

MACKENZIE VALLEY PIPELINE INQUIRY

IN THE MATTER OF THE APPLICATIONS BY EACH OF

- (a) CANADIAN ARCTIC GAS PIPELINE LIMITED FOR A RIGHT-OF-WAY THAT MIGHT BE GRANTED ACROSS CROWN LANDS WITHIN THE YUKON TERRITORY AND THE NORTHWEST TERRITORIES, and
- (b) FOOTHILLS PIPE LINES LTD. FOR A RIGHT-OF-WAY THAT MIGHT BE GRANTED ACROSS CROWN LANDS WITHIN THE NORTHWEST TERRITORIES FOR THE PURPOSE OF A PROPOSED MACKENZIE VALLEY PIPELINE

and

IN THE MATTER OF THE SOCIAL, ENVIRONMENTAL AND ECONOMIC IMPACT REGIONALLY OF THE CONSTRUCTION, OPERATION AND SUBSEQUENT ABANDONMENT OF THE ABOVE PROPOSED PIPELINE

(Before the Honourable Mr. Justice Berger, Commissioner)

July 10, 1975
Fort McPherson, N.W.T.

PROCEEDINGS AT COMMUNITY HEARING

Volume 13

The 2003 electronic version prepared from the original transcripts by
Allwest Reporting Ltd.
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www.allwestbc.com

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Mr. Darryl Carter	for Canadian Arctic Gas Pipeline Limited;
Mr. Glen W. Bell	for Northwest Territories, Indian Brotherhood and Metis Association of the Northwest Territories;
Mr. Elwood	for Foothills Pipelines Ltd.;

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1 July 10, 1975
2 Fort McPherson, N.W.T.
3 (PROCEEDINGS RESUMED PURSUANT
4 TO ADJOURNMENT AT THE HOME OF LUCY VANELTSI)
5 LUCY VANELTSI sworn.
6 (Interpreter, JIM
7 SITTICHINLI, resumed.)
8 THE COMMISSIONER: you tell me
9 whatever is on your mind.
10 THE INTERPRETER: I am just
11 explaining to her about your visit, Judge, how you e
12 going about this Inquiry, that you are travelling all
13 over, especially the Mackenzie Valley, that you are
14 looking into what the people have to say about this
15 pipeline.
16 A She was born in
17 November 1902 and soon after she was born her mother
18 left her so she was raised by her grandmother. In
19 that way she never had no chance to go to school.
20 She said that she had two uncles and they had very
21 important jobs in the early days. They both worked
22 at the beginning of the police patrol that used to
23 come from Dawson to here and they both were very
24 important people.
25 She was married in 1919 and
26 she remembers very well in 1921 when the treaty was
27 signed. They put up a big tent right out on the mud
28 bar, there used to be a big mud bar right outside the
29 Hudson's Bay, that is where they put up a big tent
30 and everybody was gathered there with Mr.

1 Conrad, and that is where the treaty was first signed
2 in 1921.

3 She saw from in the back row
4 that they had a big table there and they were crowded
5 around the table and she saw there was a lot of money
6 on the table. She said his uncle

7 Chief Julius was chief at
8 that time and he knew that and seen so much money there
9 he wanted to know why they were going to give them the
10 money. He wanted to know first of all before he would
11 take it.

12 The first thing Mr. Conrad
13 done was to get up and shake hands with the Chief
14 and he says this is what the Queen or the King is
15 doing with you with this money, to shake hands with
16 you with this money. By the Queen doing this you
17 will never be lost. This was the agreement by
18 shaking hands.

19 When he was shaking hands,
20 while he was still holding hands with Mr. Conrad the
21 Chief said he really wanted to know how it was going
22 to be if he would receive the money. Mr. Conrad told
23 him, "You see that big black mountain down there.
24 It can't be moved, so that is the way that you and
25 your people are going to be in the future." He said
26 that is the agreement that was made at that time.
27 After he came to understand a bit of what Mr. Conrad
28 was doing with him, he finally agreed to take what was
29 there for him so that is how he took the money and
30 before then it was that the first missionary came.

1 They didn't understand too much at that time, but they
2 were beginning to get baptized that time.

3 This was quite a while
4 before then, so after the missionary had come and
5 the people believed in the missionary work, and then
6 this is old Chief Julius, he also worked with the
7 mission and at the same time he was a chief for the
8 people.

9 Well, since then, because he
10 done this good work with the people, he thought a lot
11 of the people and during that time they used to --
12 people used to send their children to Hay River
13 School. It was quite a distance from here and he
14 didn't quite agree with that so he asked if the
15 Government would put a school here for the people and
16 he said it is through him that today we have a school
17 here and that is the reason why they call the school
18 Chief Julius School.

19 THE INTERPRETER: I am just
20 trying to explain what she should say, because she
21 wants to talk more about what happened in the past
22 many years ago, and that is what she was telling her
23 and we want to get more of what is going to come in
24 the years to come. That is her daughter and she
25 also has children now, so in that way we also look
26 forward.

27 A Now she is in the past.
28 she says we had lots out of this country. Every time
29 people go out hunting or fishing, whatever they get
30 they share with everybody and in that way everybody

1 THE COMMISSIONER: Feel
2 free to move to the chairs in the front if you
3 like, the people standing at the back, feel free to
4 come to the front.

5 A This picture that
6 you see on that screen now is on New Year's Day, we
7 were dancing in the community hall. The first
8 couple you see is Abraham Francis and myself. The
9 next couple is James Simon and Laura Thompson and
10 the next one was Fred Firth and Mrs. Blake, but
11 they are behind and we couldn't see Fred, and this
12 is what we call duck dance, and, boy, we enjoy
13 ourself there.

14 This is in Aklavik, the
15 same year I think, and this house we used to call
16 the Peffers(?) a good restaurant, and Eskimo do
17 their dances there. You could see John dance with
18 Eskimo right there, and that woman is Margaret
19 Cogne(?) and maybe Victor Allen knows this other
20 woman.

21 This is in Aklavik in those
22 days, across the river there, where they called it
23 the Hudson Bay Channel, there Eskimos used to land
24 there and pitch up their tents there, some houses
25 there too, and you see the Eskimos those days with
26 all of their big boats with big motor in it and they
27 come up -- and they come up right after the rassing
28 and some of them remain there for the summer. Look
29 how nice Eskimo used to live too.

30 This is in Aklavik. This

1 he built and they lived happily in there, the most
2 happiest couple that I remember is these old people,
3 and their daughters and their sons are sitting in here
4 watching them.

5 This is one of the barge
6 again, Pelican Rapids, land right here. This is the
7 beginning of a bad landing down here, so they're going
8 further down land every time they come up.

9 And this is your old town
10 again. The same as the one we see before, I think.

11 And this is in our old
12 church, up in the chancel and that was the first
13 moosehide with beadwork on we had made for our
14 church, and those hangings also beadwork on it and
15 it is a moosehide given by one old woman that old
16 blind woman that you seen in the picture yesterday,
17 the top is that real nice, white, mooseskin she gave
18 -- or donated for this work and the background of
19 this beadwork was again the moosehide given by one
20 woman and all the beadwork done by the old womans -
21 the womans of the womans auxiliary. Now these
22 days we call ourself A.C.W. Anglican Church Women,
23 and they -- this, everything, the beads, all the
24 beads was given by Abraham Alexei, \$15.00 worth
25 of beads, those days beads don't cost very much,
26 and it took us long time to make it, but it is
27 there and now since Aklavik lost their church,
28 everything was lost there, we gave it to our
29 bishop, retirement gift, we gave it to him
30 to do what he pleased with it. He's

1 fish even right in town here. Now we can't do that.
2 This is in the wintertime,
3 and this is a sled trail we have and that's Chief
4 Julius house.

5 And this is the picture,
6 you seen one of it, you seen yesterday, and this is
7 one of the two and this is on that lake back here
8 and I'm teaching this girl how to set trap -- rat
9 trap. It's Effie Sebastian, I think, and myself
10 there. Maybe I was a good trapper training
11 somebody for trapping.

12 This is Laura Thompson
13 cleaning fish. I think it is taken at mouth of the
14 Peel.

15 This is how we used to
16 issue the ration to the old people, just to the
17 needy people, whoever need it, and this is how we
18 used to do it. This little house is just half
19 broken down, and the banks is still standing up,
20 every time I see it I always remember those years.
21 This is Lucy Rat (?) Lucy Rat (?) she already got
22 her little ration which is that little piece of
23 salt pork, bacon and a tin of baking powder, and
24 maybe few pound of lard -- tallow, not lard, but
25 tallow, and f don't know -- that little bag of
26 beans, that is what she got in her bag, but she
27 left her 24-pound flour in the house here and she
28 is going to come back and get it, and there is Mrs.
29 Blake coming for hers too.

