advised that the United Nations Organization is not authorized to alter judgments of the Supreme Court of Canada and he has subsequently written to the Minister of Justice making similar demands.

Yours sincerely,

Laval Fortier.

001709

OFFICE OF THE DEPUTY MINISTER

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION

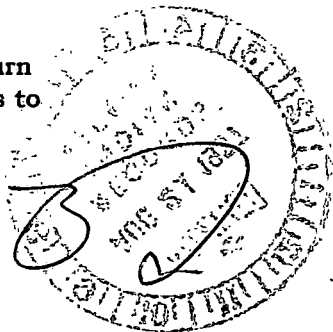
Date 20-8-57 19.....

To:

- ☐ Minister
- ☐ Director of Immigration
- ☒ Director of Indian Affairs
- ☐ Director of Canadian Citizenship
- ☐ Registrar of Canadian Citizenship
- ☐ Director of Technical Services
- ☐ Chief Editorial and Information
- ☐ Personnel Division
- ☐ Legal Division
- ☐ Translators
- ☐

Wm

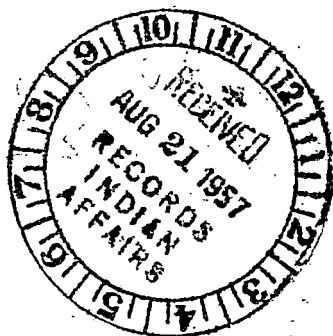
- ☐ For action
- ☐ For Direct Reply
- ☐ For reply and signature on D.M.'s behalf
- ☐ For preparation of Reply
- ☒ For report or comments *as reported*
- ☐ For discussion with undersigned
- ☐ For translation
- ☐ For information
- ☐ To note and return
- ☐ To note and pass to



NOTED
21.8.57
(initials)

RD

001710



1/1-8-3 (Adm.1)
1/18-31-2

Ottawa, July 25, 1957.

MEMORANDUM TO THE DEPUTY MINISTER:

Herewith comments requested concerning previous correspondence between this Department and Mr. Lehigh Antone, Grand Treasurer, Indian Defense League of America.

Communications have been received from time to time from this organization putting forward the view that the Six Nations Indians are not subject to the laws of Canada but are rather an independent body to be negotiated with on the same basis as other foreign governments. Substantiation of these claims is sought by appeal to the treaties of Jay and Ghent.

Exception has been taken on the part of this organization to a recent ruling of the Supreme Court of Canada in the case of one Louis Francis, an Indian of the St. Regis Reserve convicted on a charge of failing to pay a duty imposed on goods imported from the United States. In this regard letters were sent over the signature of Mr. Antone to His Excellency the Governor-General, the Minister of National Revenue, the Minister of Justice, and the Minister of this Department, requesting the setting-aside of this judgment.

Upon advisement that decisions of the Supreme Court of Canada are final and conclusive, and not subject to amendment either by the judiciary or executive branches of Government a request was made for the submission of this matter to the United Nations Organization. Mr. Antone was advised that the United Nations Organization is not authorized to alter judgments of the Supreme Court of Canada, and has subsequently written to the Minister of Justice making similar requests.

- 2 -

Recent correspondence with Mr. Antone has dealt with a recommendation of the Civil Liberties Section of the Canadian Bar Association concerning the formation within that organization of a committee to study the legal status of Canadian Indians.

deleted
A reply to Mr. Antone's most recent communication has been prepared for the signature of the Acting Minister and is enclosed herewith. Mr. Fulton may however prefer that this matter be dealt with Departmentally rather than enter into personal correspondence with Mr. Antone. *ml*

L. BROWN

Acting Director.

WJM/FL

P. A. → 1/1-8-3
1/18-31-2 (Adm.1)
WJM/FL

Ottawa, July 25, 1957.

Lehigh Antone, Esq.,
Grand Treasurer,
Indian Defense League of America,
Box 305,
Niagara Falls, N.Y., U.S.A.

Dear Mr. Antone:

I wish to refer to your letter of July 9
in which you put forward suggested amendments to the Indian
Act.

As the question of amending the Indian Act
is one which will require the careful thought of whoever is
appointed Minister of this Department, I will see that your
representations are brought to his attention.

Yours sincerely,

H. D. Fulton,
Acting Minister of
Citizenship and Immigration.

COPY

INDIAN DEFENSE LEAGUE OF AMERICA

July 9, 1957.

Honourable E. D. Fulton
Minister of Justice
Government House
Ottawa, Canada

Hon. Sir:

In view of the possible revising of the Indian Act during the 1st. session of the 23rd Parliament, I have been instructed to write to you with suggestions.

1. Indian Affairs, including Medical Services, should be a separate Department, eliminating the inconsistent position of the Minister from representing both the interests of the Crown and those of the Indians; also eliminating red tape and passing the buck in the Medical field.

2. We feel that Treaties should not be broken and will cease only on voluntary cession by the majority of the tribe concerned.

3. If possible, an Indian should be included in the Indian Administration at Ottawa. Magistrate O.M. Martin of Toronto, a Mohawk, or Marshall Chrysjohn an Oneida, are herein suggested. The present Minister of Finance, the Hon. D. M. Fleming might know Magistrate Martin and, our good friends, the members from East and West Middlesex would know Mr. Chrysjohn. Mr. Chrysjohn studied Law in a University in Michigan and is well posted on Indian problems.

Our Organization will co-operate in every way, in improving and preserving the status of the Indian and the Commonwealth.

Very Respectfully

(Sgd.) Lehigh Antone

Lehigh Antone
R. R. #2
Southwold, Ontario, Canada

001715

Ne Skenno, Ne Gai Wuo, Ne Gashasda Sa

Peace, Prosperity, Power and Equality to All

Indian Defense League of America

Home Office, Box 305 Niagara Falls, N. Y.

1/18-31-2

CHIEF CLINTON RICKARD,
Grand President,
Tuscarora Reserve, Sanborn, N.Y.

MISS EMILY GENERAL,
First Vice Grand President,
Ohsweken, Ontario, Canada

MRS NORMA GILBERT
Grand Secretary

SA



MR. LEHIGH ANTONE
Grand Treasurer

MR. MORRIS ANTONE
Grand Chaplain

Annual Border Crossing Celebration Every 3rd Saturday of July, Niag. Falls, N.Y. and Niag. Falls, Ontario.
June 19, 1957

INDIAN AFFAIRS
JUN 20 4 29 PM '57

001936

H.M. Jones, Director
Indian Affairs Branch
Department of Citizenship and Immigration
Ottawa, Canada

Dear Sir;

I have your letter of the 13th inst. advising me that, as far as you are aware the report of the Committee on Legal Status and Civil Rights of the Canadian Indian, Civil Liberties Section, Canadian Bar Association, contained only one recommendation.

The recommendation referred to in the last paragraph of your letter is recommendation I.

I would respectfully call your attention to recommendation 2. which provides, "We recommend that a permanent Committee be formed to consider the legal status of our Canadian Indians, and that such a Committee become a permanent part of the Civil Liberties Section of the Canadian Bar Association."

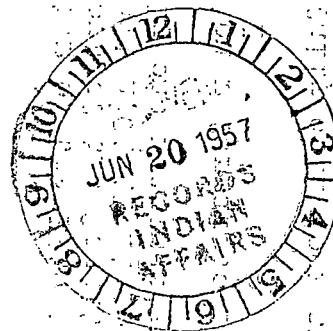
Will you please advise if that recommendation is also under consideration.

Respectfully

Lehigh Antone
Lehigh Antone

No answer is necessary to such a frivolous question.

Lehigh



101839

1/3-3-17 (S.A.)

1/18-31-2

LLB/AM

MMcN

Ottawa,
June 13, 1957.

Lehigh Antone, Esq.,
Grand Treasurer,
Indian Defense League of America,
Box 305,
Niagara Falls, N.Y., U.S.A.

Dear Mr. Antone:

I have for acknowledgment your letter of June 1st in which you ask whether the Indian Administration has adopted the recommendations of the Canadian Bar Association and if not, does it intend to do so.

You speak of recommendations, but in so far as I am aware the report of the Committee on Legal Status and Civil Rights of the Canadian Indian, Civil Liberties Section, Canadian Bar Association, contained only one recommendation, namely, that a section be added to the Indian Act providing for an appeal to the courts from any act of the Minister or Governor in Council which an Indian feels is inequitable.

This recommendation is still being studied.

Yours sincerely,

Original Signed by
H. M. JONES

H. M. Jones,
Director.

1/3-3-17 (S.A.)
1/18-31-2

Ottawa,
June 12, 1957.

Lehigh Antone, Esq.,
Grand Treasurer,
Indian Defense League of America,
Box 305,
Niagara Falls, N.Y., U.S.A.

Dear Mr. Antone:

I have for acknowledgment your letter of June 1st in which you ask whether the Indian Administration has adopted the recommendations of the Canadian Bar Association and if not, does it intend to do so.

You speak of recommendations, but in so far as I am aware the report of the Committee on Legal Status and Civil Rights of the Canadian Indian, Civil Liberties Section, Canadian Bar Association, contained only one recommendation, namely, that a section be added to the Indian Act providing for an appeal to the courts from any act of the Minister or Governor in Council which an Indian feels is inequitable.

While this recommendation has been studied, the Government has not decided as yet whether it should be adopted.

Yours sincerely,

Original Signed by
H. M. JONES

H. M. Jones,
Director.

LAB:ME

INDIAN AFFAIRS

B



OFFICE OF THE
DIRECTOR

1/18-31-2(Adm.1)

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION

Ottawa, May 30, 1957.

Raymond Bernard, Esq.,
Becancour Indian Reserve,
Nicolet Co., Que.

Dear Mr. Bernard:

Your letter of May 22nd to the Deputy Minister of Citizenship and Immigration, requesting information concerning the importation of goods from the United States, has been referred to me.

Indians, as citizens, are before law subject to the same responsibilities as other citizens. I would therefore suggest that you direct your inquiries to the Customs and Excise Division of the Department of National Revenue, within whose province matters of this nature lie.

Yours sincerely,

H. M. Jones,
Director.

CITIZENSHIP & IMMIGRATION
TRANSLATION
RECEIVED 3-6-57
RETURNED 4-6-57
INITIALS m j l

001720

INDIAN AFFAIRS



OFFICE OF THE
DIRECTOR

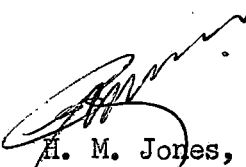
1/18-31-2(Adm.1)

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION

Ottawa, May 30, 1957.

Markland J. Smith, Esq.,
Chief Translator,
Department of Citizenship and Immigration,
Woods Building,
O t t a w a.

Would you kindly have the attached
letter to Mr. Raymond Bernard, for my signature,
translated into French and returned to this office
as soon as possible? The original and one copy
are required.



H. M. Jones,
Director.

Copy for Indian Affairs Branch

1/18-31-2 (Adm. 1

Ottawa, le 5 juin 1957

Monsieur Raymond Bernard
Réserve indienne de Bécancour
Comté de Nicolet (P.Q.)

Cher monsieur,

On a porté à mon attention la lettre que vous adressiez le 22 mai au sous-ministre de la Citoyenneté et de l'Immigration pour demander des renseignements sur l'importation d'articles des États-Unis.

Les Indiens, en tant que citoyens, sont soumis devant la loi aux mêmes responsabilités que les autres citoyens. Je vous conseillerais donc de vous enquérir auprès de la Division des douanes et de l'accise, ministère du Revenu national, dont relèvent les questions de cette nature.

Votre bien dévoué,

Le directeur,

Original Signed by
H. M. JONES

H. M. Jones

AS/18

BEST AVAILABLE COPY

WRJ/BB

C
O
P
Y

May 28, 1957

Dear Sir:

In the absence of the Minister of Justice,
I acknowledge your letter of May 15th last, which is
being transferred to the Department of Citizenship and
Immigration for attention together with the copy of
the court decision referred to in the postscript thereto.

Yours truly,

Deputy Minister of Justice.

Lehigh Antone, Esq.
Grand Treasurer
Indian Defense League of America
Box 305
NIAGARA FALLS, N.Y.
U. S. A.

Law, between Great Britain, the United States and the Indians.

No question of Contag
question, and, as stated in the Cover
personally unobjectionable, and no
the law had been established
a skilled structural iron
salary; has a work
he was discharged from

BEST AVAILABLE COPY

Ne Skenko, Ne Gai Wuo, Ne Gashasda Sa

Indian Defense League

Home Office, Box 305 Niagara Falls, N.Y.

