

The Mixed Blood Direction

A Quarterly Update for the Plaintiffs of Felter-vs-Norton

In this issue and in the coming issue's of the newsletter. We will be featuring the life story of one of the original terminated Mixed Blood Uinta's.

This editor is proud and honored to have the privileged of bring to you the biography of Naturitch (Kolb) Nielsen, a grand lady who is loved by many people. I want to thank her family for sharing her story with us.

SEPTEMBER 2004

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Counsel's Report

As we are all aware, U.S. District Court Judge Roberts has not yet rendered his decision in our federal civil action, Felter, et al. -v- Norton, et al., No. 1:02 CV 2156 (RWR). The U.S. District Court, District of Columbia, is a court where many civil actions of major proportions are filed against the United States government. Many of these federal civil actions seek to question various aspects of the federal government's legal duties and responsibilities in administering Acts of Congress such as the Ute Partition Act. Other plaintiffs sue the federal government over interpretations and applications of the Constitution and its Amendments. Because of the typically high level of complexity of these cases filed against the United States, the Judges presiding over cases pending in the District of Columbia have a difficult and extremely burdensome responsibility in dealing with the various aspects of litigation in each case before them. This is only one reason why it has taken so long for the Court to render its decision.

In our case, we may just be waiting in line while Judge Roberts and his law clerks diligently handle other cases that have priority because of their filing date. It could also be that Judge Roberts realizes the extreme significance of our case and wants to thoroughly review the opposing parties legal briefs and conduct a very methodical analysis of the law cited by the parties and compare that law with the facts alleged in the Complaint. Even if the Court is currently working on the federal government's motion to dismiss in Felter, Judge Roberts must allocate adequate time to deal with all of the other cases that have been assigned to him. Indeed, justice can be very slow in coming, as you all know. I am hoping that Judge Roberts will see the Felter case as a very significant federal civil action that seeks to resolve a long overdue controversy over the failure of the United States, acting through the Department of the Interior, to implement the Ute Partition Act as intended by Congress.

My only advice at this moment is to pray that Judge Roberts will let our case live and see the light of day and not dismiss it as the United States desires. Those who took great and unconscionable advantage of the 490 terminated Uinta's want to see the case

dismissed so they don't have to give up their ill-gotten gains or be called on the carpet for letting it happen right under their noses and on their watch. They want to see the victims of one of America's Darkest Chapters of History, i.e., an Experiment in Racial and Cultural Genocide called the Ute Partition Act, all die off so no one will ever speak again of the injustice that happened in Utah beginning in the early 1950's. That sickness, a malignancy called "termination" spread throughout "Indian Country" until President Nixon finally condemned it as a failed federal policy. I have always said that the only reason the Uinta's have not been restored to federally recognized status is that someone will have hell to pay for the damages done to the terminated Uinta's.

You have very powerful politicians in Utah who do not want any degree of light to be shed on an injustice that will put them to shame in the eyes of the International Community. If legislation were to reach Congress asking for the restoration of the Uinta Band as a federally recognized tribal sovereign, these federal and state legislators would cringe in fear of its successful passage. This is why they will also fight to keep the idea of legislation locked away in a cold desolate back room like an abuser keeps his or her victims out of the view of anyone who might see that something is very wrong with the picture of wholesomeness and happiness painted by them to the observing public. This is hypocrisy in its most extreme state.

We must also pray for the health of our Elder plaintiffs who have stood ramrod straight with us despite their health problems. I am proud to have stood with them, these Elders, in this battle to correct a legal and moral wrong committed on America's own Indigenous People, the Uinta's.

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Naturitch (kolb) Neilsen

A Women of Resilience

On the cold spring morning of May 31, 1915, in Leeton, Utah a beautiful baby girl was born to Donald Isaac Kolb and Ethel Daniels Kolb. They named her Naturitch, after the heroine from the play written by Edwin Milton Royle "The Squaw Man". Her name being difficult to pronounce she was called "Sis" throughout the family.

Being the second child of eight children and the first daughter of the Donald Kolb family, Naturitch was given a myriad of responsibilities including the care of younger siblings. Taught by her mother Ethel to be a hard working young woman in their home, Naturitch was a natural homemaker, when she became a wife and mother.

