

The Indians want to take over some of the most productive areas in Alaska. This town, Ketchikan, is involved in their claims. The whites, who have made Alaska what it is, object

INTERNATIONAL

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Harold L. Ickes, Secretary of the Interior, left, and John Collier, former Commissioner of Indian Affairs, think the red man has something coming to him. They intend to see that his rights are protected according to the law

## **By Kyle Crichton**

It's brewing because the Department of the Interior has begun to settle the Indians on reservations. White residents protest loudly; they say it would turn the best part of Alaska over to the natives

WIND is roaring down from the north, filling the air with howls, shrieks, wails and strange lamentations. It is the Big Wind from Point Barrow and Ketchikan; the Midnight Special from Fairbanks, Anchorage and Sitka. It is headed straight for Washington, D. C., and the bloody but bumpproof head of the Honorable Harold L. Ickes, Secretary of the Interior. The white settlers of Alaska are firmly and blasphemously convinced that Horrible Harold is intent on giving Alaska back to the Indians.

This arises from the fact that the Department of the Interior has begun to set up Indian reservations in Alaska. Nobody kicked much when the natives were given lands in interior and northern Alaska and the Aleutian Islands because that was hopeless territory fit only for Eskimos and Ally-oots (Aleuts). But when it was announced that hearings would be held to establish the rights of the Indians to fishing districts in southeast Alaska, the roof fell in with a bang.

The cities of Ketchikan, Sitka and Juneau were near by, and the waters involved held the fishtraps of the largest interests in the Territory. What immediately concerned them were the petitions from Hydaburg, Kake and Klawock on behalf of the Haida and Tlingit tribes which included, according to the Ketchikan Alaska Chronicle, a wealthy mining area that has produced over \$7,000,000 in wealth and a fishing industry of ten canneries and seventy-five fishtraps producing \$4,000,000 to \$5,000,000 worth of canned fish a year (plus an estimated \$2,000,000 worth of other products).

"If they can take that land and those waters," cried the whites, "what is to keep them from taking everything?"

### A Case of Winner Take All?

The excitement seemed a bit excessive until further Indian claims started coming in, and then the panic was really on. The Juneau Indians asked for all of Gastineau Channel, including the cities of Juneau and Douglas. The Ketchikan Indians claimed all Revillagigedo Island, with the city of Ketchikan and the town of Saxman. All told, these new claims involved Ketchikan, a city of 5,000 population; Wrangell with 1,100 people; Douglas with about 600, and Juneau with 7,500, including the state capital buildings and the famous Alaska Juneau gold mine. "Well, that proves it," shrieked the whites. "The Indians are certainly the original set-tlers. If that's the basis they're claiming it on, they can eventually take over the whole Territory.

Much to their own chagrin, the whites are on firm ground there. The courts of the United States have held repeatedly that nothing can destroy the original rights of occupancy, unless the right has been extinguished by act of Congress or has been lost by abandonment. The government itself can't do it, as witness the celebrated case of the Walapai Indians of Arizona, settled by the United States Supreme Court in December, 1941. A tract of land was given by the government to the Santa Fe railroad at the time of the building of the road (every alternate section along the right of way). The Walapais maintained that they had always lived there, had

never given any of the land to anybody, and it was theirs. The court said: You are most certainly right, Walapais—and now the Santa Fe railroad has to pay damages. The former Commissioner of Indian Af-

fairs, John Collier, agrees that aboriginal rights to the above-mentioned territories might be upheld by the courts but he maintains that it is "inconceivable that any court would turn over the land occupied by an established city or land on which a business has been developed. . . . At best, it might award the Indians compensation to be paid by the United States government."

Anyhow, on that basis a most beautiful fight is lined up in Alaska. On the one side are the whites standing in solid phalanx from Delegate E. L. Bartlett down to the most modest descendant of the most hard-bitten sourdough. On the other is Mr. Ickes. John Collier also was active on Mr. Ickes' side until his recent resignation as Commissioner of Indian Affairs. In between are the natives (Indians, Eskimos and Aleuts), still not clear whether they prefer to go on as they are or desire the protection of the United States government. "Tut, tut," says Mr. Ickes, who has been

in so many gang fights that he considers a brickbat a form of osculation. "They're a little excited but they'll get over it when they see they're not hurt. I have a duty under the law to see that the rights of the Indians are protected. It's part of the act and I couldn't dodge it if I wanted to.'