CHIEF CLINTON RICKARD,
Grand President,
Tuscarora Reserve, Sanborn, N.Y.

MISS EMILY GENERAL,
First Vice Grand President,
Ohsweken, Ontario, Canada

MRS NORMA GILBERT
Grand Secretary



Annual Border Crossing Celebration Every 3rd Saturday of July, Niag. Falls, N.Y. and N.

May 15, 1957

Honourable S.S. Garson
Minister of Justice and Attorney General
Government House
Ottawa, Ontario



Honourable Sir;

Our letter of November 5, 1956 addressed to His Excellency, The Governor-General and the letter addressed to you on December 11, 1956 respectively, protesting the Court ruling, imposing duty on goods brought from the United States into the Indian Reservations by members of the Six Nations Indians; as acknowledged, were transferred to the Minister of Citizenship and Immigration, the Honourable J.W. Pickersgill for attention.

We regret that we must inform you, the Honourable Mr. Pickersgill has failed to render his personal attention to our protest; but he in turn, had transferred, to his subordinates for reply.

We appreciate that certain problems are beyond the Office of others than the Cabinet Ministers and must be referred to the appropriate Ministers, in whose prerogative lies the power of decision. In fact the Director of Indian Affairs, H.M. Jones admitted in his letter of April 26, 1957, paragraph three; "In regard to the third paragraph of your letter I can only say that such matters do not fall within the responsibilities of my office." He then offers the ridiculous suggestion that I should make my inquiry to the appropriate authority of the United States Government in Washington, D.C.

I, accordingly, informed Mr. Jones that "the United States Government has honorably recognized the Jay Treaty as well as the Treaty of Ghent." It was through the provisions and stipulations of the Treaty that many of our people are enabled to work in the United States and their living conditions in more lucrative employment than they could find in Canada due to the discrimination and prejudice against the Indian be penalized for endeavoring to support his family by working or duty on goods he may obtain from the United States.

The Jay Treaty, which was signed in 1794, established in Article 12, Law, between Great Britain, the United States and the Indians.

No question of Contract was involved in this case. The question, and as stated in the Government's report, was personally unobjectionable, and no violation of the law had been established. The man was a skilled structural iron worker, and his salary was \$10.00 per week. He was discharged from this position.

A TRUE

CIRCUIT COURT OF APPEALS

McCANDLESS, COMMISSIONER OF
IMMIGRATION
-VS-
UNITED STATES EX REL DIABO

2

1. INDIANS -

Indians are Wards of Nation and general laws of not apply to them, unless clearly intended.
Indians are all Wards of the Nation, and general laws do not apply to them unless so intended to carry an intention to include them in their legislation.

2. TREATIES -

Rights of Indians under Treaty authorizing passage Canadian Boundary Line held not annihilated by War of 1812. Rights of Indians of the Six Nations under JAY TREATY authorizing passage over the Canadian Boundary Line, held not annihilated by subsequent War of 1812 between the UNITED STATES and GREAT BRITAIN, without reference to Article 9 of the TREATY of GENT, authorizing and restoring the Indian Status of the JAY TREATY.

3. ALIENS -

MEMBER of SIX NATIONS tribe residing in Canada held a passport to cross boundary to work as skilled structural iron worker. Under Article 3 of the JAY TREATY between Great Britain and the United States, authorizing passage across Canadian Boundary of the Six Nations tribe held authorized to cross boundary into the United States for the purpose of engaging in work as skilled structural iron worker.

APPEAL from the District Court of the United States, Eastern District of Pennsylvania; OLIVER B. GIBSON, JUDGE.

Habeas Corpus by the United States, on the relation of Paul Diabo against John B. McCandless, Commissioner of Immigration for the Port of Philadelphia. Order granting the writ. 188, 2, 282. Respondent appeals. AFFIRMED.

GEORGE W. COLES, U.S. ATTY; ROBERT W. ANDERSON, ADDITIONAL ATTORNEYS, both of Philadelphia, Pa., respondents.
ADRIAN BONNELLY, of Philadelphia, Pa., for appellant.
Before BUFFINGTON, WOOLEY and GIBSON, Circuit Judges.
BUFFINGTON, CIRCUIT JUDGE.

In this Habeas Corpus case it appears that Paul Diabo, a full-blooded Indian of the Iroquois Tribe, known as the Six Nations, born on a Reservation of that Tribe in the Dominion of the United States, first came to the United States from the Dominion of the United States by reason of the fact that he was in possession of a passport issued on the basis of his status as an Indian. For of the fact that he was an Indian, the Commissioner of Immigration ordered that he be deported from the United States.

No question of Contagious Disease was raised in this case. No question, and, as stated in the Government's brief, the law has been established that a skilled structural iron worker is entitled to a salary; and he was discharged from this country.



1/18-31-2

OFFICE OF
THE DEPUTY MINISTER OF JUSTICE
AND
THE DEPUTY ATTORNEY GENERAL OF CANADA

OTTAWA, 4, May 28, 1957

Dear Sir:

I enclose herewith a copy of a letter dated May 15th last from Mr. Lehigh Antone, Grand Treasurer of the Indian Defense League of America, a copy of my reply thereto and the decision referred to in the postscript thereto.

Yours truly,

Encs.

W. R. Jackson
Deputy Minister.

The Deputy Minister
Department of Citizenship and Immigration
O T T A W A.

MAY 30 2 11 PM '57

045626

001726

DIA
30/5/57

OFFICE OF THE DEPUTY MINISTER
DEPARTMENT OF CITIZENSHIP AND IMMIGRATION

Date.....19.....

To:

- ☐ Minister
- ☐ Director of Immigration
- ☒ Director of Indian Affairs
- ☐ Director of Canadian Citizenship
- ☐ Registrar of Canadian Citizenship
- ☐ Director of Technical Services
- ☐ Chief Editorial and Information
- ☐ Personnel Division
- ☐ Legal Division
- ☐ Translators
- ☐

*Miss Hanning
To note
Jew*

- ☐ For action
- ☒ For Direct Reply
- ☐ For reply and signature on D.M.'s behalf
- ☐ For preparation of Reply
- ☐ For report or comments
- ☐ For discussion with undersigned
- ☐ For translation
- ☐ For information
- ☐ To note and return
- ☐ To note and pass to

*NOTED
30.5.57
PH*

*I understand from Mr Christie
that you have already replied
to similar representations from
this organization.
Jre*

001727



P. A. →

1/18-31-2(Adm.1)

Ottawa, May 30, 1957.

Lehigh Antone, Esq.,
Grand Treasurer,
Indian Defense League of America,
Box 305,
Niagara Falls, N.Y.,
U. S. A.

Dear Mr. Antone:

Your letter of May 15th, together with the copy of the court decision referred to in the postscript thereto, addressed to Hon. Stuart S. Garson, Minister of Justice, has been referred to me.

I have perused its contents and do not find any additional points to those raised in your communication of May 13th to which I replied May 22nd. In view of my reply above noted, together with previous correspondence concerning this matter, there would not appear to be any further information which could be provided.

Yours sincerely,

Original Signed by
H. M. JONES

H. M. Jones,
Director.

WJH:ND

1/18-31-2(Adm.1)

Ottawa, May 30, 1957.

Markland J. Smith, Esq.,
Chief Translator,
Department of Citizenship and Immigration,
Woods Building,
O t t a w a.

Would you kindly have the attached letter to Mr. Raymond Bernard, for my signature, translated into French and returned to this office as soon as possible? The original and one copy are required.

Original Signed by

H. M. JONES

H. M. Jones,
Director.

UJM:MD

w/r

1/18-31-2(Adm.1)

Ottawa, May 30, 1957.

Raymond Bernard, Esq.,
Becancour Indian Reserve,
Nicolet Co., Que.

Dear Mr. Bernard:

Your letter of May 22nd to the Deputy Minister of Citizenship and Immigration, requesting information concerning the importation of goods from the United States, has been referred to me.

Indians, as citizens, are before law subject to the same responsibilities as other citizens. I would therefore suggest that you direct your inquiries to the Customs and Excise Division of the Department of National Revenue, within whose province matters of this nature lie.

Yours sincerely,

H. M. Jones,
Director.

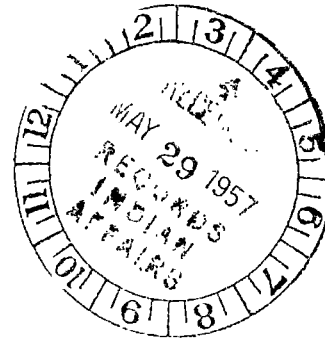
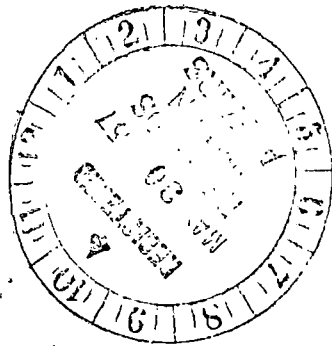
NJM:MD

W/ .m

1- ~~DIA~~
2- Adm.

May 30 11 00 AM '57

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٥٤



1/18-31-2

OTTAWA
MAY 27 1957

Deputy Minister's Office

Bécanouit 22 Mai 1957

Mrs Laval Fortier

Cher Monsieur

CITIZENSHIP & IMMIGRATION	
TRANSLATION	
RECEIVED	MAY 28 1957
RETURNED	28.5.57
INITIALS	m J.S.

Excusez moi de venir vous importuner je voudrais avoir quelques renseignements je voudrais savoir s'il est vrai que nous les membres d'une réserve nous avons le droit de traverser du Canada aux Etats Unies et des Etats Unies au Canada payer \$3.500. dollars de marchandise si c'est vrai ce que est seulement une fois par année ou n'importe quant. encore une question est-ce que nous avons le droit de faire le commerce entre les deux pays sans être déranger et est-ce que ça prend une licence quelconque. vous seriez bien aimable de me répondre le plus tôt possible si vous pouvez

Merci Beaucoup
Bonjour

Raymond Bernard - Réserve indienne
Bécanouit cote Nicolet. P. J. J.

001734

OFFICE OF THE DEPUTY MINISTER

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION

Date May 27 1957

To:

- ☐ Minister
- ☐ Director of Immigration
- ☒ Director of Indian Affairs
- ☐ Director of Canadian Citizenship
- ☐ Registrar of Canadian Citizenship
- ☐ Director of Technical Services
- ☐ Chief Editorial and Information
- ☐ Personnel Division
- ☐ Legal Division
- ☐ Translators
- ☐

*Miss Handman
To note
Adm
- DIA*

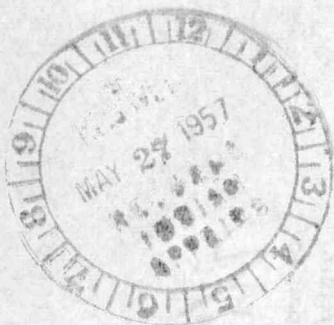
- ☐ For action
- ☒ For Direct Reply
- ☐ For reply and signature on D.M.'s behalf
- ☐ For preparation of Reply
- ☐ For report or comments
- ☐ For discussion with undersigned
- ☐ For translation
- ☐ For information
- ☐ To note and return
- ☐ To note and pass to

2-

gm

*Noted
27.5-57
C.H.*

001735



001736

FOR TRANSLATION

NO. 95
SENT: 27/5/57

RETURNED:

INDIAN AFFAIRS BRANCH

001737

1/18-31-2(Adm.1)

Ottawa, May 22, 1957.

Lehigh Antone, Esq.,
Grand Treasurer,
Indian Defense League of America,
Box 305,
Niagara Falls, N.Y.,
U. S. A.

Dear Mr. Antone:

I wish to refer to your most recent communication dated May 13, 1957, in which you make further reference to a judgment of the Supreme Court of Canada.

As pointed out in my letter dated April 18, 1957, in the democratic process of Canadian law, a judgment of the Supreme Court is final and conclusive for all citizens and is not subject to amendment either by the judiciary or executive branches of government.

With regard to the question posed in the final paragraph of your letter, I would point out that no opinion can be given to a hypothetical problem. You will recall that I stated in the final paragraph of my letter dated April 26, 1957, matters of this nature do not fall within the responsibilities of my office. I would point out for your information that the United Nations Organization is not authorized to alter judgments of the Supreme Court of Canada.