Blue-eyed Clyde Neilsen caught the attention of Naturitch after she returned home from Sherman Institute in Riverside, California where she graduated from high school and received her Certificate of Nursing.

They married after a short courtship. Children came to bless the home of Naturitch and Clyde beginning with a sweet daughter LaJean, next came another daughter, delightful Janice (pronounced Janeece), a third daughter lovable Sonja, and then to make things more interesting a fourth captivating baby girl Gwendolyn (Gwen) was born. She was all blond-haired and blue-eyed. Three boys came after that namely Lonny, Manfred, and Lloyd. They were a joy and a great source of pleasure to a family of girls. Becky Ann came three years later as a pleasant surprise. Naturitch found contentment in this little girl who was spoiled and loved by her brothers and sisters.

Naturitch and Clyde lived in a small log home on the banks of the Gray Mountain canal in Bridge land, Utah. Living so close to the canal was an unrelenting worry for Naturitch due to the eminent danger of her children getting too near to the canal and drowning.



Naturitch (Kolb) Neilsen

Although their home was small there was a great deal of living and learning going on. Naturitch taught her children the value of hard work and is therefore the fulfilled mother of productive, outstanding, and steadfast citizens. Two of her sons served in the armed forces. She continued to not only work in the home as mother and wife but also as a nurse at Fort Duchesne Hospital. Hard work was no stranger to her consequently she took in laundry, ironing and did house cleaning. She was employed at the old Ouray Trading Post in Ouray, Utah for approximately two years. This required daily trips over rough, dusty, and undesirable roads.

Clyde a hardworking farmer and trapper was a wonderful father who loved and enjoyed his children. He died at the early age of 50. Having eight children to care for Naturitch was a very shrewd and prudent homemaker, like her mother; as a result she canned everything that was grown in the garden. And subsequently this art of canning rewarded her. One year she entered fifty or more of her scrumptious canned goods including jams, jellies, preserves, pickles, fruits, and vegetables at the Duchesne County Fair. Naturitch received a blue ribbon for each bottle she entered.

Naturitch enjoyed crocheting during these years and took every opportunity to crochet some of the prettiest doilies along with other lovely items of which she sold to help support her family. Quilting has been and still is a main

leisure interest. Naturitch has quilted hundreds of quilts ranging from ordinary appreciation to colorful and strikingly extraordinary quilt top designs. Her latest creation is an exceptional multicolored patch design made from leftover fabric of former times when Naturitch would sew elegant designer formals to Saturday playthings for her daughters.

In later years, Naturitch met Glade Davis of Neola and they were married. Their fifteen years of marriage were happy and peaceful for the both of them. The responsibilities of life were not so demanding then. They enjoyed many activities namely, camping, fishing, dancing and just being together. Glades death left a great void for Naturitch and her family, as all loved him.

Naturitch is full of pride for her Native American legacy being the granddaughter of Rose and Aaron Daniels, who are well known throughout Utah history and early settlement of the Uintah Basin.

Naturitch is an enrolled Mixed Blood member of the Ute Indian Tribe, "Uinta Band" and the Affiliated Ute Citizens of the State of Utah. Her roll number is #103. Her two eldest daughters were enrolled when termination took effect. Her other six children have been denied the rights and privileges thereof. Due to this discrimination, this has always been a sadness and of grave concern to her.

Today Naturitch is a resident of Parkside Manor, an assisted living residence in Roosevelt, Utah. At the Manor, she continues to enjoy visiting with family and friends, putting puzzles together, playing bingo, and working on quilts. With her children and their families Naturitch continues to win at scrabble and often expresses her thoughts on worldwide agendas.

Her posterity consists of one-hundred- five direct living descendants. This includes her eight children, twenty-two grandchildren, sixty-seven great-grandchildren, and sixteen great-great grandchildren.

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A Commentary:

By: Oranna B. Felter, Lead plaintiff
Felter v. Norton

As Earl and I started working on this Newsletter for our members and realizing it is already September, The thought crossed my mind "how time flies." It seems like it was only yesterday that we put out the last newsletter, but yet it was three months ago.

