

# Legality of "Custom Band Council" goes to court

by Lynda Powless  
Editor

*Six Nations first "Custom Band Council" and the Ministry of Indian and Northern Affairs will be heading to federal court in March to prove the election that swept Band Council chief Wellington Staats and the current council to power was legal.*

Local author Brian Maracle and his sister, Marilyn Maracle, launched a challenge of the legality of the Six Nations Election code, the 1995 election and a by-election held in February of 1996.

It's taken almost two years for the case to wind its way through the court system. Maracle's lawyer, legislative lawyer, Owen Young of Hamilton said the case, "finally, its on."

Maracle maintained the code that

was used to conduct the elections had not been approved by the community and the "custom" of Six Nations in choosing its leadership was through the age-old Hodenosauce Confederacy.

Maracle protested the election by handing out pamphlets, carrying a picket sign and demonstrating in front of the polling station.

His sister Marilyn had been nominated for Chief and withdrew her

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