In view of the foregoing and previous correspondence, I do not feel that I can provide you with further information in this regard.

Yours sincerely,

Original Signed by
H. M. JONES

H. M. Jones,
Director.

Wf. m.
HJM:MD

001738

1/18-31-2(Adm.1)

Ottawa, May 21, 1957.

Lehigh Antone, Esq.,
Grand Treasurer,
Indian Defense League of America,
Box 305,
Niagara Falls, N.Y.,
U. S. A.

Dear Mr. Antone:

I acknowledge your letter of the 13th instant and have to advise that there is no point whatever in my answering the hypothetical question which you ask in the last paragraph of the letter. As I have told you before, this office has no authority to refer matters to the United Nations.

I might add that I consider it extremely doubtful that the United Nations would be prepared to have a commission make a study of the type you suggest. Assuming, however, that I am wrong in this it should be noted that whatever conclusions such a commission arrived at they could not possibly, under Canadian law, overrule or in any way alter the judgment of the Supreme Court of Canada in the Francis case.

I really cannot see that any useful purpose will be served in continuing our correspondence on this matter. It will be much appreciated if you govern yourself accordingly.

Yours sincerely,

Original Signed by
H. M. JONES

H. M. Jones,
Director.

WJM:MD

001739

ADMINISTRATION

BRANCH



LEGAL DIVISION



CANADA

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION

OTTAWA, May 17, 1957

Adm 1

MEMORANDUM FOR:

THE DIRECTOR,
INDIAN AFFAIRS BRANCH

Re: Your file 1/18-31-2 (Adm. 1)

I acknowledge your memorandum of the 16th instant and recommend that you reply along these lines:

"I acknowledge your letter of the 13th instant and have to advise that there is no point whatever in my answering the hypothetical question which you ask in the last paragraph of the letter. As I have told you before, this office has no authority to refer matters to the United Nations.

I might add that I consider it extremely doubtful that the United Nations would be prepared to have a commission make a study of the type you suggest. Assuming, however, that I am wrong in this it should be noted that whatever conclusions such a commission arrived at they could not possibly, under Canadian law, overrule or in any way alter the judgment of the Supreme Court of Canada in the Francis case.

I really cannot see that any useful purpose will be served in continuing our correspondence on this matter. It will be much appreciated if you govern yourself accordingly."

D. H. Christie

D. H. Christie,
Legal Adviser.

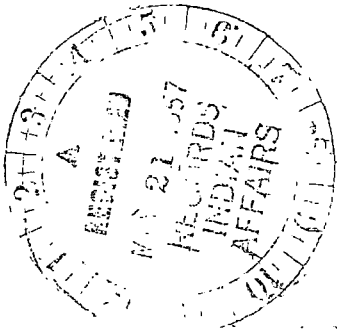
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MAY 21 12 24 PM '57

INDIAN AFFAIRS



1/18-31-2(Adm.1)

Ottawa, May 16, 1957.

MEMORANDUM TO THE DEPARTMENTAL LEGAL ADVISER:

Forwarded herewith on file 1/18-31-2, correspondence received from time to time from the Indian Defense League of America. This correspondence commencing with that dated November 5, 1956, has been directed to His Excellency the Governor General, the Minister of National Revenue, the Minister of Justice, whose reply dated December 19, 1956, will be noted, the Minister of this Department, and the Director of Indian Affairs.

The final paragraph of the most recent correspondence dated May 13, 1957, indicates the salient point in question.

As this is a constitutional matter involving legal connotations, I would appreciate your advice on the nature of the reply which should be made.

Original Signed by
H. M. JONES
H. M. Jones,
Director.

WJM:MD

1/18-31-2 (Adm.)

Ottawa, May 7, 1957.

Lehigh Antone, Esq.,
Indian Defense League of America,
Box 305,
Niagara Falls, N.Y.

Dear Mr. Antone:

In reply to your letter of May 6, 1957,
respecting your enquiries arising out of the judgement of
the Supreme Court of Canada in the case of the Queen vs.
Francis, I am afraid I can add nothing further.

In Canada a judgement of the Supreme
Court is final and is not subject to appeal.

Yours sincerely,

Original Signed by

H. M. JONES

H. M. Jones,
Director.

EA/FL



Indian Defense League of America

Home Office, Box 305 Niagara Falls, N. Y.

1/18.31-2

CHIEF CLINTON RICKARD,
Grand President,
Tuscarora Reserve, Sanborn, N.Y.MISS EMILY GENERAL,
First Vice Grand President,
Ohsweken, Ontario, CanadaMRS NORMA GILBERT
Grand SecretaryMR. LEHIGH ANTONE
Grand TreasurerMR. MORRIS ANTONE
Grand Chaplain

Annual Border Crossing Celebration Every 3rd Saturday of July, Niag. Falls, N.Y. and Niag. Falls, Ontario.

May 6, 1957

H.M. Jones, Director
Department of Indian Affairs
Ottawa, Canada.

Dear Mr. Jones;

In reference to your letter ~~of April 26~~ of April 26, you confirmed our assumption, that you infer, that Indians are Citizens of Canada, naturally assuming that they are no different from any other race regardless of their national origin, or how Canada came into being.

In regard to the second paragraph of said letter, it must be pointed out, that the Canadian Citizenship Act IS NOT IN ACCORD WITH the status of the Six Nations Indians, in that they are a separate people

In the third paragraph you claim, "I note that the head office of your League is located in the United States and I would assume that you should address your inquiry to the appropriate authority of the United States Government in Washington, D.C.". The question involved has nothing to do with the United States Government. For your information, the United States Government has honorably recognised the Jay Treaty as well as the Treaty of Ghent, furthermore, we are North American Indians and our headquarters is in North America.

Again I repeat the question; if the question was within the responsibility of your office, "would you be willing to have the rights of the Six Nations Indians determined by an appropriate Committee of The United Nations?"

Anxiously awaiting your reply.

Lehigh Antone

(Oneida Tribe of the Six Nations. Allies to the British Crown and under their protection.)

1/18-31-2 (Adm.)

Ottawa, April 26, 1957.

Lehigh Antone, Esq.,
Indian Defense League of America,
Box 305,
Niagara Falls, N.Y.

Dear Mr. Antone:

In reply to your letter of April 24 I wish to confirm your assumption that in my letter of April 18 I inferred that Canadian Indians are citizens of Canada.

Canadians of Indian racial origin are not exempt from the benefits of the Canadian Citizenship Act and if their place of birth etc. is in accord with the requirements of that Act then they, as in the case of other Canadians, have a rightful claim to such privilege.

In regard to the final paragraph of your letter I can only say that such matters do not fall within the responsibilities of my office. However, I note that the head office of your League is located in the United States and I would therefore assume that you should address your inquiry to the appropriate authority of the United States Government in Washington, D.C.

Yours sincerely,

Original Signed by
H. M. JONES

H. M. Jones,
Director.

(92)

Ne Skenno, Ne Gai Wuo, Ne Gashasda Sa

Peace, Prosperity, Power and Equality to All

Indian Defense League of America

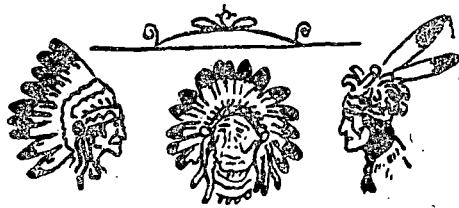
Home Office, Box 305 Niagara Falls, N. Y.

118-31-2

CHIEF CLINTON RICKARD,
Grand President,
Tuscarora Reserve, Sanborn, N.Y.

MISS EMILY GENERAL,
First Vice Grand President,
Ohsweken, Ontario, Canada

MRS NORMA GILBERT
Grand Secretary



MR. LEHIGH ANTONE
Grand Treasurer

MR. MORRIS ANTONE
Grand Chaplain

Annual Border Crossing Celebration Every 3rd Saturday of July, Niag. Falls, N.Y. and Niag. Falls, Ontario.
April 24, 1957

Adm

H.M. JONES, DIRECTOR
Indian Affairs Branch
Department of Citizenship and Immigration
Ottawa, Canada

Dear Sir;

I have your letter of the 18th inst., a reply of letter to the Superintendent Mr. Pickersgill, concerning Duty imposed by Court on Goods belonging to Indians of the Six Nations Confederacy.

I note that in the last paragraph "In the Democratic process of Canadian Law the judgement of the Supreme Court is final and conclusive for all citizens", I take it that you are referring to Indians as Citizens of Canada.

The letter to His Excellency the Governor-General makes it clear that the Six Nations Indians are not Citizens neither are they British Subjects but are Allies of the British Crown.

When the Jay Treaty was formulated and included Article III, the language used there treated the Indians as being outside the circle of British Subjects and outside United States Citizenship. Article IX of the Treaty of Ghent is a very important document, in regards to Indians. These treaties established International Law between Great Britain, United States and the Indians.

We feel that these treaties corroborates our rights of independence, rights of sovereignty and are entitled to the duties of courtesy as set forth in International Law.

Due to the fact that the Minister will not answer personal letters, Will you as Director of Indian Affairs approve, that Indian rights be decided by an appropriate body of the United Nations.

anxiously awaiting your reply.

Lehigh Antone
Lehigh Antone

APR 25 1 56 PM '57
INDIAN AFFAIRS

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*Notes
25.4.57
M. McK.*

2015.11.15

THEODORE HERRICK SYMPSON JR.
GREGORY HERRICK
CHRISTOPHER HERRICK

1/18-31-2 (Adm.)

Ottawa, April 18, 1957.

Lehigh Antone, Esq.,
Grand Treasurer,
Indian Defense League of America,
Box 305,
Niagara Falls, N.Y.

Dear Mr. Antone:

In the absence of the Minister I am to
acknowledge receipt of your letter dated April 8 in which
you refer to a letter dated April 2, 1957, which you received
from the Acting Director of this Branch.

I can add nothing further to the information
contained in the letter of the Acting Director and I am sure
you will have this confirmed by any solicitor you wish to
consult.

In the democratic process of Canadian law
the judgement of the Supreme Court is final and conclusive
for all citizens and is not subject to amendment either by
the judiciary or executive branches of government.

Yours sincerely,

Original Signed by
H. M. JONES
H. M. Jones,
Director.

EA/FL

94

Ne Skenno, Ne Gai Wuo, Ne Gashasda Sa

Peace, Prosperity, Power and Equality to All

Indian Defense League of America

Home Office, Box 305 Niagara Falls, N. Y.

CHIEF CLINTON RICKARD,
Grand President,
Tuscarora Reserve, Sanborn, N.Y.

MISS EMILY GENERAL,
First Vice Grand President,
Ohsweken, Ontario, Canada

MRS NORMA GILBERT
Grand Secretary

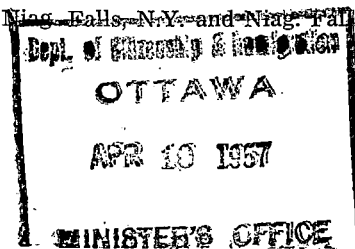


MR. LEHIGH ANTONE
Grand Treasurer

MR. MORRIS ANTONE
Grand Chaplain

Annual Border Crossing Celebration Every 3rd Saturday of July, Niagara Falls, N.Y. and Niagara Falls, Ontario.
April 8, 1957

Honourable J.W. Pickersgill
Minister of Citizenship and Immigration
Ottawa, Canada.



Hon. Sir;

Referring to the letter, of the Acting Director of Indian Affairs, Mr. L. Brown respecting complaints concerning the decision of the Court in the Case of Louis Francis.

Upon further reflection, we are inclined to concur with the general view of the Indian People, that the adverse conditions created by the apparent indifference on the part of the Administration in regards to Indian Rights, must be attended to by the appropriate Ministers.

There are instances which require your personal intervention in your capacity as Superintendent General; questions which we appreciate are beyond the under Officials of the Administration to decide. We will gladly contact the civil servants on matters not requiring your personal attention.