30 And this is in Aklavik before

1 | and later on she sent it to me.

2 | THE COMMISSIONER: Thank you
3 | very much, Mrs. Simon.

4 | (APPLAUSE) (WITNESS ASIDE)

5 | THE COMMISSIONER: Ladies
6 | and gentlemen, I think some
7 | others have things they want to say, so just go right
8 | ahead.

9 | Miss Hutchinson, there is a
10 | lady here to give evidence.

11 | ANNIE GEORGE sworn.

12 | (Interpreter, Mr. Francis)

13 | THE INTERPRETER: Mr. Berger.

14 | I have a brief -- a very short note from this little
15 | lady here.

16 | "Mr. Berger.

17 | I am now old and there is no one
18 | older than me in Fort McPherson. Animals
19 | that look after their young in dens or
20 | nest are like me looking after her
21 | children and grandchildren. I am scared
22 | for my relations when I hear about the
23 | pipeline coming through. I pray to God
24 | every day so the pipeline won't come
25 | through."

26 | From Mrs. Annie George.

27 | THE COMMISSIONER: Thank you
28 | very much, ma'am. That statement will be marked as an
29 | exhibit and form part of the permanent record of the
30 | Inquiry.

1 (LETTER OF ANNIE GEORGE MARKED EXHIBIT C-46)

2 (WITNESS ASIDE)

3 THE COMMISSIONER: Thank you
4 very much, ma'am.

5 There is another lady I think
6 who is ready to proceed with her statement.

7 MARY FRANCIS sworn.

8 (Interpreter, Mr. Charlie)

9 THE INTERPRETER: Her name is
10 Mary Francis.

11 A First of all I would
12 like to say how glad I am to see you sitting here with
13 us to discuss our concern with you. The chief and the
14 council and all who are on one side here.

15 I am happy that they are all
16 here too.

17 I was born in the Yukon and
18 from there I came into McPherson. This is where my
19 mother-in-law stayed with me.

20 In 1926 at that time she said
21 she was sixteen years old. From that time, she says, I
22 have been living in McPherson. She remembers the time
23 when the Queen - I mean, the Chief told the -- my
24 mother, that time when the chief spoke to my mother, he
25 told her that we're going to accept treaty money and we
26 want you to take treaty money too.

27 At that time when they
28 said treaty money "she didn't even understand what
29 treaty meant. After they received the treaty money
30 they used to have an Indian agent come down and

1 mud. It will never burn, but the money will
2 burn, Mr. Berger. We live on our land that's
3 why we live. We hunt for fine fur, caribou,
4 moose, fish. If they happen to put the
5 pipeline through is it everything won't be the
6 same. I don't think so when they were through
7 with bunch of tractor and bulldozer one time
8 it sure spoil lots of land, creeks and lakes.
9 If the pipeline comes through we could tell if
10 the water is clean or dirty. We really make a
11 good use of our caribou, we use the meat to
12 eat and the skin and the leg part we use for
13 mukluks. We wear it when it is 60 or 70
14 below. So for this please help us and we are
15 going to hear you sometimes through the radio
16 like we hear what went before you. Come down
17 here, this is all I say to you. Out on the
18 preserve there is one lake named Neyendo Lake,
19 that is named after my mother father, and
20 about 25 miles up the Peel River, one creek
21 named eider my father named Vittrewka Creek.
22 This Neyendo Lake we use it for fish and
23 Vittrewka Creek good many people move through
24 that place to trap for fine fur and also for
25 caribou hunt. So this is all I can say to you
26 so goodbye and good luck to your trip to Old
27 Crow and wherever you go with your staff."

28 From George Vittrewka, senior.

29 THE COMMISSIONER: Thank you
30 very much, sir. That statement will be marked as an

1 | exhibit and form a part of the permanent record of the
2 | Inquiry.

3 | (STATEMENT OF GEORGE VITTREWKA MARKED AS EXHIBIT C-47)
4 | (WITNESS ASIDE)

5 | MR. CHARLIE: The letter here
6 | was handed to us yesterday morning, it was sent to us,
7 | and the person who sent it he said that he had, his
8 | throat was pretty sore so he couldn't read it, so he
9 | sent it to us and we have to swear him in before we can
10 | do it and he is not here.

11 | THE COMMISSIONER: He is in
12 | town though?

13 | MR. CHARLIE: Yes, he lives
14 | in town.

15 | THE COMMISSIONER: But he is
16 | just home not feeling well?

17 | MR. CHARLIE: Oh, I think he
18 | is walking around, so --

19 | THE COMMISSIONER: Well,
20 | whenever he comes along and you see him, we will swear
21 | him in and then we can read that.

22 | Oh, yes, Mr. Simpson.

23 | MR. SIMPSON: I Have a
24 | statement by Mary Effie Snowshoe and she is right here
25 | if you could swear her in.

26 | MARY SNOWSHOE, sworn.

27 | MR. SIMPSON:

28 | "Mr. Justice Berger.

29 | We would like first to welcome you
30 | to the settlement of Fort McPherson. Young

1 and old people of this community have
2 expressed their views and after two days they
3 have opposed the construction of the
4 pipeline. During the 1950's the DEW line was
5 constructed. This DEW line was constructed
6 for the security of the people of North
7 America. Although the Government of Canada
8 and the Government of the United States
9 jointly built the DEW line financially, they
10 both ignored the security of the Native
11 people of the North both economically and
12 socially.

13 During the starting phase of this
14 construction of the various DEW line sites,
15 the Native people were employed after which
16 highly technical trained personnel were
17 brought in from the south. At the time of
18 this brief we question you. Mr. Justice
19 Berger and the representatives of the
20 pipeline consortium, what is progress? You
21 will realize that progress in the white man's
22 definition is not necessarily of the Native
23 people.

24 We will now go back to the DEW line
25 After the completion of the DEW line the
26 majority of the Native people were laid off.
27 Today the major oil companies are talking
28 of major construction of the pipeline where
29 500 employees will be involved and after
30 the construction of the first phase they will

1 bring in again the highly technical trained
2 staff to take over.

3 We ask these companies are they prepared
4 to compensate the Native people. We have
5 heard of drinking problems and crime
6 rate. Are we to sit back and let this
7 happen to us? What has happened to our
8 brothers in the south and our Eskimo
9 brothers. We believe that development or
10 progress is when the people decide on
11 their own future and for their children's
12 future.

13 We now question the validity of the
14 hearing. Is it another of the Government's
15 window dressings, or is it an era when the
16 democratic system will come back to the
17 people?

18 In conclusion, sir, although all
19 the views of the Natives may seem on the
20 negative attitude, those same views are
21 very positive towards the protection of
22 our culture, environment, and most of all
23 our rights to govern development of our
24 lives.

25 Thank you."

26 THE COMMISSIONER: Thank
27 you very much, ma'am. That statement should be
28 marked.

29 (STATEMENT OF MARY SNOWSHOE MARKED AS EXHIBIT C-48)

30 (WITNESS ASIDE)

1 THE COMMISSIONER: I take it
2 that you will let me know when you think that you want
3 to interpret something, is that all right?

4 We have a witness to swear.

5 PETER THOMPSON sworn.

6 (Interpreter, Mr. Charlie)

7 THE INTERPRETER: Mr. Berger,
8 this is Peter Thompson.

9 A He says, I am an old
10 man and I lived from way back. This month his age
11 is 82 years old. What is showing on the wall to our
12 left here how big a country you see us older people
13 long ago when we go around there we made our living
14 on that. At that time, he says, people, old people
15 like me, they used to live in McPherson while the
16 younger people go in the bush, he said, they were
17 very poor.

18 At that time they never
19 get much help. The year 1921 was when the people
20 signed treaty. From that time it is now 54 years.
21 At that time the man's name was Mr. Conrad and he
22 laid down some rules which were a promise to us.
23 And before the Chief signed treaty the Chief asked
24 him, "You're going to give us that money means you
25 are going to take this land away from us?" and he
26 told him, "No," and he said the way you have been
27 making a living on it before, that is the way you
28 are going to still carry on.

29 And wherever it is a good
30 hunting ground and good place for fishing, he said

1 Another Indian agent came
2 here and told me that if there is any gas
3 discovered on this, your land, your people will get
4 free gas, free oil.

5 One other thing is how
6 it's been carried on. He says I'd like to see
7 everything carried on this way and this is what I
8 am looking forward for the younger generation.

