

Floyd and Ruby Montour charged in Brantford, again

By Erin Tully-Musser
BRANTFORD

Floyd and Ruby Montour, Six Nations elders, turned themselves into the Brantford police on Tuesday morning.

The elders are facing charges of mischief and disobeying a court order (the Brantford injunction) for their alleged participation in a work stoppage on Erie Avenue last week.

A work crew attempted to dig up a portion of
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Ruby and Floyd Montour were in good spirits while entering the Brantford Police Station on Tuesday morning. The couple were turning themselves in on mischief and disobeying a court order charges so they could prevent a warrant being issued. The couple stayed in good spirits throughout the fingerprinting and mug shot process. (Photo by Erin Tully-Musser)

Couple turn themselves in on mischief and disobeying a court order charges

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Erie Avenue in Brantford to start laying the infrastructure needed for the proposed housing units.

The Brantford Police that were on-site alleged that Ruby and Floyd hindered that process thereby breaching the court ordered injunction on the property and committed acts of mischief.

Ruby Montour said that she heard rumors that if her and Floyd didn't turn themselves in they would face worse repercussions.

"There wasn't a warrant for our arrest but there was word that they would put out a warrant for our arrest if we didn't come in so we decided that we would even though I don't recognize Canadian law as the law of the land," said Ruby. "The Haudenosaunee had their own law, they (Canadian government) came and said that their law superseded ours. I don't know of any other country that they could do that and actually get away with it."

Once the couple arrived at the station they were escort-

ed into an interview room where they were fingerprinted and signed their promise to appear in court and conditions of their release.

The couple then got their 'mug' shots taken and were released on their own recognizance.

According to their signed release papers the couple has not been given boundaries to stay out of Brantford but have been told to adhere to other conditions.

"Not to attend within 1500 meters of any land development site within the City of Brantford in which a land claim protest is taking place."

They were also given conditions that pertain to the sites mentioned on the injunction.

"To abstain from going within 1500 meters of the Hampton Inn Site-Fen Ridge Court in Brantford, First Gulf site- Henry Street/Wayne Gretzky Parkway in Brantford and the Cambridge Heritage Site on Erie Ave/Birkett Lane in Brantford."

Ruby said that she was disappointed with the law

system that she has been drawn into.

"I'm sorry that we fought against the Americans. We should have let them take over Great Britain and this land; maybe we would have had a better chance because we sure don't have a chance here. This is an example of that," said Ruby. "I am a great grandmother for heaven's sake and my husband and I are coming in here to this indignity because we stand up for our land and we have the document to prove it's ours, they in court don't even let on that that is so. Then they come and arrest us and run us through their court system."

Ruby also said that she is mistrusting of the Canadian law system.

"If they say I have contempt for their court, they are right, I do. Before I walk in there I have contempt, they are not going to do the right thing for First Nations people, they never do. That's just a formality," said Ruby. "They want you to hire great big expensive lawyers and what happens? They still end up with their

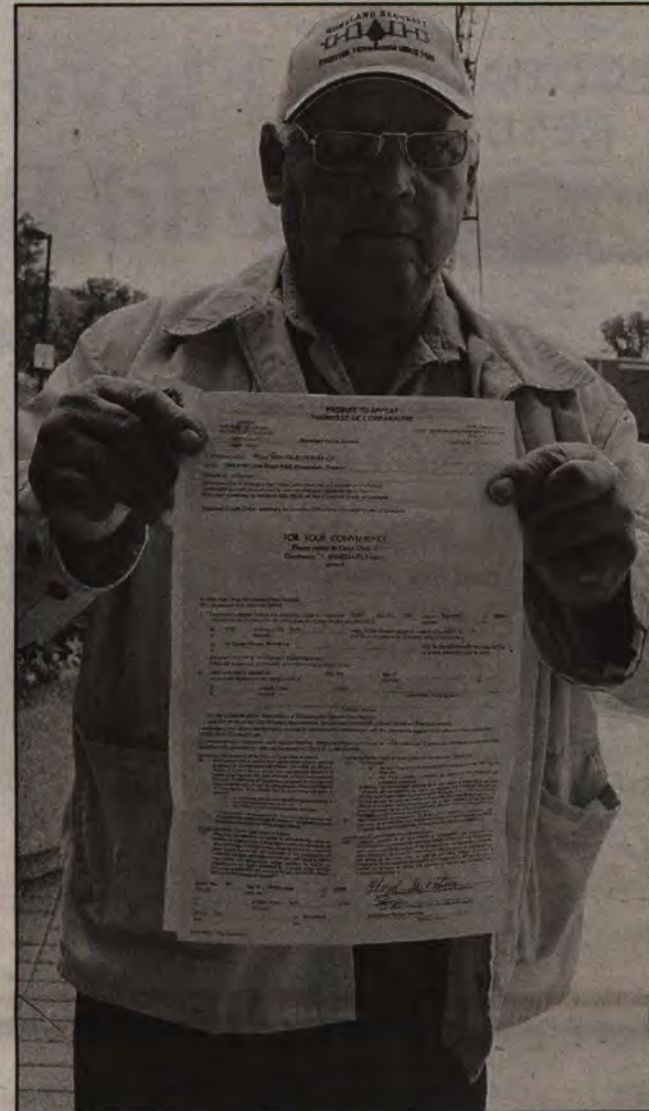
bylaws and injunctions against us. There's no fairness for us, they say that we have the Constitution for Canada, not First Nations we don't. That Constitution doesn't work for us."

The Montours will have to answer the charges in the Queen Street courthouse in Brantford on Tuesday November 17, 2009. When asked if they were going to plead guilty or innocent Ruby said that she wasn't sure what position her and her husband would take in court but made it clear that she won't be 'pleading' at all.

"I don't beg, pleading is begging, I don't beg," said Ruby. "I'm not doing any mischief, I am doing as I know as a Haudenosaunee person that we should defend our land."

What the future holds for Ruby and Floyd as far as land demonstrations is not clear but when asked, Ruby answered with the coy smile that anyone that knows Ruby has come to appreciate.

"We'll play it by ear," said Ruby.



Floyd and Ruby Montour were asked to sign promise to appear letters from the Brantford Police that pertained to their upcoming court date. The elders will be in the Brantford court on November 17 to answer to the newest charges stemming from allegedly stopping construction work on Erie Ave. in Brantford. Ruby said she was frustrated with continuously being dragged into the Canadian legal system when she didn't believe it was the 'law of the land'. (Photo by Erin Tully-Musser)