

William Paul... Reviews Lifelong Struggle For Native Rights

"The Land Is Yours . . Why Don't You Fight For It ?"

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Staff Writer

In 1925 an elderly Indian named Peter Simpson, driven from ancestral lands in Canada by the white man, had a conversation with a struggling young Indian lawyer in Alaska. He asked a question and the question started the younger man thinking.

He warned the Alaskan to resist the white man's encroachment. "The land is yours," he said. And the question he asked was: "Why don't you fight for it?"

The young attorney's name was William Paul, Sr. He was the son of Louis Frances Paul, lost at sea near Ketchikan, and an extraordinary Tlingit woman named Tillie Paul Tamarée.

Thus began a struggle of almost fifty years to find out if they had indeed lost the land. Tillie Paul Tamarée, herself a fighter, said to her son, "Will, you're not going to die until this land case is settled."

Paul will be 88 years old next May, and he has lived to see the passage of the Alaska Native Land Claims Settlement by the Congress of the United States. It is not a bill he is entirely pleased with by any means. Along the way, he has made enemies, been vilified by the press, alienated the very people he was trying to help,

and invested days, weeks, and years, often without pay.

"COMES NOW the Petitioner, William L. Paul, Sr., an applicant for an allowance of \$250,000 attorney's fees . . . for compensatory representation of the Alaska Natives of the Arctic Slope, Northway, Tanacross and Copper Center, Alaska."

Of all the attorney's filing petitions for fees in the Alaska Native Settlement Act, William L. Paul, Sr.'s claim goes far back into history and is a unique document on the life of a highly unusual man.

Paul graduated from Whitworth College in Tacoma, Washington, with a Bachelor of Arts degree. He carried loads of 28 and even 32 hours, still found time to act in the college play, edit the school paper, join the debating team, play football, keep books for the college, and court the woman he eventually married.

After graduation, he worked for a time in banking and insurance, but Paul had another dream as well. Soloist for the church choir, and also in amateur operas in San Francisco, Paul, a tenor, dreamed of going to New York to study voice.

In 1920, there were stories of great wealth to be had in Alaska in the fishing industry, so Paul and his family set out to earn the money which would take him to New York to a

career in opera.

"Well," he says, "the rain didn't rain that summer and the fish didn't swim that summer," and he found himself stranded in Wrangell without even the money to return to Seattle.

By one of life's strange coincidences, the Alaska Native Brotherhood, which had been meeting since 1912, was holding a convention in Wrangell. Many of these men were former schoolmates.

ANB was looking for someone to go to Washington, D.C. and represent them in their grievances. They elected Paul Grand Secretary and sent him to Washington to seek legislation to abolish fish traps.

The first fight with the government, begun in 1921, was not finally won until 1957. "All the canneries, all the newspapers, all the Chamber of Commerce were against me."

"In those days," he recalls, "we didn't have any money. If we didn't do it for free, we didn't do it."

In 1925, William Paul, Sr. took the Bar examination and was admitted to practice law in Alaska. In the years to come, he became involved in many phases of the fight for human rights for Alaskan Natives, for citizenship, for the right to vote, for the right to attend public schools, for fair employment practices and for better medical

care for Native people.

Always there was the question of the land. "If we own it, we want it," he said. "If not, we don't have anything now, so we have nothing to lose by fighting."

"The Indian had long been inculcated with the idea they were not citizens, especially if they hung onto the land." Paul fought to assure them full citizenship and still see that they retained rights to the land.

Thinking more and more about Peter Simpson's question, he began to formulate a concept about Native land claims. He persuaded Judge James Wickersham to address the Alaska Native Brotherhood convention at Haines in 1929. Wickersham, receptive to Paul's ideas, wrote the first bill on Native Land Claims, The Tlingit-Haida claim, William Paul, Sr. collaborating. The bill died several times, became a hot political issue, and was finally passed in 1935, only to be set aside in the 40's and delayed further by the war.

Refiled as Tlingit-Haida Indians of Alaska vs. the United States of America, Case Number 47900 was a dress rehearsal for the "All-Alaska Settlement" that was eventually to effect a merger of all aboriginal tribal owners of land in Alaska.

Having written to the Eskimos of Barrow in 1940, Paul was finally retained to represent

them to protect their interest in the North Slope oil fields. He filed a "blanket claim" to all the lands from the Canadian border west and north of the Brooks Range.

"I wrote the map," he said simply. "I described the area. I'd never been up there. It's the same area they call the North Slope now."

Paul also represented Copper Center and the villages of Northway and Tanacross, and while one might speculate on the mineral possibilities of other native land, the North Slope was already sitting on a \$900 million evaluation.

Commenting on the petitions for fees by other attorneys, Paul called that of Attorney Tallman, "one of the most astonishing. He has asked for 10 per cent of the evaluation he himself places on the land his clients claim to own."

William Paul, Sr. is asking for a fee of \$250,000. His son, Frederick Paul, Sr., who assumed representation of the Arctic Slope Native Association, first in association with William Paul, Sr., and later as primary counsel, is asking \$3.41 million.

Using the illustration of a finder's fee for law cases generated, Paul pointed out that at the common rate of 5 per cent the fee on the Arctic Slope's \$900 million would be \$4½ million.

William Paul, Sr.'s petition lists 3000 hours spent writing letters and legal briefs, making appearances, researching the law, and testifying before official committees. In the present petition he begins counting the time from 1965 only.

Yet William Paul, Sr. really began the fight for Alaska Native Land Claims as long ago as 1929, and perhaps even as far back as 1922. An old Indian man named Peter Simpson asked a question of a young lawyer and William Paul, Sr. spent a lifetime answering that question.