9 Thank you very much and,
10 that is all I have to say.

11 THE COMMISSIONER: Thank
12 you, Mr. Thompson.

13 (WITNESS ASIDE)

14 THE COMMISSIONER: I
15 think that we will just take a five minute break
16 now and stretch our legs for a few minutes and then
17 we will start again.

18 (PROCEEDINGS ADJOURNED)

19 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

20 THE COMMISSIONER: Ladies
21 and gentlemen, we will come to order again and
22 carry on with the people who want to make
23 statements this afternoon.

24 There is a witness here
25 to be sworn, Miss Hutchinson.

26 NELLIE MITCHELL sworn.

27 THE INTERPRETER: Judge Berger,
28 we have one letter here that has come before us and it is
29 dated Fort McPherson, N.W.T., July 10, 1975.

30 "My name is Mrs. Nellie Mitchell. Before I

1 talk I would like to say I am very happy to
2 see you and all the people that came with
3 you.

4 First of all I want to say when my
5 Great-Grandfather was living, them days we
6 never did seen anything like now days. What
7 we see in the store we never had, axe or
8 knife or matches or guns. Lots of time in
9 cold weather wherever people move so hard to
10 make fire, we use something that could strike
11 to make fire with them day we never seen no
12 white peoples.

13 After that about four white mens
14 came because they seen fire one place so they
15 stopped. Where he stay them days nobody
16 understand English, just by sign they
17 understand one another. When they stop, they
18 seen this man had a duck, and bow arrow and
19 his hair was long so they cut his hair. So
20 these white mens threw his bow and arrow into
21 the river and they cut his hair and they
22 threw that in the river too and this man said
23 he just about cried.

24 After that they gave him a gun and
25 they made sign to him and said they will
26 white people will come in about two or three
27 years time.

28 After two or three years time some
29 white peoples came with canoe with those big
30 flat paddles. And that were the Hudson Bay

1 Company that was the first H.B.C. built up
2 here. That time they brought axe, but it was
3 not like the axe we got now. But his son
4 carried on after he died. The man put Hudson
5 Bay so the way people get little things that
6 they could get and live out in the bush.
7 Still today we make a living out of it. We
8 don't want to give up our land the way
9 peoples found it wouldn't affect anything on
10 the land. We don't believe it, even that
11 dynamite that they bust it will sure spoil a
12 big place, never see any rabbits or any kind,
13 of animals so in that case we don't want the
14 pipeline come through. That is all I could
15 say, whatever I got on my mind.

16 Goodbye, good luck on your trip, you
17 and your party."

18 This is Nellie Mitchell.

19 THE COMMISSIONER: Thank
20 you very much, Mrs. Mitchell. That statement be
21 marked as an exhibit and constitute a part of the
22 permanent record of the Inquiry.

23 (STATEMENT OF NELLIE MITCHELL MARKED EXHIBIT C-49)

24 (WITNESS ASIDE)

25 NEIL COLIN resumed

26

27 A Judge Berger,

28 Chief, Band Council, and ladies and gentlemen,

29 thank

30 you again for me to talk. I would like to talk

1 | about the north and south. I have been through
2 | a good many small communities in the Northwest
3 | Territories and big cities like Edmonton,
4 | Alberta; Regina, Saskatchewan; Winnipeg,
5 | Manitoba. In the Yukon, I've been to Dawson,
6 | also a small community in Old Crow. I also been
7 | to Anchorage, Alaska, by travelling down south
8 | to Edmonton to Winnipeg, it is like the shape of
9 | checkerboard by looking from airplane when you
10 | look down.

11 | It is not like that in
12 | the Northwest Territories. People down south
13 | especially government officials in Ottawa don't
14 | understand when we Native people in N.W.T. says we
15 | own this land in N.W.T.

16 | They did come down to each
17 | small community down the Mackenzie River in 1921 to
18 | force, to sign treaty with the Native people. Some
19 | of those chiefs don't even know how to write their
20 | name, so they put down their shaky hands to put "N"
21 | in 1921, "N" is the letter "X", not name. Even today
22 | Government don't know what is treaty. Our country is
23 | not like checkers like down south. It is quiet, it
24 | is bush, the country we love, that is our land in the
25 | Northwest Territories.

26 | The pipeline is like a
27 | monster coming into N.W.T., that is why, Mr.
28 | Berger, when you finish the pipeline tour in N.W.T.
29 | our hope will be with you.

30 | We're not against our big

1 (WITNESS ASIDE)
2 PIET VAN LOON, sworn.
3 A Mr. Berger, I have a
4 short write-up of what I am going to speak of, and
5 which I have given to the interpreter and I'll try
6 and expound on it.
7 My name is Piet Van Loon.
8 I have been a resident of McPherson for a little
9 over six years and I have had with me for many
10 years the writings of a man called Henry David
11 Thoreau, which you are probably familiar with, and
12 I find in his writings many things that were
13 written a hundred years ago that seem to be
14 pertinent to things today and a few weeks ago I
15 read one sentence which kind of struck me and I'd
16 like to sort of expound on that theme tonight or
17 this afternoon.
18 He said, "The world is
19 out of doors and we duck but behind a panel," and
20 it kind of got me thinking because how true that
21 is, the whole world is outdoors. I thought that we
22 could probably divide the people of the world into
23 two broad categories: those who make their living
24 behind doors and those who make their living out of
25 doors. It so happens that I was raised as a
26 member of the indoor culture, which I'll call it,
27 which seems to be predominantly white, and in
28 Canada as in many other countries, the outdoor
29 culture seems to be predominantly Native.
30 Now, we, the indoor

1 1903 Inspector Charles Constantine
2 established the first R.N.W.M.P. post in the
3 Western Arctic here. In the winter of 1898-
4 99 a number of overlanders tried to use Fort
5 McPherson as a base to reach the Klondike."

6 Where are we mentioned on
7 this plaque, Mr. Berger? Where is there mention
8 of any of our history? The history of the Peel
9 River people did not begin in 1840. We have been
10 here for a long, long time before that, yet we get
11 no mention. Does the Federal Government not
12 consider us to be human too? Do they think that we
13 don't make history?

14 This plaque follows from
15 exactly the same thinking that called us "savages"
16 and called the white man "heroes." The date on this
17 proposed text, Mr. Berger, is July 3, 1975.W-- not
18 1875, but 1975, today. Our history and culture has
19 been ignored and shoved aside.

20 In the summer of 1970, Mr.
21 Berger, I was lucky to work with a biologist who was
22 studying the environment between here and Old Crow.
23 During that summer, I saw many, many examples of
24 damage being done to our land. I saw trailers, oil
25 drums, and all kinds of waste scattered across our
26 land. I saw seismic trails that had eroded into
27 streams. This land is important to me too, Mr.
28 Berger. Don't believe the pipeline companies, when
29 centre of missionary activity. In 1903 Inspector
30 they say that the land is no longer valuable to the

1 strong to help us. I hear all what the people
2 say, even that I am wishing that the way the
3 people talk, that I could talk like that.

4 Even I am old I still like to go to
5 the mountains to hunt. Even my girls tell me
6 not to go, I go. As I like to get good food.

7 If they build the pipeline how will
8 I be able to go over it? I think about it and
9 I hope by God's help that they don't give us
10 a hard time to make a living.

11 When I was in the Yukon I stayed
12 alone 2 1/2 months while my husband was. out
13 trapping. While that I had three children
14 with me. That time I had a 22 rifle and I
15 seen a big bunch of wolves come around me and
16 I didn't even know how to use the gun and I
17 think of God and I wasn't scared after that.
18 So I don't like pipeline myself.

19 Thank you.

20 Mrs. Annie B. Roberts."

21 THE COMMISSIONER: Thank you
22 very much, ma'am.

23 I think that statement should
24 be marked too.

25 (STATEMENT OF ANNIE B. ROBERTS MARKED EXHIBIT C-53)

26 (WITNESS ASIDE)

27 THE COMMISSIONER: I think we
28 have another witness.

29 THE INTERPRETER: I think he
30

1 | has been sworn in already.

2 | THE COMMISSIONER: Oh,
3 | sorry.

4 | JOHN KAY, resumed.

5 | THE INTERPRETER: This is
6 | John Kay and he would like to say a few words, and he
7 | mentioned that with everybody talking, opposing the
8 | pipeline and he is the one who lives down there.
9 | Anybody who don't like that pipeline he says that he is
10 | the one who is more against that pipeline.

11 | THE COMMISSIONER: You live
12 | down by the crossing?

13 | A Yes.