We would appreciate if you would answer the following questions;

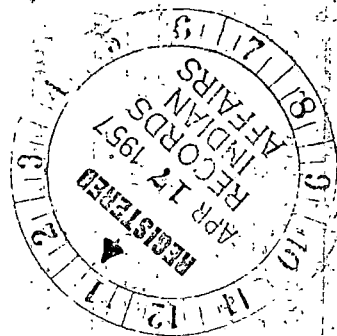
1. Does the Minister of Citizenship and Immigration contemplate on taking any action on letters to the Governor-General of November 5, and to the Minister of Justice of December 11, 1957 respectively?
2. Does the Minister of Citizenship and Immigration have any intention of exercising his prerogative in the respect of the Indians' guaranteed rights?
3. If you feel that the Democratic principles involved in the violation of Indian Rights is too deep for your present knowledge, Will you give your approval to take the matter to the United Nations for an opinion, through the instrumentality of International Law,

Material is being prepared for release, to every Member Nation of the U.N., regarding violations of Indian Rights including excerpts from the Indian Act and Hansards dealing with Indians.

Anxiously awaiting your reply.

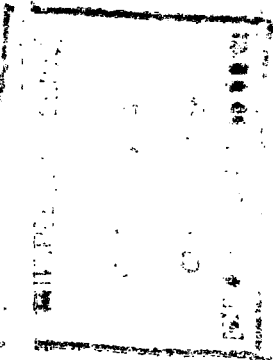
Respectfully

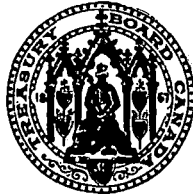
Lehigh Antone



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APR 17 2 11 PM '57
INDIAN AFFAIRS





11/18/312
Dept. of Citizenship & Immigration

OTTAWA

MAR 29 1957

T.B. 512339.

OTTAWA, March 28, 1957
Deputy Minister's Office

Lt.-Col. Laval Fortier,
Deputy Minister,
Department of Citizenship and Immigration,
Woods Building,
O T T A W A 4, Canada.

Dear Col. Fortier:

This will refer to the submission of the Minister of National Revenue under date of January 29, 1957, recommending that authority be granted not to enforce payment of the Court costs awarded to the Crown by the Supreme Court of Canada on June 11, 1956, with respect to the appeal of Louis Francis from judgment of the Exchequer Court of Canada dismissing his Petition of Right on August 4, 1954.

A copy of my letter of February 6, 1957, addressed to the Deputy Minister, Department of National Revenue (Customs and Excise), and a copy of Mr. Sim's reply of February 21, 1957, are attached for your information. It would be appreciated if you would forward a recent report concerning Mr. Francis' circumstances, covering in particular, such points as assets (cash, real estate, etc.), employment, income, etc., with the object of furnishing information to assist the Board in arriving at a decision as to whether or not Mr. Francis should be required to meet his obligations arising out of his unsuccessful action against the Crown.

Yours truly,

D. Mulatto
Secretary.

Encl:

001752

C O P Y

C.S. 53258

DEPUTY MINISTER OF NATIONAL REVENUE
CUSTOMS AND EXCISE

O T T A W A 2, February 21, 1957.

D.M. Watters, Esq.,
Secretary,
Treasury Board,
Ottawa, Ontario.

Re: Louis Francis v. The Queen
Your File No. T.B. 512339

Dear Mr. Watters:

In reply to your letter of the 6th instant, I wish to advise you that neither the costs awarded to the Crown in the Exchequer Court nor the costs in the Supreme Court of Canada have been taxed, but if they had been taxed in the usual way, the total amount of costs would be approximately \$3,000.00 for both Courts.

I also wish to advise you that I have no information concerning Mr. Francis' financial circumstances. However, inasmuch as he is an Indian resident of the St. Regis Reserve, I would suggest that you address your inquiry to Mr. Laval Fortier, Deputy Minister of Citizenship and Immigration.

Yours faithfully,

(Sgd.) D. Sim.

C O P Y

TREASURY BOARD

CANADA

T.B. 512339

OTTAWA, February 6, 1957.

D. Sim, Esquire,
Deputy Minister,
Customs and Excise,
Department of National Revenue,
Connaught Building,
OTTAWA 2, Canada.

Dear Mr. Sim:

This will refer to your Minister's submission under date of January 29, 1957, recommending that authority be granted not to enforce payment of the Court costs, awarded to the Crown by the Supreme Court of Canada on June 11, 1956, with respect to the appeal of Louis Francis from the Judgment of the Exchequer Court of Canada dismissing his Petition of Right on August 4, 1954.

It is noted that the memorandum attached to your Minister's submission does not indicate the amount of the costs awarded to the Crown. It would be appreciated if you would advise the amount of the costs and include details thereof. While the amount involved is not available to me at this time, it would appear that in all likelihood this item will eventually be referred to the Treasury Board for deletion from the accounts under the provisions of Section 23 of the Financial Administration Act or by inclusion in a special estimates item. In view of this it is desirable that a recent report be forwarded concerning Mr. Francis' circumstances, covering such points as assets (cash, real estate, etc.), employment, income, etc., with the object of ensuring that suspension of recovery action does not in itself constitute the basis for later deletion from the accounts.

Yours truly,

(Sgd.) D.M. Watters

Secretary.

Copy for Indian Affairs Branch 0 2 2 3 1 1

1/18-31-2 (Adm.)
EA/FL

Adm.

APR 17 12 16 PM '57
INDIAN AFFAIRS
Ottawa, April 15, 1957.

D. M. Watters, Esq.,
Secretary,
Treasury Board,
Ottawa, Ontario.

Dear Mr. Watters:

In reply to your letter of March 28 I can inform you that Mr. Louis Francis is an Indian of the St. Regis Band, married and with a family of six children, the eldest ten years of age.

Mr. Francis is employed with the Aluminum Co. of America at Massena, N.Y., and resides in St. Regis village on the St. Regis Indian Reserve.

Mr. Francis does not own any real estate off the reserve, and the amount of his earnings is not known. However, from the length of his employment with this company our field officers consider his income might be in the neighbourhood of \$4,000.00 per annum. So far as this Department is aware he has no additional assets.

However, I would point out that the case of the Queen v. Francis was not so much a personal issue involving this Indian but was in fact a test case to decide, once and for all, if Canadian Indians could legally invoke the terms of the Jay Treaty to avoid payment of customs and excise duties. To this end a number of Indian bands contributed funds to defray legal costs.

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INDIAN VI 1182
APR 15 15 15 15 15

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In these circumstances it would not appear that action to force payment of obligations would meet with success and would, in any event, result in hardship to the unsuccessful appellant.

Yours sincerely,

Laval Fortier

Laval Fortier.

A handwritten signature in dark ink, appearing to be 'Laval Fortier', is located in the bottom left corner of the page.

001757

1/18-31-2 (Adm.)
EA/FL

Ottawa, April 15, 1957.

D. H. Watters, Esq.,
Secretary,
Treasury Board,
Ottawa, Ontario.

Dear Mr. Watters:

In reply to your letter of March 28 I can inform you that Mr. Louis Francis is an Indian of the St. Regis Band, married and with a family of six children, the eldest ten years of age.

Mr. Francis is employed with the Aluminum Co. of America at Massena, N.Y., and resides in St. Regis village on the St. Regis Indian Reserve.

Mr. Francis does not own any real estate off the reserve, and the amount of his earnings is not known. However, from the length of his employment with this company our field officers consider his income might be in the neighbourhood of \$4,000.00 per annum. So far as this Department is aware he has no additional assets.

However, I would point out that the case of the Queen v. Francis was not so much a personal issue involving this Indian but was in fact a test case to decide, once and for all, if Canadian Indians could legally invoke the terms of the Jay Treaty to avoid payment of customs and excise duties. To this end a number of Indian bands contributed funds to defray legal costs.

... 2

- 2 -

In these circumstances it would not appear that action to force payment of obligations would meet with success and would, in any event, result in hardship to the unsuccessful appellant.

Yours sincerely,

Laval Fortier.

Handwritten initials and a signature in the bottom left corner.



CANADA

33/18-31

Your: 1/18-31-2

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCHP. O. Box 1268,
Cornwall, Ontario,
April 11, 1957.CONFIDENTIAL

L. Brown,
Acting Director,
Indian Affairs Branch,
Department of Citizenship and Immigration,
O T T A W A, Ontario.

I have for acknowledgement your letter of March 29, 1957 regarding Judgment Costs against a member of the St. Regis Band, Mr. Louis Francis.

For your information, Mr. Louis Francis, Band No. 1022, is a member of the St. Regis Band of Indians, was born on May 11, 1922 and is the son of Mr. Frank Francis and Christine Sharrow, Band No. F-531. On June 9, 1945, he married Isobel Thomas at St. Regis, Quebec. From this union, six children were born:

- Band*
1. Leila Christina born November 17, 1946
 2. Laura Anne " September 19, 1948
 3. Denis James " March 7, 1951
 4. Margaret Joan " May 8, 1952
 5. Dale Marie " February 4, 1954
 6. Dawn Louise " May 9, 1955

The above-named has worked at the Aluminum Company of America, Massena, New York, for 10-15 years. The undersigned would think that his salary would be in the surroundings of \$4,000.00 a year. In the event that the Department of National Revenue wishes to enforce a judgment against his earnings and assuming that this will be possible to do with the above-mentioned American firm, I would like to inform that the latter takes a dim view of such garnishment on the salaries of their employees and they usually go as far as to suspend employees on whose part garnishment is served.

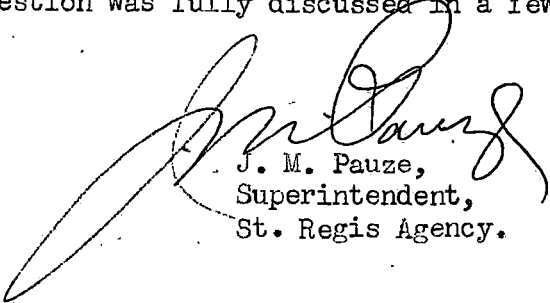
Mr. Francis resides in St. Regis Village of the St. Regis Reserve and to the writer's knowledge, he does not own any property off the Reserve.

I must add nevertheless that the said Louis Francis case became a so-called "test" case to determine whether or not the principles and privileges given in the said Jay Treaty were to be successful in court, consequently, I am certain that Louis Francis was induced and backed-up in the

-- 2 --

case by a few Indian associations, from the Six Nations Confederacy, Caughnawaga, St. Regis and elsewhere. I am also told that the Indian Defense League of America, whose head office is in Niagara Falls, was also interested in the above so-called test case and that they were all going into that case with their suggestions. I am unaware if they have ever promised some contribution in cash or not.

I believe Mr. T. L. Bonnah, my predecessor, would be in a better position to comment on the last paragraph of this letter as I hearsay that the above question was fully discussed in a few Band Council Meetings a few years ago.



J. M. Pauze,
Superintendent,
St. Regis Agency.

JMP:ef

1/18-31-2 (Adm.)

Ottawa, April 2, 1957.

Lehigh Antone, Esq.,
Grand Treasurer,
Indian Defense League of America,
Box 305,
Niagara Falls, N.Y.

Dear Mr. Antone:

I would refer to your letter of March 25 addressed to the Minister in which you report that you have not received a reply respecting your complaints concerning the decision of the Supreme Court of Canada in the Louis Francis case.

I would therefore refer you to my letter of December 21, 1956, copy of which is attached hereto.

As the claims put forward in your letter to His Excellency the Governor General dated November 5, to the Minister of Justice on December 11, and subsequently to the Minister of this Department, purported to disagree with the judgement of the Supreme Court in Louis Francis v. The Queen, I can provide you with no additional information than that contained in my letter of December 21, 1956, namely that judgements of the Supreme Court are final and conclusive.

Yours sincerely,



Acting Director.

EA/FL

001762

Ne Skenno, Ne Gai Wuo, Ne Gashasda Sa

Peace, Prosperity, Power and Equality to All

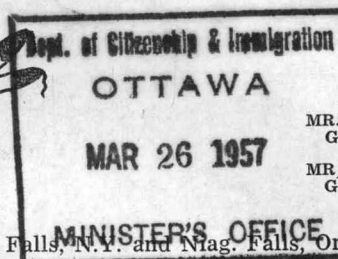
Indian Defense League of America

Home Office, Box 305 Niagara Falls, N. Y.

CHIEF CLINTON RICKARD,
Grand President,
Tuscarora Reserve, Sanborn, N.Y.

MISS EMILY GENERAL,
First Vice Grand President,
Ohsweken, Ontario, Canada

MRS NORMA GILBERT
Grand Secretary



MR. LEHIGH ANTONE
Grand Treasurer

MR. MORRIS ANTONE
Grand Chaplain

Annual Border Crossing Celebration Every 3rd Saturday of July, Niag. Falls, N.Y. and Niag. Falls, Ontario.

