

KAHNTINETA HORN writes



Dear Editor:

While I was speaking in Calgary (I flew out, spoke, flew to Edmonton to confer on the school question and flew back to Caughnawaga immediately after so you can see what sacrifices I am obliged to make to follow my destiny)---someone said to me "in the Edmonton university paper there was a story that said Chief Dan George received a standing ovation while

Kahntineta was given a very cool reception".

In the first place I do not need the goodwill of the student body, and I do not need flattering publicity in your newspaper. However I write you this letter to aid you in your view on life.

Chief George is a beautiful, witty, charming man. He is a performer and he did a wonderful poem, caught the spirit of the audience and they loved him as well they should. He represents joy, the previous qualities of dignity, magnetism, and the great past traditions of our people.

When I come I bring a message of shocking truth. This does not make people stand up and cheer. It makes them face the realities. Particularly they are upset when some of their notions and night vapours are shattered by the realities of the facts.

I do not seek applause, or popularity or to enlist white people to aid Indians (I know better) but I do seek to arouse Indians to racism, to understand the terrifying situation they face in the organized land grabs going

on (the latest scheme is to put 5,000 white men 22,000 white children and the girls the white men married in the midst of Indians on the reserves).

When I speak I am as direct as I can be. I back up my statements with fact. I bring the word of truth which stuns many of the listeners because they have not heard the truth before.

I am well aware of the increasing number of suicides of young Indians due to their attempt to have a split personality--being white Indians, or Indian whites I don't know which. But when Indians are Indians suicide, homosexual conduct, degenerate behaviour is unknown.

Recently I spoke to four audiences --on education (the paper took me 8 hours to prepare), once on the new over ruling of the Indian Act by the Canadian Bill of Rights (the research on this was beyond believe), once on the introduction of drugs to young Indian high school boys by white pushers (backed by RCMP facts) and once on the coming crises as Indians start moving into the cities. Not one of these

are happy topics which would earn me a standing ovation. There is no show business, poetry or flattering emotional outpouring here. Just the facts as I have found them myself.

What do I see ahead?

The Indian lands must be safeguarded. The Canadian Bill of Rights cannot wipe out the treaties, give over our land to white intruders as the recent Lavell case decision in Ontario suggest can and will be done.

Indians must develop their own intense interest in education within the realms of what they think they need (for example in 100 years no Indian has passed high school French in Caughnawaga, with a few unique exceptions but if they don't they get kicked out of school, even if they never need or use it).

Then of course the Indians must develop their own special pride, racism, and young leaders who can deal with intangible problems (this was my first principle when I started eight years ago).

The crises lies in the desperate effort of some white people to get Indian lands, the notion that white mans education, plus encouragement and opportunity to work will move Indians up the social

ladder, and that Indians are slightly stupid and have to be advised, guided and told what to do next.

Sometime I will return to Edmonton and I am sure I will not make a rousing emotional speech (I used to do so and get standing ovations) but after I have gone the Indians will remember what I said and they will work on it--don't fear that.

It is seven years and six months ago that I commenced my work and the results are incredible and it is important to recognize that unlike so many other persons in public life I am not supported by an organization, association, foundation, charity or anyone else.

Instead Kahntineta of Caughnawaga pays every cent of herself out of her earnings for the work of the Indian Legal Defence Committee.

Never mind the emotional applause, how about the intelligent arousal of the mind to face the shocking problems that surround Indians today. Reprimand the childish writer who thought they would put me down. They didn't, but I don't mind.

Yours truly

Kahntineta of Caughnawaga

loopholes

This is the second of a semi-regular feature on students and the law by Student Legal Services.

A great number of students rent rooms, apartments, or houses. This probably represents the single-most important contractual undertaking the student will have. Surprisingly, however, it also represents the single-most frequent class of problems we at Student Legal Services receive.

There are only three places to look for the law of Landlord and Tenant; the lease, the *Landlord and Tenant Act* and the common law. The lease may outline special elements of the rental such as shorter or longer Notice to Quit than is usual, the criteria for return of a security deposit, and the right to sub-let. Especially important are outlined rules and regulations, which if violated may give the landlord the right to consider the contract broken and apply for possession. Basically, the written lease outlines clearly the rights and obligations of all parties. Where special provisions are needed, or problems likely to arise, it is best to insist upon a written lease.

Where there is no written or oral agreement, however, the Act will apply. Some provisions and their effect are as follows:

- 1) Either party can terminate the contract by giving notice. This should be done in writing, a copy kept, and served to the other party personally. The notice must be received at least one clear rental period in advance. Hence, if it is a rental from the first of the month to the first of the month notice to leave on Oct. 31 must be given no later than Sept. 30. It is not enough to say on the 15th that you will leave in one month. The other party must have one clear rental period. If you can't give proper notice, but do leave, the landlord is entitled to sue for the period for which you were liable but did not pay; but if he rents to another person, his damages may be mitigated.
- 2) The security deposit is for damage, not rent. Under no circumstances can a landlord apply it to rent without the tenant's authority. Furthermore, he must give you, within ten days of when you actually left, either a) the deposit, plus interest at 6% per year, b) a statement of the damage together with the remaining deposit, or c) an estimated statement of

Landlord and tenant

damage with a final statement to follow within 30 days. If the landlord fails to do this you should lay a complaint with the police and he will be charged under the Act. 3) The landlord must give the tenant 90 days notice, in writing, of an increase in rent. If he does not do this, you are not bound to pay it. 4) Except in cases of emergency, or where the landlord has a right to show the premises to prospective tenants (during reasonable hours after notice to quit has been given) the landlord cannot enter the premises without 24 hours notice, and then only during the daylight hours specified in the notice. 5) The landlord may not force the tenant to leave the premises for any reason until he has placed an application to the court for an Order for Possession, at which time the court will hear the tenant. You don't have to move until the Sheriff arrives with a Writ.

The law also governs in a much more general sense. A tenant enjoys the benefits of exclusive occupation. That means that all persons, including the landlord, are prohibited from entry. The only possessory interest the landlord retains is a possible future interest (eg. to make repairs). However, ownership of the building and fixtures still remains in the landlord, and thus the tenant is liable for damage even though it might be more than the damage deposit. The deposit is merely security for the landlord; he can still sue for the full amount of the damage. Furthermore, don't feel that though you may be under the age of majority you can escape your liability. Housing is a necessity, and as such even a minor is responsible for its value.

If your rights are violated, the chances are good that it will be actionable through the Small Claims Court. It costs only \$4.00 to file an action, and the atmosphere is rather informal. If you want help in initiating a claim, or need any more information, see Student Legal Services. In the meantime, pick up a copy of the *Landlord and Tenant Act* at the Queen's Printer for \$.50. It's a good investment.

WYMAN congrats

Dear Staff Member:

I would like to take this opportunity to congratulate the Golden Bear football team and coaches upon winning their recent WCIAA Conference Championship.

The winning of the conference title brings with it the responsibility and honor of hosting the Western College Bowl November 14.

The University of Alberta athletic department is working hard to make the Bowl game a success and fill Clarke Stadium with enthusiastic Bear supporters.

As president of the university, I would urge you to support the young men who represent our institution in interscholastic competition. Order your tickets for the November 14 Western Bowl game soon.

Sincerely,
Max Wyman
President
University of Alberta
P.S.

Tickets for both the Western College Bowl and the U.S. Olympic Hockey Team vs. The Golden bears are now on sale in the Physical Education General Office, Room 116.

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