14 | THE INTERPRETER: He heard
15 | that there was going to be a big camp set up down there
16 | and he said he don't know how many hundred people, but
17 | he say he don't like it because that much people put
18 | around there he said really is going to chase the
19 | caribou away.

20 | He said whenever there are a
21 | few people staying down the river, and he said when
22 | the caribou is up there, he says all who stay down
23 | that way, he says they go and they depend on that
24 | caribou.

25 | He says he is not a very
26 | young man now and he say he's got grandchildren and
27 | this is one reason why he say he's looking to the
28 | future for his younger children.

29 | He say that since the
30 | Inquiry started he says everybody is talking against

1 | a little bit to something else. Judge Berger,
2 | you have been in Hay River Indian village. I never
3 | left this territory. I been in school there for four
4 | years --

5 | THE COMMISSIONER: At Hay
6 | River --

7 | A Yes, Indian village.
8 | And in 1921, I know it was 1921 because we seen the
9 | last part of the treaty party at Red River and we
10 | went to Aklavik. I didn't know that I was going to
11 | a hunter's paradise or a trapper's paradise that
12 | time. The people were plentiful in the delta and
13 | there was everything to live on. I stayed there a
14 | couple years and I came to McPherson and since
15 | then I made my life here. I am not leaving, I am
16 | going to live here, and I think to myself now, why
17 | are we facing the judge? Are we disturbed? We must
18 | be disturbed. Disturbed for our land. I have lots
19 | to talk about but I am going to cut it as short as
20 | I could. I hear people talking about the land being
21 | destroyed. I agree with all that. I see it.
22 | I am very much concerned about it and they talk
23 | about the pipeline coming through. I don't
24 | want the pipeline and I agree with everybody else
25 | that don't want it, but that part, it's been quite
26 | well explained by the people , But I am not going
27 | back too many years, but I'm going to go back to
28 | about 1945 when the Alaska Highway was built.
29 | Our country was in the war. So it was wartime
30 | measure to put that highway through, so it was

1 | much consideration what harm it would cause the
2 | people if that changed the route of the caribou some
3 | way, or damaged the caribou some way to all the
4 | people that depend on it.

5 | THE COMMISSIONER: Mr.
6 | Carter, Mr. Ellwood?

7 | MR. CARTER: The first
8 | part of your question I believe refers to the area
9 | where the caribou are breeding. Now, you'll note
10 | that the route from Prudhoe Bay comes along the
11 | coast and that is along an area where the caribou
12 | calve, however the time set for construction of
13 | part of the pipeline is to be in the winter when
14 | the caribou are not there.

15 | So far as the rest of the
16 | route is concerned, the timing for construction as
17 | well, is planned and they made these plans following
18 | a number of years of study of the caribou migration,
19 | so that the construction men will not be in the area
20 | when the caribou are there. There are also plans,
21 | however, for the situation that might arise that the
22 | caribou or some part of the caribou herd could be in
23 | the area at the time, and in that case they have
24 | contingency plans to move the pipe if the pipe is
25 | laid out alongside of the ditch and to permit the
26 | caribou to cross if the ditch is open or if the
27 | pipeline, as I say, is laid out interfering with the
28 | migration so that there have been extensive studies
29 | made by the pipeline company of the caribou and
30 | their migration routes and there are plans of

1 taking it into account.

2 A Well, I don't
3 understand what you mean when you say the caribou
4 is not there in the winter because people live
5 around Firth River, get caribou in the winter,
6 people that live around Point Barrow, not far from
7 there, they live on caribou in the winter.

8 THE COMMISSIONER: If you
9 wish to add anything, you may, Mr. Carter.

10 MR. CARTER: I don't know
11 if I can add anything to that. The studies showed
12 that there were few if any caribou, I suppose and
13 we'll take into consideration what you tell us, that
14 there are caribou there and if that is the case
15 we'll have to certainly take that into account. I
16 am talking about the route right along the coast.

17 A Well, did you know
18 that caribou existed there in the winter?

19 MR. CARTER: Not
20 personally. I am just relying on what the people
21 who have studied these have told us.

22 A Did you ever see a
23 caribou?

24 MR. CARTER: Yes, I have
25 seen caribou, sir.

26 A Do you know how much
27 value it is for the people?

28 MR. CARTER: Yes, sir.

29 A I don't know if you know
30 it, but there is a walk-in refer here in McPherson,

1 | there's tons of meat in it and there's other deep
2 | freezes with meat in it which the people work for and
3 | they use it all summer because the price of meat. is
4 | so high in the winter. If you look at that, I don't
5 | know if the Town Council or anyone of them would be
6 | willing to let you see what the meat means to the
7 | people. After seeing the people, the way they live,
8 | and how much they depend on it, maybe you people might
9 | think more of the humans than of the pipeline.

10 | THE COMMISSIONER: Do you
11 | wish to add anything, Mr. Ellwood, to what Mr.
12 | Carter has said?

13 | MR. ELLWOOD: If I may,
14 | Mr. Commissioner, I would like to add for Mr.
15 | McDonald that the route which Foothills pipeline is
16 | proposing to bring gas from the delta to southern
17 | Canada is on the east side of the delta, to the
18 | east of Inuvik, east of Travaillant Lake and does
19 | not cross the area used by the porcupine caribou
20 | herd.

21 | A Well, maybe I am
22 | talking to the wrong man. I want to-talk to the
23 | man that put this pipeline on the west side there.

24 | MR. ELLWOOD: That was
25 | the gentleman who was speaking just before me. We
26 | represent different companies here.

27 | THE COMMISSIONER: Mr.
28 | McDonald, this isn't entirely fair to you because
29 | these gentlemen are sitting behind you and they
30 | really shouldn't be. Maybe you'd come over here?

1 | There are two pipeline companies, Arctic Gas wants
2 | to build the line that you see on that map up
3 | there. Foothills wants to bring gas from the
4 | Mackenzie Delta along the east side of the delta,
5 | the east side of Travaillant Lake, and then south
6 | along the valley, and Mr. Ellwood said yesterday
7 | that the Foothills proposal would not come within
8 | 100 miles of Fort McPherson and I think-he is right
9 | in saying that the Foothills proposal would not
10 | cross the breeding grounds nor the migratory routes
11 | of the Porcupine River caribou herd.

12 | A Judge Berger, could
13 | I go to that map and maybe I could explain it
14 | better.

15 | THE COMMISSIONER: Go
16 | ahead. A This is the part I mean, this pipeline
17 | going down here. I am not talking about this so
18 | much, but this one here.

19 | THE COMMISSIONER: Well,
20 | that is the Arctic Gas proposal.

21 | A Arctic Gas, Well,
22 | then another thing while I am at it, I might as
23 | well bring up is, I understand these to be
24 | compressor stations, these marks here.

25 | THE COMMISSIONER: That's right.

26 | A And then there is one
27 | here.

28 | THE COMMISSIONER: That
29 | is CA-09 on this one. I am just describing it for
30 | the record, go ahead.

1 A The people here say
2 this is a vital place. There is already a cabin
3 there, built there to be made use by trappers and
4 hunters, so it must be vital. It's been there -a
5 compressor station right there doesn't look too
6 good. Could any changes be made there?

7 MR. CARTER: We were in
8 Fort McPherson a couple of months ago and we were
9 advised that the people were using that area, near
10 the mouth of the Rat River, is that the area you
11 are talking about?

12 A Yes.

13 MR. CARTER: And we took
14 that back to the engineers in Calgary who are
15 designing this pipeline and the various sites for
16 compressor stations and they said that it was
17 possible to move it a limited length either way up
18 or down the pipeline from that site It depends upon
19 whether or not any of the other compressor
20 stations, for example the one lower down, CA-09 or
21 CA-010 should be moved as well and whether any of
22 the people here feel that those should be moved.
23 But it is possible for CA-09 to be moved either
24 way, although it is limited. It would be about a
25 mile, either or a mile and a half either way, I
26 believe, and it would be helpful if the people here
27 said which direction they would prefer it to be
28 moved from the present location of CA-09.

29 A Another place here,
30 I don't think it needs any explanation, that is too

1 close to our settlement. Do you agree with that?

2 MR. CARTER: I appreciate
3 the point you're making, that the river crossing is
4 too close from your point of view to Fort McPherson.
5 I don't know whether I can say I agree with you or
6 not. I agree with you that from your point of view
7 the further away from Fort McPherson, the better you'd
8 like to see it. Some of the evidence that our
9 engineers have given is that the river crossing is
10 such that it doesn't have an effect because it goes
11 underneath the banks on either side of the river bed
12 and underneath the bank on the other side again, but I
13 appreciate that what you are telling me is that you
14 would like to see the river crossing as far away from
15 Fort McPherson as possible.