March 25, 1957

Hon. J.W. Pickersgill
Minister of Citizenship and Immigration
Ottawa, Canada.

*Blue memo
J A
DA*

Hon. Sir;

On November 5th 1956, a letter was sent to His Excellency The Governor General protesting the decision of the Court in the case of Louis Francis. Acknowledgement was made, by the Secretary to His Excellency, informing that it has been transferred to the Indian Affairs Branch of the Department of Citizenship and Immigration at Ottawa for attention."

We have waited patiently for a reply from the appropriate Minister from that Department.

Your Office as Superintendent General of Indian Affairs has the prerogative to take the necessary steps to correct any errors pertaining the rights of Indian Tribes under the protection of the Crown.

Would you please advise, if your Department will take any remedial measures in affording protection promised the Six Nations Indians; if not, would you be willing to accept a request to have our grievances settled by representatives of the United Nations?

We have enough substantial material regarding our guaranteed rights, that these rights will not cease by force or coercion if Justice is for Indians. You cannot blame the Indian for taking Justice where he can find it.

Yours truly

Lehigh Antone
Lehigh Antone

APR 2 8 51 AM '57
0-11037

1A2857

MINISTER OF CITIZENSHIP AND IMMIGRATION

OTTAWA, March 28, 1957.

TO: Deputy Minister

FOR: Director of Indian Affairs

Preparation of reply for signature of.....

Discussion with.....

Perusal and necessary action.....XXXX

Report.....

*miss Annam
To note
schm*

to attached letter from Lehigh Antone, Indian Defense League of America, Box 305, Niagara Falls N.Y. indicating that he has received no acknowledgment from this Department of a letter which he addressed to His Excellency The Governor General and which apparently was referred to this Department, concerning the case of Louis Francis.

This letter has not been acknowledged.

M. L. Hory
Associate Private Secretary

MCH/MSD.
Enc.

*Notes
1-4-57
M. L. H.*

001764



DEPARTMENT OF CITIZENSHIP AND IMMIGRATION

Indian Affairs Branch

NOTE: This slip to be used for passing correspondence when the main file is charged out or is not required, and must not be removed but will be attached to the main file as soon as possible.

Records Service Division

Slip No. 10019

Indian Affairs File No. 1/18-31-2

Subject of File

MAIN FILE ON CHARGE TO

SA.

REFERENCE				DISPOSAL			
REFERRED To	By	REMARKS	DATE	PA OR BF	By	DATE	FOR RECORDS USE
<u>adm</u>	<u>6</u>	<u>010037</u>	<u>12-4-57</u>	<u>PA</u>	<u>Adm</u>	<u>Apr 1958</u>	

Note: If action cannot be taken without the file, please make statement to that effect and return paper to Records Division.

001766

OFFICE OF THE DEPUTY MINISTER

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION

Date. Nov 29 1957

To:

- ☐ Minister
- ☒ Director of Immigration
- ☒ Director of Indian Affairs
- ☐ Director of Canadian Citizenship
- ☐ Registrar of Canadian Citizenship
- ☐ Director of Technical Services
- ☐ Chief Editorial and Information
- ☐ Personnel Division
- ☐ Legal Division
- ☐ Translators
- ☐
- ☐

Miss Hattum
To note
adm

- ☐ For action
- ☐ For Direct Reply
- ☐ For reply and signature on D.M's behalf
- ☒ For preparation of Reply
- ☐ For report or comments
- ☐ For discussion with undersigned
- ☐ For translation
- ☐ For information
- ☐ To note and return
- ☐ To note and pass to

gm

Mr. Brown took action on this on March 29/52.

NOTED
29.3.57

001767

Q25 A

GA



☐ For the use of the...
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SLIP

“B.F.”

FOR

Date

5 - 4 - 54

Initials

PIA

001769

MEMORANDUM TO FILE:

The Deputy Minister, in a telephone call of March 28th, asked that this report be secured.

L.L.B.

1/18-31-2

LLB/MMcN

CONFIDENTIAL

Ottawa, March 29, 1957.

J. M. Pauze, Esq.,
Superintendent, Indian Agency,
P.O. Box 1268,
Cornwall, Ontario.

Dear Mr. Pauze:

The Department of National Revenue holds a Judgment against Louis Francis for its costs in the Exchequer and Supreme Courts of Canada arising out of the case of Louis Francis v. The Queen - customs seizure.

We have been asked to advise whether the Department of Justice should proceed with the collection of the costs from Francis in the ordinary way, or whether his circumstances are such that it would be meaningless to endeavour to enforce the payment of the costs.

We have no particulars concerning the said Louis Francis and would appreciate your confidential report on him, indicating the nature of his employment, approximate annual earnings or salary, whether he is living on the reserve and, if not, whether he owns property off the reserve, and any other details which you consider might have some bearing on the question of enforcing a Judgment against his earnings or assets.

May this matter receive your early attention,
please.

Yours sincerely,

L. BROWN

Acting Director.

1/18-31-2 (Adm.)

Ottawa, January 29, 1957.

Lehigh Antone, Esq.,
Grand Treasurer,
Indian Defense League of America,
Box 305,
Niagara Falls, N.Y.

Dear Mr. Antone:

Your letter of January 16, 1957, addressed to the Minister and dealing with the decision of the Supreme Court of Canada in respect to Louis Francis v. The Queen has been forwarded for my attention.

I wrote you on this matter on Dec. 21, 1956, following your letter to the Minister of National Revenue, and there is nothing I can add further on the subject.

In the event that my previous reply did not reach you I am appending a copy hereto.

Yours sincerely,

Original Signed by

H. M. JONES :

H. M. Jones,
Director.

EA/FL

90

Indians Plan New Move In Fight Over Dam Project

A new legal attack on government plans to flood the Allegany Indian Reservation will be launched tomorrow.

Seneca Indian Atty. Edward E. O'Neill told The Courier-Express last night he is preparing papers to be served tomorrow morning. He declined to give details but indicated it will be a dramatic move against plans to survey the reservation for the proposed 125 million-dollar Kinzua Dam flood control project.

O'Neill also said he will file a notice of appeal in Federal Court tomorrow against Federal Judge Justin C. Morgan's decision of last Friday. Judge Morgan ruled against O'Neill's motion to vacate an earlier order granting surveyors permission to enter the reservation.

To Attend Hearing

Asst. U.S. Atty. John C. Broughton had expressed doubt earlier that the Second Circuit Court of Appeals would consider an appeal. O'Neill said yesterday that he expects to go to New York City, probably next week, for a hearing on the matter.

Meanwhile, the Seneca Indian Nation gathered additional ammunition for a broad attack on the Kinzua project which threatens to flood out more than 9,000

acres of the Allegany Reservation.

Seneca leaders disclosed that a civil engineer in Ohio has been contacted. He is expected to give authorities advice on the efficiency of the Kinzua Dam and alternative proposals for 18 small headwater dams.

The Indians favor the small dams which would not flood the reservation. They contend the small dams would cost only about 40 per cent of the Kinzua project.

Appeals to congressmen also are being encouraged by the Indians. Mrs. Cordelia Abrams, who manages the Seneca Nation's office in Gowanda, disclosed that offers of aid have deluged the office in recent days.

Calls Received

She said that telephone calls have come from around the state and letters have come from throughout the Eastern United States. Virtually all are from non-Indians, she added.

Many have included offers of assistance. One caller is arranging to provide photostatic copies of old legal documents which are expected to bolster the Indians' case.

Other offers to contact congressmen have come from influential Quakers who have sided with the defense of their treaty rights.

GOOD, REASONS
BUT THEN — AN
THOUGHT FLASHES
HIS MIND!



WHEN THE AUTHORITIES ARE CALLED
IN (AS THEY ARE SURE-TO BE) WILL
THEY BE AS READY AS MRS.
MCGOWAN TO SUSPECT DONDI?



*THINK, MORTIMER,
THINK!* WHAT
REASON COULD A
SMALL BOY HAVE
FOR FILCHING A
DIAMOND BROOCH?

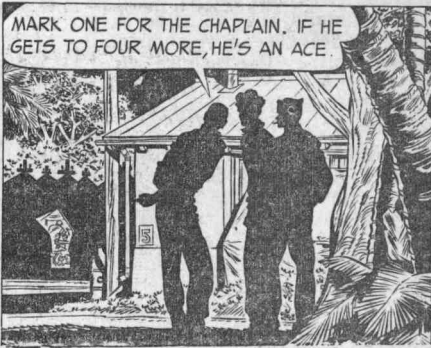


! WHAT
FOR?

NOT INTERESTED.



MARK ONE FOR THE CHAPLAIN. IF HE
GETS TO FOUR MORE, HE'S AN ACE.



N'T THINK SO ---
SE IT WAS HIS
FAULT!



MARTHA WAS ALWAYS A GOOD GIRL!
YOU MADE HER A THIEF, WILLIAMS!
SHE NEVER WOULD HAVE STOLEN
THAT STRONG-BOX FROM ME --
IF IT HADN'T BEEN FOR YOUR
INFLUENCE! GET OUT OF HERE,
WILLIAMS -- AND LEAVE MARTHA
AND ME ALONE!

DON'T
WORRY--
I WILL!



001774

Courier EXPRESS

ESTABLISHED 1831

STAR ENQUIRER—EST. 1894

ESTABLISHED 1846

14

TUESDAY, JANUARY 15, 1957

Truman Gives His Successor a Hand

Support for President Eisenhower's Mid-East plan came very patly from former President Truman on the eve of Senate hearings on the subject. Mr. Truman endorsed Mr. Eisenhower's request for authority to use American forces against Communist aggression in the Middle East and to extend economic aid to Mid-East nations to help them maintain their independence. He did so on the basis of considerable experience in such matters.

The Marshall Plan and plans for aid to Greece and Turkey went into effect when Mr. Truman was in the White House and it was he who ordered American troops to oppose Communist aggression in Korea — an aggression which might not have been undertaken if a resolution such as Mr. Eisenhower now seeks had been in force at the time.

Mr. Truman's expressed position as an elder statesman has the effect of offsetting the criticism of the Eisenhower proposal voiced by Mr. Truman's Secretary of State, Dean Acheson, and of promoting non-partisan consideration of the plan on its merits.

Opening the Administration's arguments for approval of its request yesterday at a joint session of the Senate Foreign Relations and Armed Services Committees, Secretary of State Dulles emphasized the danger of the Middle East's falling under the rule of international Communism and the need for providing strong deterrents to such a situation.

Conceded risks are involved, but the Administration has made a strong case for taking them rather than inviting even greater ones through inaction. Its case now has been bolstered considerably by ^{Mr. Truman's} endorsement.

001775

ESS

Need Cash?—Turn unwanted items
into extra cash. Use Courier-Express
Want Ads. Call CL. 5550.

PARK at the Mohawk Ramp just
two minutes from Berger's.

eris

Saludos Americanos!



001776

Ne Skenno, Ne Gai Wuo, Ne Gashasda Sa

Peace, Prosperity, Power and Equality to All

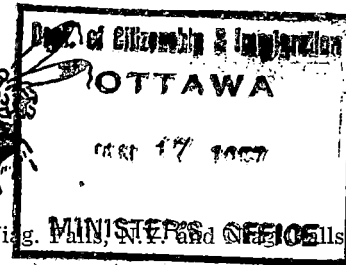
Indian Defense League of America

Home Office, Box 305 Niagara Falls, N. Y.

CHIEF CLINTON RICKARD,
Grand President,
Tuscarora Reserve, Sanborn, N.Y.

MISS EMILY GENERAL,
First Vice Grand President,
Ohsweken, Ontario, Canada

MRS NORMA GILBERT
Grand Secretary



MR. LEHIGH ANTONE
Grand Treasurer

MR. MORRIS ANTONE
Grand Chaplain

Annual Border Crossing Celebration Every 3rd Saturday of July, Niag. Falls, N.Y. and Ont. calls Ontario.

January 16, 1957

J.W. Pickersgill
Minister of Citizenship and Immigration
Ottawa Canada.

To...
For Attention

Hon. Sir;

We have letters from his Excellency the Governor-General and the Honourable the Minister of Justice and Attorney General, respectively, acknowledging our representation regarding the recent ruling by the Court imposing duty on goods brought over from the United States by members of the Six Nations Indian Confederacy. The said acknowledgements informs that representations have been transferred to you for attention.