It will be two years in November since our case was filed in Washington, D.C. and we are still waiting for a ruling. I am starting to get quite a few inquiries from our members on "what's taking so long" and hopefully our Attorney will be able to give us a idea of what his thoughts are on why we haven't heard anything yet.

A lot has happened this last year... Several of our members have been sick and a few have gone on to the spirit world. We need to keep our hearts and minds focused in a good way and pray all the time for our members who are suffering and battling diseases, for our Attorney to be able to stay strong as he speaks for us and for the ones who are healthy to stay healthy. Also pray for all the ones who are working so hard on your case. Earl, Dennis, Oranna, Richita and Sandy (our Memorial wall personnel), Cal, Sonny, Bennie Earl, and Don just to name a few. We also need our members to send in "biographies" of their Parents if they are the 490, also biographies on the descendents... Lets let the world know who we are "page by page." Lets let them see how we have suffered because the Government wanted to play Russian Roulette with our lives, how we continue to suffer today and how the spirit people are "crying for justice..." and will never rest in peace until this case is won.

I want to thank all of our members for all the support they give our case each and every day, for the concern they have shown toward each other, for the prayers that have come in for everyone who needed them so bad, including myself, for uniting and staying together even though several stones have been placed in our paths that each had to climb over. This case has been hard on our members and myself and the ones who help so much.. I have thought to myself "why

does it seem that this case is so strenuous?" I have fought other cases and been involved in other battles all my life, yet this case seems to have put a lot of strain on all of us. Then I think, could it be that I am older now. I'll be sixty in November and maybe I am a lot more anxious than I use to be... When you are young time is nothing... When you get older, each day is a "golden day" and Grandfather has let you stay for another day, hour and minute. So as I take in another breath of fresh air and drink a glass of sparkling water that grandfather has provided for me... I thank him for just letting me be here and for the privilege of being able to help in getting this case won and to be able to work with such wonderful Native American Indians, you my people. We need to keep strong in body, mind, spirit and prayer and never forget to pray for our case and for all our Brothers and Sisters who have been faced with Termination.

When the day comes... which will be soon... that our Attorney notifies us that a decision has been handed down in our case from Judge Roberts in Washington, D.C.... I want everyone to stand tall and stay united.. It is coming!! Keep praying that we will "WIN" our case.

So I end this commentary with a prayer for each of, you my people...

"CALL TO THE FOUR SACRED WINDS"

I call to the "East", where the Father ascends to all Mother Earth where life begins.

I fly through the cedars, pines, willows and birch as animals below me wander and search.

I call to the "South" to the land below. Turtle stands silent, as man strings his bow to hunt food and fur for his kin before snow.

A life will end so others will grow.

I call to the "North" that yansa once knew. I follow their path til it disappears from view.

Once vast in numbers, there stands but a few.

I hear only ghost thunder of millions of hooves.

I call to the "West" to the ends of the lands, to the Tsalagi, Kiowa, Comanche and all bands.

United for the strength, teach the young and demand that you are "Native Americans."

"Learn your tongue and Stand!!!"

"MY NAME IS "FREEDOM"... IFLY THROUGH THIS LAND... BY: S.W

May Grandfather Bless you...

Oranna B. Felter, Lead Plaintiff / Felter v. Norton

(Continued from page 1)

Please continue to speak to anyone you can about the Felter case and tell them to look at our website, www.undeclaredutes.net. Earl Denver has done a very fine and professional job at maintaining the website and the latest numbers of visitors shows that we have gotten the word out about our efforts to the public both here and abroad. We can't let up on publicizing all of our efforts to reverse, by judicial action, the most evil of laws ever passed by the United States Congress, the Ute Partition Act.

In closing out this Counsel of Record Report #8, I deeply appreciate the efforts of all of you who have made a personal commitment to become plaintiffs in Felter and who have paid in full to sustain the cost of keeping our hopes alive that the American Justice System does mete out justice when the situation demands. I hope to personally see all of you very soon with good news from Judge Roberts!

Dennis G. Chappabitty

Counsel of Record

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Naturitch finds consolation whenever she visits with her sister LaDonna Johnson, and brothers Ty and Quentin Kolb. Her brothers Lloyd, Manfred, Devon Kolb are missed and she continues to grieve over the recent loss of her brother Jewell Kolb in July 2004.