16 A Well, I hope you
17 don't take it as -- I am talking as an individual,
18 for myself. It's not only the river crossing -how
19 close to town, four miles? What's going to be
20 there? Storages of high explosives and everything?

21 MR. CARTER: Not at the
22 river crossing.

23 A I mean at the hank -
24 - I know it cannot be at the river, sir. It's got
25 to be on the bank. You'll have no explosives
26 stored there?

27 MR. CARTER: No.

28 A But anyway I know -- I
29 know the people are concerned about the pipeline. You
30 heard, but that is too close to town. The impact

1 | on the social - the impact it is going to have on
2 | the people.

3 | THE COMMISSIONER: Is
4 | there anything else you want to point out? I think
5 | that y backed Mr. Carter into a corner.

6 | A One thing that I
7 | would like to point out quite clearly, the people
8 | don't want the pipeline, as much as I said I don't
9 | want it and the further it is away from our
10 | settlement the better.

11 | THE COMMISSIONER: Carry
12 | on, Mr. McDonald.

13 | A One thing more I
14 | might as well -* while I am here. "Social
15 | Earthquake" it calls it in this.

16 | THE COMMISSIONER: That
17 | is Alaska, is it?

18 | A Well, could I use
19 | it?

20 | THE COMMISSIONER: Yes,
21 | go ahead, yes, yes.

22 | A -- Joe E. Roho who
23 | is in a position to know says that "prostitution
24 | has risen by 70%" -- I repeat, 700% between 1973
25 | and 1974. That greatly alarms us, Judge Berger.
26 | And then juvenile crime increased in Fairbanks by
27 | 114% by 360%, in the 11-12 age group. I guess by
28 | looking around you can see the majority of our
29 | people in McPherson are young people. We already
30 | have problems. What's this going to mean to Fort

1 | McPherson? Its not hard to predict. Some of it
2 | will be bigger institutions, sent away from their
3 | homes, and what do they learn there? They learn
4 | more of it.

5 | THE COMMISSIONER: Excuse
6 | me, they learn more what?

7 | A They learn more of
8 | what they are put there for, I mean.

9 | THE COMMISSIONER: Oh, in
10 | institutions when you commit some offense, some
11 | crime, yes.

12 | A Yes

13 | THE COMMISSIONER: I
14 | follow you.

15 | A And then by that
16 | time, them young people are going to be older, and
17 | there's going to be a pipeline. Offenses caused by
18 | our young people, will they be blamed? It is forced
19 | on them, it will be forced on them. Who is going
20 | to feel it? Its us people, the parents. Everything
21 | looks good by drawing it here over the land for a
22 | pipeline. We have seen some pictures of it in the
23 | magazines, always we see pipeline laid on smooth
24 | ground. They don't show us pictures of pipeline
25 | going up the side of a hill or -- we know the
26 | country, we know it's rough, so it's pretty hard
27 | for us to swallow all that pleasant talk about
28 | pipeline not harming our land.

29 | Judge Berger, if I kept
30 | on, you'd be tired of listening, so thanks for

1 | listening.

2 | THE COMMISSIONER: Well,
3 | I am not tired of listening and I thank you for
4 | your statement, Mr. McDonald.

5 | Mr. McDonald mentioned
6 | the meat and the fish in the community reefer and
7 | the hostel reefers and I should say for the record
8 | that yesterday morning the Chief took me down to
9 | the hostel reefer and the community reefer and I
10 | saw the people's lockers overflowing with caribou
11 | meat, so I did see that evidence of the extent to
12 | which the people rely upon the caribou and the
13 | fish, Mr. McDonald.

14 | (WITNESS ASIDE)

15 | THE COMMISSIONER: Well,
16 | I think it is 5 o'clock. Maybe we should adjourn
17 | until 8 o'clock. We will adjourn now then until 8
18 | o'clock tonight, so we'll all come back at 8
19 | o'clock tonight and bear in mind that I really have
20 | to go to Old Crow tomorrow morning, so tonight
21 | those people who want to speak should come down and
22 | be here and we'll start off at 8 o'clock tonight,
23 | so thank you.

24 |
25 | (PROCEEDINGS ADJOURNED)

26 | (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

27 |

28 | THE COMMISSIONER: Well,
29 | ladies and gentlemen, we'll call our meeting to order
30 | this evening and those of you who still have not been

1 | heard from will have an opportunity to speak this
2 | evening. Professor Ritter?

3 | JOHN RITTER sworn,

4 | A Thank you. Mr.

5 | Justice Berger, in the last three days here you
6 | have heard from many people. Old and young alike,
7 | speak about what their land means to them. This
8 | evening my friends want to speak some more on the
9 | subject and bring in some new evidence to support
10 | the kinds of things that Neil Colin talked about in
11 | his presentation yesterday.

12 | The focus, the main idea
13 | that they will be talking about concerns place
14 | names, Loucheux names for the lakes, mountains,
15 | creeks, and other features of Peel River country.

16 | I will start off by
17 | talking just a little bit about how we have
18 | collected and written down these names and also a
19 | little about what we hope to do with the material
20 | we have collected. I will then turn the discussion
21 | over to Ruth Carroll and Andrew Kunizzi and William
22 | Nerysoo, and they will tell you something about the
23 | names of certain places, what they mean in English,
24 | what they mean in Loucheux and how the people have
25 | used the land.

26 | I began my language work here
27 | in Fort, McPherson just about three years ago. Part of
28 | my job was to devise a new alphabet for the Loucheux
29 | language and we are now ready to print up two new
30 | Loucheux dictionaries: an illustrated dictionary for

1 | we will also be making this work available to the
2 | school so that hopefully it might be used in
3 | teaching Social Studies. I think that I have said
4 | enough now just to give you a little bit of
5 | background on what we have done, and so I'll turn
6 | the discussion over to Ruth Carroll.

7 | RUTH CARROLL sworn.

8 | A Mr. Berger, for
9 | centuries my people have lived on this land
10 | without much interference from anyone.
11 | Hunting, fishing and trapping was and still is
12 | our way of life. Before the coming of the
13 | whiteman, we lived off the resources of our
14 | land, which at that time were plentiful. Today
15 | although the number of game has decreased in
16 | great number, we are still continuing to use it
17 | at our pleasure and many of us still continue
18 | to maintain hunting and fishing sites that are
19 | centuries old.

20 | Virtually every lake,
21 | river, stream and mountain bears a name given by my
22 | people and our ancestors. All and all, it is a
23 | huge area of land extending from the headwaters of
24 | the Blackstone River, Hart River, Wind River and
25 | Bunklin (?) River south to Mackenzie delta. The
26 | names tell where people have lived and how they
27 | have lived. They tell of game, fish, birds, burial
28 | grounds, legendary figures, encounters with the
29 | Eskimos, plus many many more.

30 | Here are some examples:

1 skin boat and then they come through the canyon,
2 which we call Lower Canyon and this is a pretty
3 rough water, so sometimes they make a skin boat, it
4 takes about fourteen mooseskin as they hear about
5 it, I've been around in this area myself and I know
6 this area and they come into the canyon, they pass
7 half of it and then they land and then the natives
8 and the children, they have to walk across the
9 portage and the mens come through with the boat from
10 there all the way right down to McPherson they
11 travel with this skin boat.

12 So he is referring to
13 around headwater of Ogilvie, that's part of the
14 Peel River and all through Blackstone and Bonnet
15 Plume River and up in the headwater of Bonnet Plume
16 River and all through on the west side of
17 Richardson is where most of their hunting and
18 trapping and they lived there for some time and
19 this is where most of the time they have been
20 living off the country.

21 So this is taking about
22 all that he said and it gives you an idea about how
23 they used to go away from here and where they and
24 they sometime leave here in the fall and they stay
25 up there all winter, until next spring they come
26 back.

27 So now I think I made it
28 you know, took up as much as I could on it and now
29 we will let William Nerysoo take on and then we'll
30 translate that again.

1 THE COMMISSIONER: Fine.

2

3 MR. CHARLIE: So thank
4 you.

5 MR. RITTER: We are going
6 to ask William Nerysoo to talk about three places
7 and I think we'll ask Ruth to point on the map
8 where they are. These are for a different area of
9 the River, on the other side of the Richardson
10 Inlet. The first of these is a place called Viak
11 it gwin jhjk(?) sometimes called Snare River.
12 Another there is a place called Kloft dithii(?)
13 which has to do with the old caribou fences, it is
14 the site of those. So I wonder if we could ask
15 William to speak in Loucheux about those places.