Due to the tendency of the Indian Administration to ignore Indian protests regarding their guaranteed rights, we insist on a definite reply from the appropriate Minister. The attention given our representation will determine our future action in our search for JUSTICE.

We are persuaded that the dishonor which attaches to the history of the Administration's dealings with the North American Indians is due to lack of prophetic vision, quite pardonable in the Nation's leaders in ignorance, but not pardonable to indifference to any deliberate policy of injustice.

When Columbus landed in the Bahama Islands, thinking he had reached India, he called the natives "Indians". That was the first of the white man's erroneous ideas. This error has never been corrected, and many of the present-day ideas of the aborigines are fully as erroneous as the name bestowed upon them by Columbus. Few persons realize how much the country is indebted to the Indians. In fact, it owes them everything, the country - which was taken from them by chicanery. Never by conquest. Had it not been for the Indians, the Pilgrims probably never could have survived their first winter in Massachusetts. The Indians fed them and taught them how to cultivate corn. The Lewis and Clark expedition might never have reached the far Northwest had it not been for the Indian's help. The settlements of many portions of North America were made possible by Indian FRIENDS AND ALLIES of the white man. Had it not been for the Indians' help, we might be living under the French or Spanish rule to-day. Aside from this, more than 80% of our most important and valued food and medicinal plants are of North American origin used and cultivated by the Indians, although absolutely unknown to Europeans in pre-Columbian days.

001778

The subtle policy, of the Honourable Indian Affairs, of fraudulently availing an affection for the liberties of the original inhabitants holding the Native Sons "Indians" (theoretically) in vassalage and chains; the indignities perpetrated "against inoffensive people" in the name of patriotism are enough to make an honest lover of his country choose another name for its expression.

The Indians are no less patriotic than their neighbors. They also believe their rights can be maintained by constitutional measures. Individualizing tribal assets are dangerous and detrimental to the Indians. Many tribes differed extremely but on the whole, Indian culture set little store by wealth. Generosity is a great virtue. While even one of the tribe had food, no one starved. Individualism genders selfishness and greed. The Indians are not competitive; they are altruistic. A man liked to stand high in the esteem of his people, but he managed this by shining in efforts for the community, not for himself. The unselfish, who became eminent, was and still is the one whom all admired.

These traits of Indian culture are akin to a more literal Christianity than most of us are willing to practice. The Missionaries preach Christ, but the Administration has made it plain to the Indian, that they, (practical men) had no intention of being governed by Christ's teachings themselves.

The Indians right to self-government within their reservations, confirmed by Royal Proclamations etc. is being consistently evaded. Indian Administration has become a political machine. The management of Indian Affairs is moved from one Department to another, whose offices are among the spoils of the victors. Since the revision of the Indian Act under W.E. Harris (which the Six Nations have never accepted) and its amendments, has become the most outrageous and ridiculous Act perpetrated by any branch of the Government since Confederation; one which would not be tolerated by the white race. It is criticized not only by Indians but by every one privileged to read it.

Indians are Human Beings and their rights must be protected. The right to self-government and managing their own affairs. So long as the present policy of the Government will continue, resentment will continue to grow. We resent Bureaucratic dictatorship.

The alternative to the above is -

1. Restoration of rights by Parliamentary Act, (including Duty exemption to Indians.)
 2. Royal Commission investigate and define the status of the Six Nations Indians.
 3. Determine Indian Rights through the International Court of Justice under International Law.
- Awaiting earnestly for an early reply.

Respectfully

Lehigh Antone
Lehigh Antone

Noted
23-1-57
C.H.

018443

JAN 23 2 10 PM '57

INDIAN AFFAIRS

[Handwritten signature]

Copy for Indian Affairs Branch.

1/18-31-2 (Adm.)
EA/FL

adm

Ottawa, January 22, 1957.

JAN 24 3 22 PM '57
INDIAN AFFAIRS

019334

D. Sim, Esq.,
Deputy Minister,
Customs and Excise Division,
Department of National Revenue,
Ottawa.

Dear Mr. Sim:

I would refer to your C.S. 53258 of January 11 respecting the taxation of costs arising out of an appeal before the Exchequer Court of Canada and the Supreme Court of Canada in which the Suppliant was Louis Francis, an Indian.

As you indicate in your letter solicitor costs were to be met from Band Funds and six bands contributed \$3,275 for this purpose. However, we have not received any further Band Resolutions authorizing payment of the additional \$1,057.66 required to pay the solicitor's account in full.

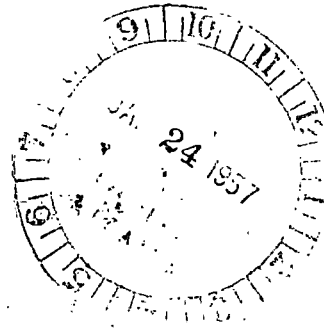
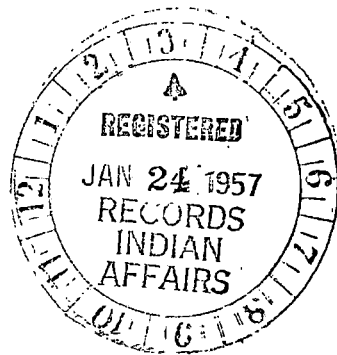
In view of this situation I am sure the Indian Bands would not be prepared to take action to meet the Court costs referred to and I would recommend that no action be taken to enforce payment.

Yours sincerely,

Laval Fortier

Laval Fortier.

[Signature]



C.S. 53258

11/18-31-2



CANADA

DEPUTY MINISTER OF NATIONAL REVENUE
CUSTOMS AND EXCISE

OTTAWA 2, January 11, 1957.

The Deputy Minister,
Department of Citizenship and Immigration,
Woods Building,
Ottawa, Ont.

Re: Louis Francis v. The Queen
Customs Seizure No. 53258/30955.

Dear Sir:

As you doubtless know, the Crown, represented by my Minister, has a Judgment against the Suppliant, Louis Francis, for its costs in the Exchequer Court of Canada and the Supreme Court of Canada to be taxed.

Before proceeding with the taxation of these costs, the Department of Justice has asked me for my instructions as to whether they are to proceed with the collection of the costs from the Suppliant in the ordinary way or whether it is proposed to seek authority from the Governor in Council not to enforce payment of the costs.

In that connection, I have been informed that the Suppliant's solicitor and client costs in the amount of approximately \$5,000.00 have been paid out of Indian Band funds.

I should accordingly appreciate receiving the benefit of your comments with regard to this matter at your early convenience.

Yours faithfully,

D. Sim.

GDM/LP

001783

1/18-31-2 (Adm.)
EA/FL

Ottawa, January 22, 1957.

D. Sim, Esq.,
Deputy Minister,
Customs and Excise Division,
Department of National Revenue,
Ottawa.

Dear Mr. Sim:

I would refer to your C.S. 53258 of January 11 respecting the taxation of costs arising out of an appeal before the Exchequer Court of Canada and the Supreme Court of Canada in which the Suppliant was Louis Francis, an Indian.

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In view of this situation I am sure the Indian Bands would not be prepared to take action to meet the Court costs referred to and I would recommend that no action be taken to enforce payment.

Yours sincerely,

Laval Fortier.



CANADA

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION
INDIAN AFFAIRS BRANCH

OUR FILE NO. 173-3-14

YOUR FILE NO.

OTTAWA January 18th,
1957.

MEMORANDUM TO ADM.

I wish to refer to your memorandum dated January 16th, hereunder.

Mr. Gordon F. Henderson's account covering the cost of legal fees with respect to this matter amounted to \$4,332.66.

Only six Bands contributed, as follows:-

Sarnia.....	\$1,000.00
Moravian.....	75.00
Blood.....	200.00
Squamish.....	500.00
Gaughnawaga.....	1,000.00
Walpole Island....	500.00
	<u>\$3,275.00</u>

Payment was made on Mr. Henderson's account in the amount of \$3,275.00, leaving a balance owing, so far as we are aware, of \$1,057.66. Payment on the account was made on October 15th, 1956 and we have not received any further resolutions from any of the Bands concerned consenting to the release of their funds to pay the balance of the account. Without the consent of the Councils, there is nothing more we can do in the matter.

Since they apparently have not yet seen fit to vote funds to cover the entire charges of the lawyer who defended them, it would appear most unlikely that they would agree to the payment of the court costs.

W. C. R.
W. C. Bethune,
Superintendent,
Reserves & Trusts.

1/18-31-2 (T.1)

1/3-3-14

January 18th,

1957.

MEMORANDUM TO ADM.

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W. C. Bethune,
Superintendent,
Reserves & Trusts.

JBS:bjf



YOUR FILE No.

Ottawa, January 16, 1957.

Attention - Trusts

It would therefore be appreciated if you would send me the facts in regard to payments already made from band funds and also your views on the subject of the letter referred to.

001787

1/18-31-2 (Adm.)

, January 16, 1957.

MEMORANDUM TO R.T.

Attention - Trusts

Please see attached letter to the Deputy Minister from the Deputy Minister of National Revenue.

Before recommending an appropriate course of action to our Deputy Minister it would be appreciated if we could have a synopsis of the band fund situation in respect to commitments already met for payment of legal fees with respect to this matter. I am under the impression that it was necessary to secure additional funds from the bands concerned in order to meet this obligation, in which event, having lost the case, it would seem unlikely that they would agree to the payment of the Court costs referred to.

It would therefore be appreciated if you would send me the facts in regard to payments already made from band funds and also your views on the subject of the letter referred to.

Senior Administrative Officer.

EA/FL

OFFICE OF THE DEPUTY MINISTER

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION

Date 14-1-57 19.....

To:

- ☐ Minister
- ☐ Director of Immigration
- ☒ Director of Indian Affairs
- ☐ Director of Canadian Citizenship
- ☐ Registrar of Canadian Citizenship
- ☐ Director of Technical Services
- ☐ Chief Editorial and Information
- ☐ Personnel Division
- ☐ Legal Division
- ☐ Translators
- ☐

Miss McPherson
To Note
Adm
1- D.I.A.
2-

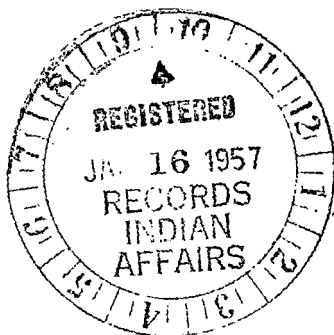
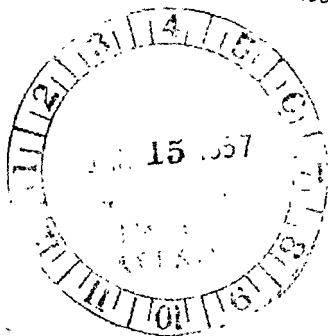
- ☐ For action
- ☐ For Direct Reply
- ☐ For reply and signature on D.M.'s behalf
- ☒ For preparation of Reply
- ☐ For report or comments
- ☐ For discussion with undersigned
- ☐ For translation
- ☐ For information
- ☐ To note and return
- ☐ To note and pass to

B.R.

NOTED - 15-1-57
(at)

001789

RL



001790

COPY

C.S. 53258

DEPUTY MINISTER OF NATIONAL REVENUE
CUSTOMS AND EXCISE

OTTAWA 2, January 11, 1957.

The Deputy Minister,
Department of Citizenship and Immigration,
Woods Building,
Ottawa, Ont.

Re: Louis Francis v. The Queen
Customs Seizure No. 53258/30955.

Dear Sir:

As you doubtless know, the Crown, represented by my Minister, has a Judgment against the Suppliant, Louis Francis, for its costs in the Exchequer Court of Canada and the Supreme Court of Canada to be taxed.

Before proceeding with the taxation of these costs, the Department of Justice has asked me for my instructions as to whether they are to proceed with the collection of the costs from the Suppliant in the ordinary way or whether it is proposed to seek authority from the Governor in Council not to enforce payment of the costs.

In that connection, I have been informed that the Suppliant's solicitor and client costs in the amount of approximately \$5,000.00 have been paid out of Indian Band funds.

I should accordingly appreciate receiving the benefit of your comments with regard to this matter at your early convenience.

Yours faithfully,

(Sgd.) D. Sim.

GDM/LP

OFFICE OF

THE MINISTER OF JUSTICE

Date December 19th, 1956.

For Attention

Forward to.....Mr.....John C. Stubbs.....

Perusal and Return with Draft reply for my

Signature.....

