

Years of work can be lost by 'paper' law

Photos & stories by Bill Hess

Robert Titus found out last winter that half a century of working a trapline can mean nothing if another trapper gets to the line first and chooses to ignore the traditional claim.

"My father owned that trapline before me," Titus recalled during a break at the elders conference. "We'd been using it since 1919. Now, my kids are getting into it to take over. Now last winter I found a note left by a white trapper, telling me this was his trapline now, and I had better get my traps off."

But, Titus did not follow the instructions. "I told my boy, 'I had that land since 1919 and I'm not getting my traps off.'"

He left a note, telling the other trapper this. "Since then, we never see him again."

Variations of Titus' tale were repeated by other elders who had suffered similar trespasses, not always with the same happy ending.

And, according to the law, trappers working lines may not always have such luck.

Bob Hinman, deputy director of the Alaska Fish and Game office in Juneau, said trappers who find others working lines they have worked for years, have little legal backing to remove the encroaching competitors from their lines.

"There used to be a broadly recognized gentlemen's agreement," said Hinman, "where if someone had been using a trapline continuously, everyone else recognized it as theirs. So much so that such traplines were even bought and sold."

No more. Now, because of paper laws which baffle many Native elders, if a trapper from somewhere else moves in and sets up his traps before the traditional trapper in any given season, that line is legally his for the year, even if the trapper he is displacing has been using it for half a century.

Spud Williams, president of Tanana Chiefs Conference, stressed that if an outside trapper encroaches on lines located on Native regional or village Corporation lands or on Native allotments or homesteads, they can be removed as trespassers. On state or federal lands, however, Williams agreed there is little that can be done.

Neal Charlie of the Conference planning committee noted that trappers can often work hard to cut a trapline in an area that turns out to be state land, only to have the state sell the land without the trapper knowing of the sale until he had to move his traps.

"Why don't they let people know out there before putting the land up for sale?" Charlie asked.

According to Williams, the state does let people know by placing ads in the legal sections of the newspaper. Williams said that he reads the legal section every morning to determine what state lands are for sale. But, such ads are of little value to the Native trapper out in his camp, with no access to a newspaper. Even if they can get the papers, it would be very difficult for most elderly trappers to determine what the complicated ads mean.

It does, however, give the state a chance to say that it informed the public of the sale.

"Who knows your trapline is there?" Williams asked, pushing the issue a little further. "Only you!"

Perhaps, he suggested, it is time for Native trappers to begin registering their traplines. Already, urban trappers from Anchorage and Fairbanks are

registering theirs, and as a result can possibly show on paper that they have been using a certain trapline longer than anyone else, even if they have not been.

Many rural trappers have been reluctant to register their traplines, but before the meeting was over, the elders passed a resolution calling for the formation of a Native Trappers Association and registra-

tion of Native traplines. It was hoped that such action can protect lines such as that belonging to Robert Titus from encroachment.

"I feel this is still my land, my country," Titus said. "Because I was raised and born here. All my family was. We got a right to talk, and fight for our rights. Right to the very end!"



Moses Sam of Arctic Village pauses briefly as he fiddles away during the old-timers square dance. Sam has been fiddling for 45 years, and also does a bit of preaching.