#### Down to Racial Differences

The "act" is the Wheeler-Howard Bill, which was amended in 1936 to extend to the Alaska aborigines the same rights held by the Indians of the United States. The fishing rights come under the Alaska Fishing Regu-lations of 1942. The whites in Alaska have patented land, deeds given them by the government; the Indians have always lived there and they have nothing legal to show for it. Big tracts have been sold to the whites around the cities, and the Indians live in so-called "native villages." They have their own schools and legally are entitled to go to Territorial schools, but, practically speaking, they don't do it. There are restaurants and saloons with signs saying: No Natives Permitted and the Army really polished it off nicely when it prohibited soldiers from associating with native girls. That has been bad, and the matter of a

livelihood has been bad, too, which brings us to the fishtraps. A fishtrap is a formidable structure consisting of heavy piling and wire webbing and is located in water of consider-able depth along the shore from the hightide line. They are legally barred in British Columbia and the states of Oregon and Washington, but they provide the greater portion of the catch in Alaska. Nobody has any legal right to a fishtrap site, and there were some gargantuan battles between rival interests in the early days, but the things cost between \$50,000 and \$100,000 to build. and those who were in the field early have a halfway right of possession to the site. Recently, a firm paid \$250,000 for a fishtrap, which shows that in practice the rights are considered as established.

But when you have a fishtrap along the shore, other fishermen have to do their best farther out with seines and lines. The competition is ruinous to the individuals farther out, and that's where the Indians are. Also, it is estimated that 95 per cent of the fishtraps are held by absentee owners, and that is a sore point in the Territory.

In the Hydaburg community the Indians have asked for 820,000 acres, but the Department of the Interior has cut that down to 222,100 acres of land and 152,900 acres of (Continued on page 74)

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Brigadier General Paul F. Yount



# JUNGLE EXPRESS BY RALPH CONISTON

In faraway Bengal and Assam, American Army railroaders are bringing new efficiency into railroading

U.S. ARM

To THE Indians, the Bengal & Assam Railway, a narrow-gauge pike wandering through the jungles of northwest India, seemed a fine, up-to-date railroad. But when several thousand G.I. railroaders of the Military Railway Service, Army Transportation Corps, took over the transportation of tons of guns, ammunition and supplies for the Chinese and Americans fighting the Japs in Burma, they figured they were working on the Toonerville Trolley line. Even before the war, the Bengal & As-

Even before the war, the Bengal & Assam had been little more than a "teagarden railroad," designed only to carry produce of plantations along the way; now it was straining its boilers hauling incredible loads of equipment. The G.I.s had to learn to cope with sacred cows languishing on the tracks, truculent water buffaloes derailing trains, and occasional wild elephants charging the engines.

The equipment was remarkable. Freight cars had no automatic couplers. Each car had a female coupler at one end and a male at the other, so that, to make up a train, half the cars had to be Y-d or turntabled until they all faced the same way. Even then, it was no trick to pull a lung, as hoggers and brakemen soon found out.

The first day of American occupation, Engineer Emmet P. Doughty of St. Louis, hauling a long freight out of Pandu yards, died game on Kamakhya Hill. The train broke in two, and nine cars started back down the grade. The stationmaster at

Kamakhya West Station reported to the yardmaster at Pandu that Doughty hadn't arrived on the advertised. First Sergeant William J. Cearfoss of Lowellville, Ohio, commandeered a yard engine, and he and Pfc. James Piazzy of Trenton, New Jersey, started down the line.

Near the bottom of the hill, Cearfoss and Piazzy were startled to see the nine runaway cars heading toward them at a fast clip.

"Stop her! Reverse her!" yelled the sergeant.

Piazzy jammed the brakes and horsed her over. In no time, they were boiling down the grade at fifty miles an hour, the flanges screaming against the iron on the curves. Piazzy steadied her with the brake and slowly let the runaway cut ease up to the tender. Finally he brought the string to a stop, and he and the sergeant shook hands. They were beaming all over when suddenly there was a terrific crash and they were hit by eighteen more cars that had broken away from Doughty's freight up on the hill. No casualties, but the wrecker was busy for half a day rerailing cars.

Faced with a tremendous job and not much time to do it in, the Americans immediately stepped up the speed limits. Whereas Indian personnel had run the trains at a maximum of 25 miles an hour, G.I.s highballed through as high as fortyfive. The sacred cows of India, meandering along the right of way, naturally were used to more respect and less speed. They lost out. Fortunately the Indians regarded casualties for collisions with engines as "deaths from natural causes." One G.I. engineer, finding himself blocked by a cow in a narrow cut, bumped her repeatedly until she got off the track. (Continued on page 66)

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One effect of the war has been the spread of the peculiar American railroad language among the peoples of northeast India and Assam. Since some of these words are unknown to many Americans, here is a glossary for a few terms scattered throughout this article: HOGGER—locomotive engineer. PULL A LUNG—jerk out a coupling between locomotive and tender. DIED GAME—engine failed on a hill. ON THE ADVERTISED—on schedule. HORSE HER OVER—reverse the motion. CUT—a few cars coupled together.

DECORATION BY LEO RACKOW