Please see me re this.....

Attention.....XXX.....

Information.....XXX.....

Perusal and Return.....

Perusal and Return with File.....

Perusal and Return with Recommendation.....

Perusal and Return with Comments.....

Let me have material asked for herein.....

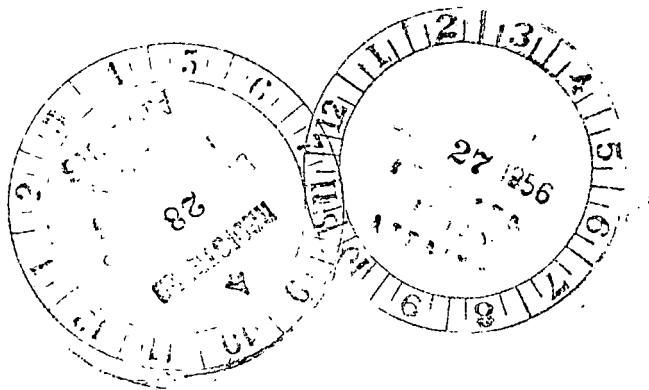
Approval or Revision before Mailing.....

Please Fill in Blanks and Return.....

Special Instructions:

Private Secretary. 001792

Noted
27.12.56
285-M 20-70



adm

O t t a w a ,
December 19th, 1956.

Dec 28 10 33 AM '56
INDIAN AFFAIRS

004428

Dear Mr. Antone, -

Acknowledging your letter of
December 11th, 1956, I likewise am
referring your representations to my
colleague, the Minister of Citizenship
and Immigration. The correspondence is
going forward today.

Yours very truly,

"Stuart Garson"

Mr. Lehigh Antone,
Grand Treasurer,
Indian Defense League of America,
Box 305,
NIAGARA FALLS, N.Y.,
U. S. A.

Ne Skenno, Ne Gai Wuo, Ne Gashasda Sa

Peace, Prosperity, Power and Equality to All

Indian Defense League of America

Home Office, Box 305 Niagara Falls, N. Y.

CHIEF CLINTON RICKARD,
Grand President,
Tuscarora Reserve, Sanborn, N.Y.

MISS EMILY GENERAL,
First Vice Grand President,
Ohsweken, Ontario, Canada

MRS NORMA GILBERT
Grand Secretary

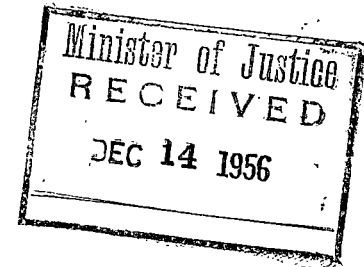


MR. LEHIGH ANTONE
Grand Treasurer

MR. MORRIS ANTONE
Grand Chaplain

Annual Border Crossing Celebration Every 3rd Saturday of July, Niag. Falls, N.Y. and Niag. Falls, Ontario.
December II, 1956

Hon. S.S. Garson
Minister of Justice and Attorney General
Ottawa, Canada.



Hon. Sir;

Enclosed please find a copy of letter to the Governor-General, under date of November 5th 1956.

Acknowledgment, to above said letter, of November 9th informs that it has been transferred to the Indian Affairs Branch of the Department of Citizenship and Immigration for attention. We have received no communication from the Indian Affairs Branch, regarding any action that may be taken in that respect.

Due to the tendency of the Department of Indian Affairs to ignore the Original Inhabitants regarding their rights, we feel we must ask your indulgence in honoring our treaty rights in full accordance with the U.N. Charter and the Declaration of Human Rights.

There is a growing tendency, on the part of our people, to brief every member nation of the U.N. Our Organization is of the opinion that that course should be taken only as the last resort; and that Canada as a member Nation is committed to observe and "to establish conditions under which Justice and respect for the obligations arising from treaties and other sources of International Law can be maintained".

Hoping this letter to you Sir, will bring about an equitable adjustment to our problem.

Respectfully

Lehigh Antone
Lehigh Antone

Reply sent to Mr. Antone Dec. 21/56

Ne Skenno, Ne Gai Wuo, Ne Gashasda Sa

Peace, Prosperity, Power and Equality to All

Indian Defense League of America

Home Office, Box 305 Niagara Falls, N. Y.

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November 5, 1956

COPY

The Honorable Vincent Massey
Governor-General of Canada
Ottawa, Canada.

Your Excellency;

As a National Indian Organization, avowed to the principles of Democracy, we are asked to submit the decisions of its members, the knowledge of the Indian Defense League of America and general among the Indians especially of the Six Nations. In the present confused world condition, Democracy is in need of every bulwark dedicated to the preservation of freedom in every form.

In view of the recent ruling of the Supreme Court of Canada (in the case of Louis Francis, an Indian from the St. Regis Reserve) that, "no one is entitled to any deduction, exemption or immunity from, or any privilege in respect to any duty or tax imposed by an Act of Parliament of Canada", we ask your indulgence in modifying this decision for the following reasons:-

1. Indians (Six Nations) are not subjects of the British Crown but ALLIES. Dartmouth wrote to Guy Johnson July 5, 1775;

"It will be proper however, that YOU SHOULD ASSURE THEM IN THE STRONGEST TERMS OF HIS MAJESTY'S FIRM RESOLUTION TO PROTECT THEM AND PRESERVE THEM IN ALL THEIR RIGHTS".

2. In the struggle for control of North America, the Indian held the balance of power. The British asked them for help and were the deciding factor in making Canada a British Commonwealth.

3. ARTICLE XL. of the capitulation of Montreal refers to the Indians as "INDIAN ALLIES OF HIS MOST CHRISTIAN MAJESTY".

4. Probably the best authority of all, SIR WILLIAM JOHNSON deprecated the use of the term subjects, and said "they were a foreign people to be dealt with by the King himself, or his representative impliedly, as the treaty making power rested in the Sovereign. This was the settled policy of Great Britain in dealing

COPY:

WITH THE INDIANS that their concerns must be continued under the exclusive superintendence of the Crown". See Lord Glenelg's Despatch to Lord Durham, August 1838.

5. ARTICLE III of the Jay Treaty (an International Treaty) provides duty exemptions to Indians on their own proper goods. The TREATY OF GHENT of 1814 restores "all the rights and privileges which they may have enjoyed or been entitled to before such hostilities". Such being the historic relation of the Six Nations to the Nations making the treaties, it would seem clear that the quoted extracts was not a temporary stipulation as to trade, commerce, mutual rights and the like, but was to be thereafter observed in the future by Canada and the United States in reference to Indians.

6. At the time the boundary line between the United States and the now Dominion of Canada was fixed and located by agreement with Great Britain, the line was run through what may be termed as Indian Territory in the sense of lands termed the rights of occupancy, of which was recognized, by both parties, to be in the Indians. The boundary line to establish the respective territory of the United States and of Great Britain was clearly not intended to and just as clearly did not affect the Indians. IT MADE NO DIVISION OF THEIR COUNTRY. They were and always have been regarded as a separate people.

7. On January 3rd 1787, Judge Powell said, "my personal opinion was ever in favor of the entire independence of the Indians".

8. Governor Simcoe's letter to Sec. of State Dundas July 3, 1794, said, "I have always considered an Article of the Treaty of Utrecht to be the only Document that defines the state of the Indians,..... "considers the natives as entirely independent".

9. On August 25, 1874, the Governor-General and the Countess of Dufferin visited the Six Nations, Brantford. He said, "The people of Canada, and the people of Britain, will not cease to recognize those obligations which have been impressed upon them by the hands of Providence..... and never shall the word of Britain, once pledged, be broken, but from one end of the Dominion to the other, every Indian shall be made to feel that he enjoys the rights of a free man, and that he can with confidence appeal to the British Crown for protection".

10. Col. Johnson in his letter to GOVERNOR CLINTON of Nov. 22, 1749, said; "Your Excellency is a Plenipotentiary with the Indians, who though called subjects, are a foreign people, and are to be treated with as immediately from the King by his Majesty's Governor".

II. It should not be forgotten in consideration of these matters, that neither the Province in its colonial days, nor the Imperial Parliament of Great Britain ever passed either Act of Assembly or Parliament, by which it sought to regulate, govern or interfere with the Affairs of the Six Nations Indians, and that the first Act of Parliament which ever did so was that passed by Canada in 1859, reserved by the then Governor-General for Her Majesty's special sanction (Despatch No. 36.) It received the Royal assent only on the assurance of the Governor-General in his Despatch transmitting a draft of same to England made "no changes whatever in the rights of the Indian Tribes, the Royal instructions for the management of Indian Affairs of July 10th 1764 or its amendments promulgated from time to time", and which will again be referred to, imposed no restrictions on the Indians, but only on the whites.

The contention by the Court, that Louis Francis is subject "to the provisions of the Indian Act" is erroneous. The Six Nations have never accepted the Indian Act. It was forced on them. The protection stipulated to be afforded to the Indians, was understood by all parties, as only binding the Indians as dependent Allies. A weak power does not surrender its independence and right to self government by associating with a stronger, and taking its protection. This is the settled doctrine of the Law of Nations. These are not the promulgation of any new doctrines, for the several Governments before the revolution never regarded the Indian Nations as subjects, or members of the body politic and amenable individually to their jurisdiction. They treated the Indians within their respective territories as free and independent tribes, governed by their own laws and usages, under their own chiefs, and competent to act in a national and representative character, and exercise self-government and while residing on their own territories owing no allegiance to the municipal laws of the whites (Kent's Comm. VOL. 3. P. 385.) see also Halls International Law. P. 338.

It is hoped that His Excellency will take Judicial Notice of the fact that the home of the Six Nations Indians lies not in the Dominion of Canada, not in the United States, but in North America; of the treaties hereinbefore quoted; that the United States and the British Crown have ostensibly divided the earth between them, by a line following eastward to the St. Lawrence River, which strikes at the point of Cornwall Island, running thence up to the waters of the great lakes; that when the Six Nations in 1783 requested by what right they had to consent to such a division as against them (Life of Sir Haldimand, in Makers of Canada, VOL. 3. P. 256.) the United States and the British Crown found the question embarrassing, for it would have been impossible on any theory of the LAW OF NATIONS for Great Britain or the United States, to establish a prerogative in themselves for drawing a line through Six Nations territory, which would restrict intercourse and free passage. The wrong done these people was painfully confessed when ARTICLE III was incorporated in the JAY TREATY. The language used there treated these people as being outside of the circle of British subjects and outside United States Citizenship and Sovereignty.

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When we first heard that the case was coming up before the Supreme Court of Canada, we were under the impression that the entire proceeding was to revolve itself around frigidaires and washing machines. We never suspected the probability of the Jay Treaty being abrogated.

Due to the discrimination and prejudice which existed against the original inhabitants, many of our people were forced to seek more lucrative employment in the United States and improve their living conditions. Many return to their homes every week end. They should not be penalized by payment of duty on their own personal goods and other daily necessities.

Our youth served voluntarily in world wars I and II. Also in Korea that the principles of Democracy may be preserved. We have in every way fulfilled our obligation as FAITHFUL ALLIES.

Should Your Excellency desire further information in clarifying the status of the Six Nations, we feel that a delegation of our leaders could do much to clarify these misunderstandings and create an atmosphere of mutual understanding.

Very Respectfully

Lehigh Antone, Oneida Tribe of the Six Nations

Ottawa, December 21, 1956.

Lehigh Antone, Esq.,
Grand Treasurer,
Indian Defense League of America,
Box 305,
Niagara Falls, N.Y.

Dear Mr. Antone:

Your letter of December 11 addressed to the
Minister of National Revenue has been forwarded to this Department
for attention.

In regard to your enquiry as to what action
is proposed to modify the decision of the Court I presume you
refer to the judgement of the Supreme Court of Canada in the
Louis Francis case, and I can only inform you that the judgements
of the Supreme Court are final and conclusive and there is no
appeal from such a judgement.

Yours sincerely,

Original Signed by
H. M. JONES

H. M. Jones,
Director.

EA/FL

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Ne Skenno, Ne Gai Wuo, Ne Gashasda Sa

Peace, Prosperity, Power and Equality to All

Indian Defense League of America

Home Office, Box 305 Niagara Falls, N. Y.