16 WILLIAM NERYSOO resumed.

17 A Mr. Berger, I would
18 really like to make a brief presentation in the
19 area of Road River. He would like to tell you a
20 few things about Road River. It is approximately
21 45 miles up from McPherson up the Peel River. It
22 has a Loucheux name and it has a history behind it.
23 The reason it is called that, he says, that in a
24 Loucheux name is Vheeklon jhik(?)

25 Long before the white man
26 was here the Native people were very primitive. They
27 got no matches that's why we are just giving you a
28 demonstration there of two stones and the little thing
29 he had in the middle is birch bark, and the Native
30 people found that they could do this, there is a

1 a person asks one another, you know this fellow
2 named old John Dry Meat, and he is a very old
3 resident of the delta, and a person ask him, "Did
4 you know that lake?" "Oh, yes," he says. "If God
5 made one lake here, that is the only one I don't
6 know.' You say that is here the people is, and
7 across these people look 11 over direction, they say
8 delta. You know it is just like "A,B,C" to
9 everybody, you know, this is how good. It looks
10 kind of brushy, but, boy, I tell Out they can just
11 go right out from country to any lace in the delta,
12 they can take you without losing themselves. Why?
13 Because they made living out of

14 Thank you very much.

15 MR. RITTER: Thank you
16 Charles. I think Ruth has a few general comments to
17 make on this material and with that we will conclude.

18 RUTH CARROLL resumed.

19 A You see from what
20 have shown you on the map, from what the two
21 oldtimers here have told you -- three old timers
22 here, at most of the real Peel River country lies
23 within e Yukon Territory. Seen through the history
24 of and use by the people, the border is fiction and
25 is never recognized by the people as anything but
26 an artificial line drawn by outsiders.

27 Many of the younger people
28 have seen only parts of this up-river country, es-
29 pecially since they have been going to school and living
30 in the hostel. Still they hear about that country

1 his name is Harry and he say he was interpreter for
2 him. And at that time he said he asked him and he asked
3 him if he was treaty Indian and he told him no. He told
4 me, "Why don't you accept that treaty money?" He said
5 that time he told him, he said, "When I work I earn
6 \$5.00 very quickly. You want me to wait \$5.00 one whole
7 year?"

8 At that time he said he
9 told him, "As long as you live it's for that he says,
10 "you're getting \$5.00." He said he told him that he
11 was going to go back home and ask his wife what she
12 thought about it. He said he went and seen her and
13 she told him, "Take it, you're not going to be lucky
14 all the time, accept that treaty money for our
15 children." And he says he went back to Yukon, around
16 Dawson and he say he stayed there many years again
17 and then came back here afterwards.

18 He says a pipeline is
19 going to come and people are talking on this
20 Inquiry think about it and he says what they all
21 say, he says, me I don't think that.

22 If this pipeline comes,
23 he says, our children, he says, will get a lot of
24 help from it. A lot of people think the pipeline
25 is going to kill animal or game, but he says
26 pipeline is not a poison. He said all the children
27 are going to school, and he says they're getting
28 high in grades and he says he is referring to his
29 grandchildren that are now living in Aklavik.

30 He said after, he says,

1 nervous after drinking that they can't cope with
2 the slightest problem in their life. If anything
3 goes wrong, they cannot sit down and say I have a
4 problem, let's solve it. They panic or they try to
5 ignore it by drinking more. We have a fair number
6 of people in town with this problem. They are not
7 fulfilling their own potential as people and they
8 are not of any benefit to their community.

9 We have been quite lucky
10 in Fort McPherson in that we have not seen any
11 liver disease, but I would like to mention --

12 THE COMMISSIONER: Any
13 what disease?

14 A Liver disease.

15 THE COMMISSIONER: Liver,
16 yes.

17 A Cirrhosis of the
18 liver. But it is also damage to the body which is
19 aggravated by alcohol, and once the liver ceases to
20 function, brain damage and death will follow.

21 A very dramatic and worrying
22 result of alcohol is the overdose. There have been
23 eight this winter since I came here in September.
24 Three children have been poisoned because their parents
25 were drinking and did not notice what their children
26 were into. All three of these children were extremely
27 lucky. They could have died very, very easily.
28 Accidental poisonings are bad enough, but easy enough
29 to understand when you think of how easily children get
30 into anything and everything, but it hurts more and

1 other people, by acting out by aggression, beating up
2 on other younger children. A lot of problems that the
3 school teachers come to us with are because the parents
4 are alcoholics.

5 Children are wise beyond
6 their years. You have only to witness their pride
7 and support of parents who have stopped drinking.
8 They are just bursting with it. No one is more
9 aware of the strength this shows and how the value
10 of their parents to themselves, their family and
11 their community has increased since they ceased to
12 depend on alcohol. The fact that children are
13 happy when their parents stop drinking is an
14 indication of hope for the future of their people.

15 The AA has made an
16 excellent beginning in McPherson. Its members are
17 a credit to their community. It has not been an
18 easy battle, it will continue for some time. The
19 AA members are often bothered by people who still
20 drink, who are upset because these people have
21 control of their lives, they are jealous of their
22 sobriety, of the new way their lives are going and
23 it, makes things very, very difficult for them.

24 Even if the decision is
25 in favour of the pipeline, I feel that every effort
26 must be made to minimize the problems that can be
27 foreseen as a result of its construction.

28 Thank you.

29 THE COMMISSIONER: Thank you
30 very much, ma'am. We'd like to have your statement

1 | so it can be marked as an exhibit, if you would let us
2 | have it, please.

3 | (STATEMENT OF KAREN GRAHAM MARKED AS EXHIBIT C-54)

4 |

5 | THE COMMISSIONER: Excuse
6 | me, that is your statement, but when you began you
7 | said that some people had asked you to read it?

8 | A Yes.

9 | THE COMMISSIONER: I couldn't
10 | hear what you said. Do you mind repeating that?

11 | A Well, I prepared
12 | this for the AA, and Neil and Elizabeth requested
13 | that I read it as an illustration of --

14 | THE COMMISSIONER: I see.

15 | A the problems that
16 | they were talking about. They thought it might
17 | have more bearing if I did it myself.

18 | THE COMMISSIONER: Fine,
19 | thank you then.

20 | (WITNESS ASIDE)

21 | CAROLINE CARMICHAEL sworn.

22 | THE INTERPRETER: Mr. Judge
23 | Berger, my name is Caroline Carmichael. I'm 78 years
24 | old. I have lived in this land all of my life. I was
25 | first married to an Indian, he died 1928, and then for
26 | three years I lived around here and then was married
27 | again when I moved down to Aklavik and been there
28 | since.

29 | I came here McPherson for the
30 | first of July and then heard you and your staff was

1 | coming here so I waited. I've prayed for you all so
2 | you will have a good visit with the people of Fort
3 | McPherson, I have seen and heard all what was said to
4 | you by the people here for which I was very happy to
5 | hear.

6 | Me too, I would like to say a
7 | few words about the pipeline which everyone said
8 | something about, and I agree with them. I don't war
9 | pipeline. "No way" I don't believe it will do us any
10 | good, it will only spoil our good land and bring a lot
11 | of problems for our young and old people of this good
12 | north land.

13 | This is all I have to say
14 | now, Judge Berger, and thank you very much for your
15 | nice visit to Fort McPherson, we will remember you in
16 | our prayers for all you are doing for us all because we
17 | want to live happy all the time.

18 | Thank you and may God bless
19 | you.

20 | THE COMMISSIONER: Thank
21 | you very much, ma'am. That statement will be
22 | marked.

23 |
24 | (STATEMENT OF CAROLINE CARMICHAEL MARKED EXHIBIT C55)

25 |
26 | (WITNESS ASIDE)

27 | THE INTERPRETER: I have
28 | one here, Mr. Berger, and I would like to read it.

29 | CHARLES KOE resumed.

30 | A This is Charles Koe

1 | staff received this letter before the boss reads it, if
2 | anything is worthwhile against them they can throw it
3 | in the garbage. his way when you write out we don't
4 | receive an answer back. Did you hear from this meeting
5 | that most of the people here talk to you about it, this
6 | means they like their land, they were through with it
7 | during their young life. This means for everyone in
8 | Fort McPherson. Mr. Judge Berger, I really enjoy your
9 | visit, and I know you'll be -- do the right thing. I
10 | also thank your staff and the Chief and Band Council
11 | and the CBC and translator. Thanks to all again. I
12 | wish you in good health and during your travels to
13 | communities and God Bless all of you. Sign, Mr.
14 | Charles Koe.

