



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them

Oneida Tribe of Indians of Wisconsin

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UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the Colony of Pennsylvania, a new nation, the United States, was made possible



APPROVED AS
READ CORRECTED

9-30-88

SPECIAL MEETING

FRIDAY, AUGUST 26, 1988

Meeting called to order at 2:00 p.m.

Present: Purcell Powless-Chairman, Richard Hill-Vice Chairman, Amelia Cornelius-Secretary, Larry Barton, Ernie Stevens, David King-Council Members

Excused: Kathy Hughes-Treasurer, Lloyd Powless, Loretta Metoxen-Council Members

Others: Attorney Francis Skenandore, Attorney Arlinda Locklear, L. Gordon McLester, Vera Wilson

Discussion on the Stockbridge Claim. In the 1780's the Stockbridge lost their homelands in Massachusetts. In 1788 the Oneidas set aside a 6 mile square piece of land referred to as New Stockbridge for them. The Treaty of Canadaigna confirms this transaction and also Oneida territory. With about 18 treaties, the State of New York acquired all of the territory of "New Stockbridge". Both the Stockbridge and Oneida claims are similar and were filed by the same attorney. The Oneida claims, under Docket 301 was dismissed in about 1982 and the Stockbridge Claim, Docket 300 was dismissed shortly thereafter. The Oneida Claims does not include the Stockbridge claim. The Stockbridge filed their claim in 1985. By the end of 1987 New York Oneidas intervened in the claim against the Stockbridge.

Stockbridge now have two suits:

1. Stockbridge vs. New York State
2. Stockbridge vs. New York Oneidas

The Oneida Claim is based on the Treaty of Canadaigna, the same as the Stockbridge. The treaty recognizes title to the Oneidas, 250,000 acre claim as well as the Stockbridge 24,000 acre claim. A treaty is recognized and Congress under the 5th Amendment, does not have the authority to wipe out title without just compensation at present day value. Aboriginal title can be extinguished without payment. The treaty that protects the Stockbridge is the same treaty that protects the Oneidas. If the New York Oneidas undermine the Stockbridge, they will undermine the Oneida Claims. Oneidas of Wisconsin have three options:

- 1) Do nothing - wait and see what happens
- 2) Appear as "Amicus Curiae" or a friend of the court. This would not allow the Tribe to argue or participate and would the Tribe not be bound by the decision.
- 3) Intervene in the suit. This would allow the Tribe to submit evidence and argue in the court. The Tribe would be bound by the decision.

There is the possibility that the New York Oneidas would attempt to disenfranchise both Wisconsin and Canadian Oneidas from further participating in the New York land claims. If New York Oneidas claim, the Stockbridge are no longer entitled to the lands in New York because they left - its possible that they will claim the same about the Wisconsin and Canada Oneidas.


There is to be a negotiation meeting on September 22 & 23, 1988. There is also an Attorneys meeting on September 9, 1988.

Rick Hill moved to have the Oneida Tribe of Wisconsin intervene in the Stockbridge land claim against the State of New York and the New York Oneidas Ernie Stevens seconded. Motion carried.

It was requested that Arlinda Locklear become more actively involved in the land claims negotiations. Discussion on the negotiations and some possible options available. Reasons for requesting more involvement by Arlinda:

- 1) Intervention with Stockbridge suit
- 2) More activity in 2nd court
- 3) Land proposal by Oneidas on claim.

Amelia Cornelius moved to recess, Rick Hill seconded. Motion carried.



Amelia Cornelius, Tribal Secretary
Oneida Business Committee