CHIEF CLINTON RICKARD,
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November 5, 1956

The Honorable Vincent Massey
Governor-General Of Canada
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Your Excellency;

As a National Indian Organization, avowed to the principles of Democracy, we are asked to submit the decisions of its members, the knowledge of the Indian Defense League of America and general among the Indians especially of the Six Nations. In the present confused world condition, Democracy is in need of every bulwark dedicated to the preservation of freedom in every form.

In view of the recent ruling of the Supreme Court of Canada (in the case of Louis Francis, an Indian from the St. Regis Reserve) that "no one is entitled to any deduction, exemption or immunity from, or any privilege in respect to any duty or tax imposed by an Act of Parliament of Canada", we ask your indulgence in modifying this decision for the following reasons:-

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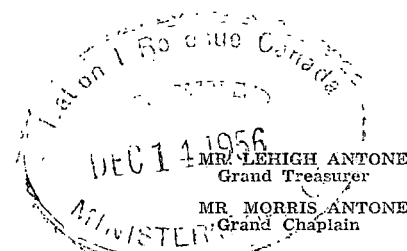
Indian Defense League of America

Home Office, Box 305 Niagara Falls, N. Y.

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Grand President,
Tuscarora Reserve, Sanborn, N.Y.

MISS EMILY GENERAL,
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Ohsweken, Ontario, Canada

MRS NORMA GILBERT
Grand Secretary



Annual Border Crossing Celebration Every 3rd Saturday of July, Niag. Falls, N.Y. and Niag. Falls, Ontario.
December 11, 1956

Hon. James J. McCann
Minister of National Revenue
Ottawa Canada.

Hon. Sir;

Enclosed please find a copy of letter to the Governor-General, under date of November 5th 1956.

Acknowledgment under date of November 9, informing that letter has been transferred to the Indian Affairs Branch of the Department of Citizenship and Immigration for attention. We have received no communication, to date, regarding any action that may be taken in that respect.

Would you please advise what action, if any, has been taken in modifying the decision of the Court.

Respectfully

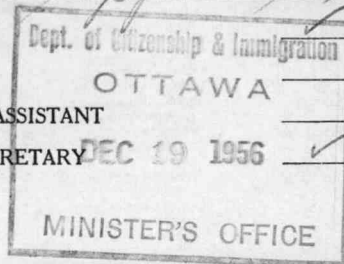
Lehigh Antoine
Lehigh Antoine

DEPARTMENT OF NATIONAL REVENUE

OFFICE OF THE MINISTER

MEMORANDUM TO: *Miss Marguerite Hoey*
LETTER FROM: *Seamus Antone*
Indian Defense League of America
SUBJECT: *Status of John Francis Anant*
tax laws of country
Our Dept. does not appear to be concerned

FOR: ☐ REPORT
☐ REPLY BY MINISTER
☐ REPLY BY EXECUTIVE ASSISTANT
☐ REPLY BY PRIVATE SECRETARY



☒ YOUR ACKNOWLEDGMENT
☐ YOUR INFO. AND RECORDS
☐ TO NOTE AND RETURN
☒ NOT ACKNOWLEDGED

Ottawa

18.12.56

001806

ae

MINISTER OF CITIZENSHIP AND IMMIGRATION

OTTAWA, December 19, 1956.

TO: Deputy Minister.

FOR: Director of Indian Affairs.

Preparation of reply for signature of.....

Discussion with.....

Perusal and necessary action..... XXX.....

Report.....

Attached is a letter addressed to the Minister of National Revenue dated December 11, 1956, from Lehigh Antone, Indian Defence League of America, enclosing a copy of one which was sent to the Governor General on November 5, 1956. The attached was not acknowledged by Mr. McCann's office. Mr. Antone wishes to receive a reply to a letter which he sent to Mr. McCann on November 9, 1956, and which was referred to this department for attention.

Mr. Antone's letter of Dec. 11, 1956, has not been acknowledged by this office.

ENCL.
CJS/PG

Associate Private Secretary

001807

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DEC 20 3 14 PM '56
INDIAN AFFAIRS



FILE NO. 1 / 18-31-2

— INDIAN AFFAIRS BRANCH —

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION

VOLUME 3

SUBJECT CUSTOMS & EXCISE REGULATIONS

FROM

TO

SEIZURE OF GOODS FROM INDIANS

GENERAL

FILE NO. 1 / 18-31-2 VOL. 3.

REFERENCE				DISPOSAL			
REFERRED TO	By	REMARKS	DATE	PA OR BF	By	Date	FOR RECORDS USE
SA	23	Reg	28-3-57				
Adm	7	011037	24-57	PA	Adm	3-4-57	
DIA	19	BF	5-4-57	PA	DIA	5-4-57	
Adm	19	BF	7/4/57				
				PA	Adm	15/4	
ADM.	*		15/4	PA	Adm	16/4/56	17/4/57
ADM	27	022435-022311	17/4/57				
ADM I	27	022435					
Adm I	7	026011	26/4/57				29-4-57
Adm	8	032833	7/5/57	PA	Adm	8-5-57	8/5/57
Adm	8	Request	16/5/57	PA	Adm	23-5-57	
Adm I.	24	41190	21/5/57	PA	Adm	23-5-57	
SA	19	045419	30/5/57	P.C	DIA	30-5-57	
Adm				BR	Adm	10-5-57	
Adm I	15	Reg	5-6-57	PA	Adm	6-6-57	
Adm I	19	BF	10/6/57	PA	Adm	12-6-57	
SA	6	001936	21/6/57	PA	Adm	24/6	
Adm	+	Reg	22/6/57	PA	Adm	30/7/57	30/7/57
Adm	17	037049	21/8/57	P.A.	Adm	26/8/57	26/8
Adm	25	039364	27-8-57				27-8
Adm	15	042203	30-8-57	PA	Adm	3-9-57	4-9-57
Adm I.	8	Request	24/8/57	PA			24-9-25
Adm	25	1028747	6-11-57	PA	Adm	12/11/57	12-11-25
Adm I	25	033353	12-11-57				13-11-25
Adm I	14	642297	2/6/58	P.A.	Adm	3/6/58	3-6-25
Adm I	8	Request	14/8/57	P.A.	Adm	14/8/58	15-8-25
Adm I	25	020261	21-1-59	PA	Adm	26/1/59	

DO NOT WRITE BELOW THIS LINE

CROSS REFERENCES

FILE NUMBER	SUBJECT
1.....
2.....
3.....
4.....
5.....
6.....
7.....
8.....
9.....
10.....

REGULATIONS

1. This cover must not be folded under.
2. File should be retained no longer than is absolutely essential. If a file is frequently needed at short intervals, it is better to B.F. it for two or three days than keep it out of Records indefinitely. This ensures its being completed and kept in order and also gives other offices an opportunity of using it.
3. Records must be notified whenever a file is passed direct to another Division.
4. All outgoing letters should bear the official file number and originator's designation.
5. ONE SUBJECT—ONE COMMUNICATION—Where the contents of outgoing letters necessarily refer to more than one subject, the originator will prepare additional copies for attachment to relevant files.
6. Correspondence must not be removed from file, except as provided in the regulations governing the conduct of correspondence.
7. Incorrectly filed material will not be removed without notification to Records.
8. Official office designations are to be used for routing purposes.
9. Disposal entries on file jackets must be initialled and dated.
10. Blue Slips will not be attached to files without notification to Records.
11. Urgent Tags, flags and other markers will be removed in Divisional Offices as soon as appropriate action on the folios has been taken.
12. Officials are reminded that strict adherence to the security regulations is essential when dealing with classified material.

FILE NO. 1 / 16-31-2

— INDIAN AFFAIRS BRANCH —

DEPARTMENT OF CITIZENSHIP AND IMMIGRATION

VOLUME 3

SUBJECT CUSTOMS & EXCISE REGULATIONS

FROM

TO

SEIZURE OF GOODS FROM INDIANS

GENERAL

REFERENCE				DISPOSAL			FOR RECORDS USE
REFERRED To	By	REMARKS	DATE	PA OR BF	By	Date	
Adm/	25	028135	2/25/59	PA	Adm/	6/2/59	FEB 8 25
Adm/	14	128	6-1-60	PA	Adm/	15-1-60	15-1-25
Adm/	25	128	29-1-60	PA	Adm/	1/2/60	2-2-25
RIS	29	128	17-10-60	PA	RIS	17-10-60	18-10-25
T4	29	128	2-11-60	PA	T4	16-11-60	16-11-25
adm	29	038504	6-2-61	PA	Adm/	8/2/61	
D	Adm/	re memo plane	8/2/61				17-2-29
adm/	29	049803	19-5-61	PA	Adm/	25/5/61	25-5-29
M	6	REFD.	23-1-62	PA	M	25/1/62	
adm/	13	035987	16/5/62	PA	Adm/	17/5/62	
Trans	Adm/	for translation	17/5/62	PA	Trans	24/5/62	
Adm/	Trans		27/5/62	PA	Adm/	28/5/62	

DO NOT WRITE BELOW THIS LINE

INSIDE (Cover)

CROSS REFERENCES

FILE NUMBER	SUBJECT
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REGULATIONS

1. This cover must not be folded under.
2. File should be retained no longer than is absolutely essential. If a file is frequently needed at short intervals, it is better to B.F. it for two or three days than keep it out of Records indefinitely. This ensures its being completed and kept in order and also gives other offices an opportunity of using it.
3. Records must be notified whenever a file is passed direct to another Division.
4. All outgoing letters should bear the official file number and originator's designation.
5. ONE SUBJECT—ONE COMMUNICATION—Where the contents of outgoing letters necessarily refer to more than one subject, the originator will prepare additional copies for attachment to relevant files.
6. Correspondence must not be removed from file, except as provided in the regulations governing the conduct of correspondence.
7. Incorrectly filed material will not be removed without notification to Records.
8. Official office designations are to be used for routing purposes.
9. Disposal entries on file jackets must be initialled and dated.
10. Blue Slips will not be attached to files without notification to Records.
11. Urgent Tags, flags and other markers will be removed in Divisional Offices as soon as appropriate action on the folios has been taken.
12. Officials are reminded that strict adherence to the security regulations is essential when dealing with classified material.

FILE NO. 1/18-31-2

— INDIAN AFFAIRS BRANCH —
DEPARTMENT OF CITIZENSHIP AND IMMIGRATION

VOLUME 3
FROM

SUBJECT CUSTOMS & EXCISE REGULATIONS
SEIZURE OF GOODS FROM INDIANS
GENERAL

REFERENCE				DISPOSAL			
REFERRED TO	By	REMARKS	DATE	PA OR BF	By	Date	For C.R. Use
D7B	26	Reg.	22-11-62	PA	D16	26-11	27-11-31
Adm1	14	037812	26-2-63	PA	adm1	28/2/63	FEB 28 31
Adm1	5	037927	7/5/63	PA	adm1	16/5/63	MAY 16 1-2
Adm1	14	Reg.	15-5-63	PA	adm1	6/6/63	JUN 7 14
D7B	24	Reg.	28-6-63	PA	DPH	28/6/63	JUL 2 5
Adm1	31	040266	15/1/63	PA	adm1	15/1/63	
Adm1	9	056265	6/12/63	PA	adm1	17/12/63	
Adm2	2	Reg.	7/7/64	PA	Adm1B	8/7/64	JUL -9 19
Adm1	1		30/7/64	PA	Adm1	6/8/64	
F.P.	8	Request	9/12/64	PA	FP2	10-12-64	10-12-14
Sec7	6	093103	21/7/65	PA			25/7/65 (28)
Sec7	12	Per BEd/ 5-8-65	4-8-65	PA	Sec7	18-8-65	
Sec7	16	053112	26-8-65	PA	Sec7	27-8-65	
PA7	12	Reg.	8-9-65	PA	BP7	15/9/65	
PA7	8	Reg.	24-9-65	PA	PA7	24/9/65	
A7	8	066128	1-10-65	PA	A8	5/10/65	
A2	10	26384	13-12-65	BF	A2	5/1/66	
A2	20	BF	5-1-66	BF	A2	20/1/66	
A2	22	38918	19-1-66	PA	A2	20/1/66	12
A7	12	54616	8/3/66	PA	A8	9/3/66	
A8	5A	Reg.	13-12-66	PA	A6	14/12/66	
A8	9		26/6/67	PA	A8	26-6-67	28
A8	16	Reg.	26-6-67	PA	A8	30-6-67	
A1	17	041361	16-8-67	PA	A7	18-8-67	
PCR23		VIEW COVER					
A7	A2		16-8-67	PA	A7	18-8-67	

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