15 | THE COMMISSIONER: Thank you.
16 | That will be marked too.

17 | (LETTER OF CHARLES KOE MARKED EXHIBIT C-56)

18 | (WITNESS ASIDE)

19 |

20 | THE COMMISSIONER: I think we
21 | will just take maybe five or ten minutes to stretch our
22 | legs and have a cup of tea.

23 | THE INTERPRETER: Thank you,
24 | Mr. Berger, I have one fairly long one in front of me
25 | and so I would be glad if we break.

26 | THE COMMISSIONER: Okay.

27 |

28 | (PROCEEDINGS ADJOURNED)

29 |

30 | (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

1 THE COMMISSIONER: Well,
2 ladies and gentlemen, I'll call, our meeting to order
3 now and we'll resume:

4 THE INTERPRETER: I have been
5 getting letters to read for other peoples, and at this
6 time I have one here which I would like to present to
7 you and it will be my own.

8 THE COMMISSIONER: Your
9 own?

10 THE INTERPRETER: Yes.

11 THE COMMISSIONER: Fine.

12

13 JOHN CHARLIE resumed.

14 A This is dated July 10,
15 1975, and Mr. Berger, I would at this time like to take
16 the opportunity to say a few words and before I say
17 anything I would like to say it is indeed a pleasure to
18 have you here these three nights and on behalf of Fort
19 McPherson I say we are very, very happy to have you and
20 your party here and discussing all our problems with
21 you.

22 I would like now to proceed.
23 I was elected Chief 1960 and back in by two
24 acclamations and three years of that I was appointed
25 from Ottawa and all those years I have been concerned
26 with public affairs and I've been here, I came over
27 here, and since 1929 I have seen quite a lot of change.
28 1935 I came to McPherson and I stayed around here until
29 now and people Northwest Territory are very concerned
30 about this land.

1 Yellowknife and he came to Yellowknife mainly to have a
2 meeting with the people about the park that they wanted
3 set on the east arm of Slave Lake, but the people in
4 Snowdrift was concerned about that land, it was their
5 trapping, hunting and fishing grounds, so they were
6 opposed to it and I don't know how it is but I think it
7 is still not a park. And this was how he read his
8 final point, He said the wealth and the riches of the
9 Northwest Territories is here for us Canadian people.
10 So after he finished and he sat down, I got up and
11 I introduced myself and I told him, I said, "Mr.
12 Thompson," I said, "Referring to your final point,"
13 I said, "I would like to ask you when you talk
14 about the wealth and the rich of the Territory
15 is here for us Canadian," I asked him, "Who is
16 Canadian?"

17 So he couldn't say a word
18 for awhile and so right away I got up again and I
19 told him that when you talk about Canadian, I said,
20 I was the one that was Canadian, and there was time
21 ago I understood there is a department in Ottawa,
22 it's Department of Citizenship and Immigration, I
23 think it is, so I said, when you talk about
24 Canadian I say that you're guest immigrant
25 Canadian. And referring to the wealth and the rich
26 in the Territory, this gives us an idea how to
27 learn about all these things.

28 Mr. Berger, another time in
29 1970 I went to Prince Albert with Land Claim Commis-
30 sioner, Lloyd Barber, and we went to Prince Albert

1 | heard a lot and seen a lot, I made it now and I must
2 | stop and thank you very much.

3 | THE COMMISSIONER: Thank
4 | you very much, and thank you not only for your
5 | statement, but let me thank you for the hard work
6 | that you have done interpreting here the last three
7 | days.

8 | (LETTER FROM JOHN A. CHARLIE MARKED EXHIBIT C-57)

9 | (WITNESS ASIDE)

10 | MR. FRANCIS: We only
11 | have two more briefs to do. JAMES MARTIN sworn.

12 | MR. FRANCIS: Mr. Berger,
13 | I have a brief to present to you from the chap
14 | here, but it's in two parts here. One was written
15 | earlier in the year and I would like to read them
16 | separately, since it is two separate parts.

17 | "Mr. Berger,

18 | My name is James Martin. I am 29
19 | years of age. I was born and raised in Fort
20 | McPherson." This was written in Fort
21 | McPherson in January of this past year.

22 | " The Native people are not fully
23 | aware of the research carried out by
24 | Arctic Gas causing them to be in a state
25 | of confusion. Although the Native people are
26 | considered the real experts on the impact of
27 | the pipeline on their land,
28 | their experience on the development of
29 | the pipeline is a problem. Right now
30 | the trapping and hunting remains undisturbed.

1 Year round the trappers and hunters depend on
2 the caribou, moose, furs and fish.

3 What effects did the Indians down
4 south have with such thing as the pipeline?
5 With pipeline related activities, for
6 instance, seismic work, which have already
7 taken place, the native people never was
8 consulted about its effects on the land. We
9 can remember as far back as the mid-50's when
10 the oil exploration began to take place.
11 Strange helicopters flew into McPherson.
12 Tents with white people were scattered all
13 over McPherson.

14 There was only one Band Council at
15 the time and the chief was not familiar with
16 Land Use Applications.

17 The people can give evidence
18 concerning the specific areas of land which
19 are used by them for hunting, trapping and
20 fishing.

21 The studies done for Arctic Gas is
22 only a white observation. It's not the
23 native kind. They are not always complete or
24 accurate.

25 It wasn't until 1955 when a liquor
26 store was set up in Aklavik, in the Northwest
27 Territories and then transported over to a
28 place called East Three (Inuvik, now). The
29 Indian people began to lose control of them-
30 selves up to the present time.

1 Alcohol is a serious problem in Fort
2 McPherson and this possibly could become worse
3 with the roads or highways coming into the
4 settlement. Roads are planned into McPherson
5 from the northwest of Compressor Camp proposed
6 23 miles northwest of McPherson.... The camp
7 is expected to remain in the area a minimum of
8 20 years. During this long period of time we
9 expect social problems to exist."

10 He has some social problems that he expects:

- 11 "1) The whites will get involved with the
12 native girls.
13 2) Indian employees will learn of drugs.
14 3) Native workers at the camp will bring in
15 their friends,
16 4) Some intelligent white will plan to set up
17 a business and make a killing of the drunken
18 Indians. (This is happening in Inuvik),
19 5) Teenagers will become a public nuisance.
20 6) More crime.
21 7) The trapping and hunting will die down.

22 'When the Dempster Highway is completed
23 within two years, Fort McPherson will no
24 longer remain a settlement. It will expand
25 and its present social problem will become a
26 resume.

27 Today hunting, trapping and fishing is
28 important to the native people of Fort McPherson
29 training for employment with Arctic Gas has
30 because of the very high increase in

1 | food prices. It's cheaper living out in
2 | the bush.

3 | The Fort McPherson Settlement
4 | Council (an organization of six councillors
5 | and one chairman) has control of the local
6 | development in the communities. In the wage
7 | economy, the majority of the hunters and
8 | trappers in the settlement are in favour of
9 | remaining self-employed because of their
10 | families or parents. The federal government
11 | has to recognize the needs of goals of the
12 | native people.

13 | As far as training for employment
14 | with Arctic Gas has gone, the situation
15 | doesn't look so good. Some younger men has
16 | already gone as far outside as Calgary, Alberta,
17 | to get training and are eventually returning
18 | back to their home communities. The feedback
19 | on that point of view is unknown and must be
20 | heard.

21 | 'Most important, the older people
22 | in Fort McPherson would like to see the
23 | federal government support them more in
24 | claiming for their land for the next younger
25 | generation.' Gemini North, a consultant
26 | for Arctic Gas, held a meeting with the
27 | people in Fort McPherson on October 11,
28 | 1973, at 8 p.m. in the Anglican Hostel.
29 | 1) The people would like to see construction
30 | camps located out of town and away from the

- 1 settlement.
- 2 2) Prohibit the movement of workers into the
- 3 community.
- 4 3) Give the people time to think about the
- 5 impact.
- 6 4) A recommendation to present to the
- 7 government along the pipeline route for
- 8 possible problems.
- 9 5) Natives need to understand development
- 10 planning.
- 11 6) Avoid tax on land.
- 12 7) Better housing conditions.
- 13 8) The pipeline is too close to Fort
- 14 McPherson.
- 15 9) Trappers be paid for damages in their
- 16 area.
- 17 10) A biologist to give information about his
- 18 study on the pipeline in the delta.
- 19 11) Trained people be given higher class jobs.
- 20 They require more practical work to become
- 21 qualified.

22 This was some feedback from the audience at

23 that meeting. Gemini North did not stay in

24 Fort McPherson long enough to understand it

25 as a community." That is number one.

