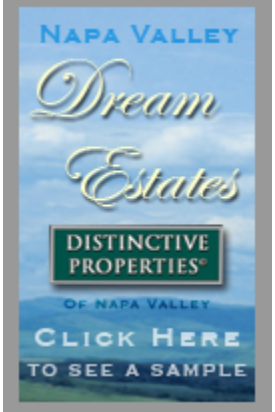

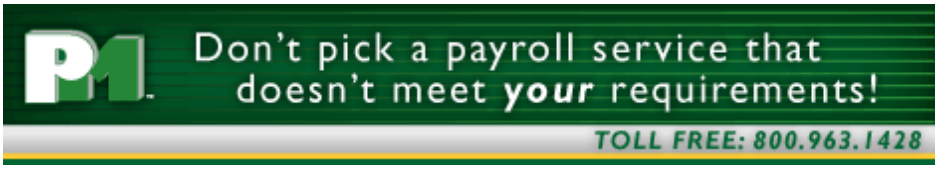

News

Former Marine tests history with lottery

By GABE FRIEDMAN
Register Staff Writer
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Gilbert Martin knows he's breaking the law by running a gaming operation in Yountville.

He even invited the sheriff and other local authorities to a recent meeting in Yountville to inform them that he would be breaking the law.

But Martin's goal isn't to get arrested. And he doesn't expect to make much money from his game, where people can bet a maximum of $5 as they guess the last four digits of the stock market's highs and lows each day.

Instead, his motive was to draw public attention to the plight of Creole people, buried as it is in the folds of American history.

"I've been trying for the last two and a half decades to get someone to listen to our (Creole) problem," said Martin, who said it all started with the Louisiana Purchase, the deal Thomas Jefferson struck with Napoleon Bonaparte in 1803.

At a meeting at the Veterans Home of California attended by a few other residents of the home and sheriff's officials, Martin, 80, a former Marine, connected the dots between his experience as a Creole fighting against a racist society to his new variation on the lottery. After unpacking his briefcase, and organizing a series of papers, books and documents on a table in a mostly empty bingo room at the home, he started his story by telling the history of the Creole culture.

Origins of a people

It originated in Africa's West Sudan and Timbuktu, said Martin, developed further in the West Indies and the Caribbean Islands under French colonization, and then emerged again in Louisiana in North America, he said.

Creoles are defined in the dictionary as people of French or Spanish descent who were born in or near the Caribbean, from the northern tip of South America to the Gulf Coast of the United States. Creoles are a mix of many races, and cities with a distinct Creole culture - such as New Orleans - proudly tout their influence in local music, cuisine, and history.

Martin said the Creoles are a distinct ethnic group with rights guaranteed by the Louisiana Purchase.

To prove this at the meeting, Martin pointed to Article 3 of the Louisiana Purchase Treaty between the U.S. and the French, dated April 30, 1803 which states that, "The inhabitants of the ceded Territory shall be incorporated in the Union of the United States, and admitted as soon as possible, according to the principles of the Federal Constitution, to the enjoyment of all rights, advantages, and immunities, of citizens of the United States; and in the meantime, they shall be maintained and protected in the free enjoyment of their liberty, property, and the religion which they profess."

For 200 years, Martin argues that the U.S. has done nothing to comply with the terms laid out in Article 3. He says that in 1793 France proclaimed universal freedom for everyone living under the French flag, whereas in the U.S. the Emancipation Proclamation was not issued until 1865.

"A treaty is a two-sided contract," he said. "My position is that the U.S. committed a material breach, and I consider keeping people in slavery for 62 years after they were supposed to be given their freedom a material breach."

He said the U.S. continued to break the terms of the treaty in other ways, by failing to allow Creoles to maintain their culture and liberties.

Although members of his family were skilled carpenters and taught him the trade, Martin said that when it was time for him to earn his living he could not find a school that issued builder's licenses to black men, which he was considered to be.

"We had a certain culture that gave us the opportunity to educate ourselves," he said. "I am very, very angry. I'm a qualified builder ... they want me to go back to school, well, I'm not going back to school. I was in building 30 years before they even started."

He obtained a builder's license years later in Michigan, after completing a correspondence course to gain a degree. Martin said he has faced years of discrimination.

"I think every American whether black, white, Indian or Creole should look into what the government was doing. I'll be doing this (illegal gaming) until I go to court," he said.

Fighting the law

In 1994, Martin said he tried unsuccessfully to sue the U.S. Government for $5 billion for breaching its treaty with the Creole people.

"I don't know of anyone who's done anything similar to that," said Terrel Delphin, chairman of the board of the Creole Heritage Center at Northwestern State University in Louisiana. "There isn't anybody who knows Creole history from a legal standpoint better than Gilbert. He's the authority."

Earlier this month, Martin told local police and the district attorney's office about his protest scheme, but he could gain the audience only of the county sheriff's office, which promised to arrest him if he broke the law.

"I understand exactly what you're trying to do," said Captain Gene Lyerla to Martin at the meeting. "I don't know how much success you're going to have doing that.

"As far as the interpretation of the treaty that's beyond me," said Lyerla. "I understand the lottery is just something that you need to do, and how are we going to react to your lottery at the sheriff's department? Well, we'll treat it the same as any other case. We may even consult the state gaming commission, just to be point blank with you," he added.

On the night of the meeting, Martin sold one lottery ticket, for one dollar.

"I'm not starting this to get rich," he said. "This is a test of the treaty."

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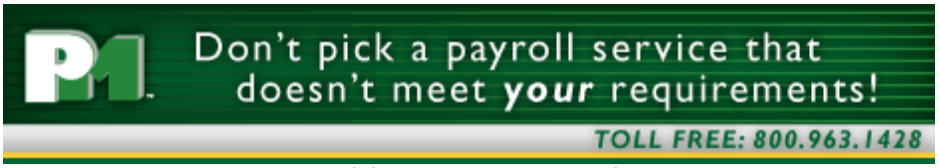

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