Her children recall and recognize the hard laborious days of sacrifice Naturitch, their devoted mother made in their behalf. And say Thank You Mom. We love you...

On a personnel Note:

Naturitch Neilsen is out of the hospital and back at the rest home villa in Roosevelt, Utah. Her daughter Lejean Richman is having a hard time with illness this year.

Alvin (Big Sonny) Denver is home recovering from cancer surgery.

Selma Christensen has been having heart problems.

Orenane Curry Garcia, sister of Richard Curry Sr. lost her youngest son the first of August.

Lets send a card to let them know we're thinking of them and praying for them.

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Roosevelt, UT 84066

La Jean Richman
Rt. 1 Box 1341
Roosevelt, UT 84066

Alvin Denver
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Selma Christensen
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The Mixed Blood's Direction

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Let us know your thoughts and what is happening with the people we all shared our lives with, write and let us know. Write to the Mixed Bloods Direction at the address below or by e-mailing edenver@bak.rr.com. We're looking forward to hearing from you...

The Mixed Bloods Direction
27913 Taft Hwy
Taft, CA 93268

I would like to take this opportunity to express my heartfelt thanks to those of you who have very actively participated in helping to support Felter -vs- Norton financially by voluntarily donating five dollars a month towards our case. Those Plaintiff's who have activity taken a lead role also asked me to pass on their sincere appreciation for your efforts in supporting this important undertaking.

"To those of you who have not paid your original amount to join this case. You need to do so NOW! Your time is running out!"

Editorial

By Earl Denver

Today the Uinta Band is facing extinction that can be traced back in time to the implementation of the Indian Reorganization Act of 1934, which was forced upon the three-segregated band residing on the U&O by 1937. This is the time and place where it all began. The "grading" of American Indians using blood quantum.

Oral history says. The Indians of the Uinta and Ouray Reservation had no desire to accept the IRA. So the Government asked the people to try it for three years and at the end of the three years trial period, government officials would return for a referendum on the IRA by tribal members. Needless to say a full referendum was never held and consequently the government put the policy into motion without the consent of the majority of the tribal members.

The three segregated bands residing on the reservation became one glorified corporation known as the Northern Ute Indian Tribe with a corporate charter and by-laws issued by the United States government. Under this charter a business committee was established giving the committee authority over all the affairs effecting tribal members and the reservation. This authority allowed the committee to make decisions and pass resolutions without the consent of the majority of tribal members and one resolution they passed (with the blessing of the government) was a blood quantum standard for enrollment as a tribal member.

The Tribal business committee has, over the years, made many decisions, that have hurt the tribe and undermines jurisdiction over tribal lands and resources. All because Tribal Members have no voice or vote in matters that effect their lives and the land!

By 1953, the policy in Washington D.C. regarding American Indians was termination and the late Senator Arthur V. Watkin of Utah was to become known as the villain of termination. In 1950 the government conducted a survey of those Indian Tribes being considered for termination. The survey taken on the Northern Utes concluded that the Utes were not ready or willing to be terminated! But the government went ahead and started the termination process anyway despite what the survey reported and over the objections of tribal members.

The majority finely accepted termination only after an attachment was added that was paramount to black mail, which stipulated that, the Colorado Judgment money (\$30,000,000) won in Court would not be distributed to the Tribe unless they agreed to termination.

When Congress enacted this termination policy in 1954, there were 760 people who were listed as members of the Uinta Band of which three quarters were forced out of the tribe and to this day no others were terminated, only those 490 members of the Uinta band with mixed heritage. The government also terminated a few children from the Uncompaghe band to show that there was no discrimination shown towards the Uinta's. The two migrant bands out numbered those remaining Uinta's by approximately one thousand members with a three to one advantage over which band affiliation any children born will be enrolled in.

In 1977 only 170 full bloods were listed as Uinta on the Tribal roll's. For many years descendents of the Uinta's have been enrolled as Whiteriver or Uncompaghe.

If this trend continues. The Uinta Band could become extinct within the next thirty years!