26 THE COMMISSIONER: How long

27 were Gemini North in Fort McPherson?

28 MR. FRANCIS: Oh, you could

29 direct that question over to this particular guy.

30 A I think they were in

1 Fort McPherson for about seven days.

2 THE COMMISSIONER: Thank you.
3 Carry on.

4 MR. COLIN: Oh, yes, that's
5 the same James Martin here, he has a brief here he
6 presents to you, it is dated July 9th, just written
7 yesterday.

8 "Mr. Berger, I understand that part of Indian
9 affairs and Northern Development is a development
10 of the federal government. Mr. Buchanan is the
11 new minister responsible for Indian people in
12 the Northwest Territories. The federal government
13 is appealing the decision of Judge, Mr.
14 William Morrow, saying the Indian people have
15 rights to 400,000 acres of land in Northwest
16 Territories.

17 Since Mr. Buchanan being the new
18 minister, we hear he is not making any efforts to
19 help the native people with their land claims.

20 Canadian Arctic Gas is a consortium
21 of approximately 22 different oil companies,
22 both from Canada and, the United States. They
23 want to take gas from Alaska to the United
24 States for billions of dollars. What will the
25 Indian people get from this project?

26 Mr. Berger, in recommending your decision
27 to the Minister of Indian Affairs and Northern
28 Development in Ottawa after this very important
29 inquiry I would like to predict what Father
30 Adams of Inuvik, that if the Indians do not

1 meet their demands there will be frustration
2 and hostility which could lead to riots when
3 the pipeline will become one big cloud of
4 smoke. James Martin."

5 Thank you.

6 THE COMMISSIONER: I'd like
7 this statement of Mr. Martin's marked and the second
8 statement that he wrote today marked "A" to the number
9 that you give to his first statement.

10 (STATEMENT OF JAMES MARTIN MARKED EXHIBIT C-58)

11 (STATEMENT OF JAMES MARTIN DATED JULY 10, 1975, MARKED
12 EXHIBIT C-58A)

13 THE COMMISSIONER: Thank you,
14 Mr. Martin.

15 CHIEF CHARLIE: I have one
16 short one here, Mr. Berger.

17 ROSIE STEWART senior, sworn.

18 CHIEF CHARLIE: And the
19 letter reads:

20 "Dear Berger,

21 I am very sorry that I can't
22 talk myself as I never come to meeting
23 often before this meeting, so I am just going
24 to thank you and your party,
25 also the chief and the councillors of
26 Fort McPherson. I really don't know what
27 to say, now I am going to tell you that my
28 dad died in 1946, after that me and my mom
29 and I started making our own living as my
30 brother and sister were small. At that time

1 | my mom and I done our best on the trapline
2 | and my dad left us behind with right up until
3 | now. But today I'll tell you, it's not like
4 | the years back since the road came through
5 | the Delta each year to me. In our area
6 | whatever we hunt and trap for as well as fish
7 | is getting less each year. I'm pretty sure
8 | that as I see it myself I remember in 1951
9 | myself and my brother, one of my uncles went
10 | out on our area two nights. Between three of
11 | us we kill 279 rats. But now after the road
12 | came four through, they made/bridges across
13 | the creek. We go up by kicker and boat to
14 | work for our living and this spring my
15 | brother went up the creek to hunt, camped one
16 | night, next day he come back with two rats.
17 | You can see why peoples don't want pipeline
18 | and I agree with everyone who don't want the
19 | pipeline through. That's all I'll say and I
20 | hope you have a pleasant journey and good
21 | luck to you and your party. Thank you very
22 | much for spending some time with the
23 | community.

24 | Rosie Stewart, Sr."
25 | THE COMMISSIONER: Thank you.
26 | (LETTER OF ROSIE STEWART SR. MARKED EXHIBIT C-59)
27 | (WITNESS ASIDE)
28 | JOHN SIMON resumed.
29 | A Mr. Berger,
30 | everything I seem to write down is brought up

1 before I get a chance to bring my presentation to
2 you, but this is the third one *I wrote now and I
3 am going to read it as it is written, even though
4 some of the things have been mentioned already,
5 I'll just read it through as it is.

6 Mr. Berger, as a member -
7 My name is John Simon and I was born and raised in
8 Fort McPherson. Besides being a member of the band
9 council, I am the Chairman for the Fort McPherson
10 Settlement Council.

11 Mr. Berger, as a member
12 of the band council and Chairman for the Settlement
13 Council I now present to you a summation of what
14 was said to you during the past three days.

15 We from the band council
16 and from the Settlement Council which I now
17 represent, are under the impression that from all the
18 statements presented to you, Mr. Justice Berger, at
19 this hearing, will understand the concerns of the
20 people in this community on how the pipeline will
21 affect our lives both socially and economically.

22 And how much any major
23 projects carried out in this part of the Northwest
24 Territories will mean in the destruction of the
25 livelihood of the Indian people.

26 And we also hope that you
27 understand that the people were trying to convey to you in
28 the best way they know how, to explain how the exploration
29 carried out during the past years have already damaged a
30 great part of their lives and livelihood.

1 us have seen what happened to Indian people down
2 south and we don't want that to happen to us here
3 in the Northwest Territories.

4 Maybe what we have to say
5 to you at this time does not fit in with the
6 pipeline as you understand it, but to us it has
7 everything to do with the building of the pipeline.

8 We understand that the
9 gas and oil has to be moved out of the north to be
10 used down south. We understand that it is
11 necessary to the white man, but what we are asking
12 is necessary to us as well.

13 The only solution is to
14 get together and seriously consider the problem
15 from both sides. I am sure that there is a
16 satisfactory answer to the problem.

17 What more can I say or
18 what more can we say, Mr. Justice Berger, and for
19 whatever you try to accomplish for us we know you
20 will handle everything without prejudice and that
21 you will not take sides. But will follow the
22 procedures of the law every step of the way.

23 That's all, thank
24 you.

25 THE COMMISSIONER: Thank
26 you very much, Mr. Simon.

27
28 (SUMMARY OF JOHN SIMON MARKED EXHIBIT C-60)

29 (WITNESS ASIDE)

30 JANE CHARLIE sworn.

1 Thank you very much, I
2 wish you all the luck. And with the strength of
3 God, you will help us Indians. Thanks again.

4 (WITNESS ASIDE)

5 JOHN ITSI, Resumed

6 A Good evening ladies
7 and gentlemen, Mr. Justice Berger, you heard the
8 Department of National Health nurse there and the
9 A.A. group were very concerned about alcohol. -
10 Alcoholism in the community.

11 I wonder if you could
12 recommend to the Territorial Government if we could
13 have a recreation-hall. Like here in the community
14 we have no place -- like the young people have no
15 place to go -- especial)in the winter time. They
16 have no place to go, the only thing they have to do
17 is drink, and I know it myself because I take part
18 in many of the sports and like we have no place to
19 go, just the gym here, but you know you have to go
20 through the principal and sometimes the principal
21 is not in and then what else you have to do but go
22 home and visit your friend and start drinking and
23 the next day you have a little hangover and you
24 drink some more and this is the truth and every
25 jack one of us knows that.

26 In 1966 I remember we had a
27 dance, prior to 1966 we had our own community hall, up
28 beside where the new Bay is now and I believe that the
29 Department of National Health and Welfare tore it down
30 and the Government, if I am correct in saying this,

1 | said that they were going to build another one, and we
2 | never seen it yet, and six
3 | years ago when the Settlement Council first started, I
4 | was on the council and John Simon was there and some
5 | other teachers and a couple other businessmen were on
6 | the council. We put in a proposal to the Territorial
7 | Government for a recreation hail and since then we have
8 | -- there has been no feedback from the Government, they
9 | said you guys fix up your own plans and like when you
10 | fill in your plans it's got to go to the D.P.W. and of
11 | course, we're not that capable of making our own --
12 | drawing up blueprints, and if you sent to D.P.W. and
13 | they look at it as fire regulations and they throw it
14 | back to you and say it is no good, do it over again,
15 | and this is going to continue and they've been giving
16 | grants away for say, they give Fort Rae six or to ten
17 | thousand dollars for their community activities, and
18 | why cant they just give us money to build our own
19 | recreation hail? That way you solve all the problems
20 | and drinking, and there is no way out of it. These
21 | A.A. groups and nurse, and myself, we talk about
22 | alcoholism, you hear it on the radios, you hear it all
23 | over Canada that the natives are drinking, and the
24 | whites, they're no different, and what we need is
25 | someplace where we could go even now. Like when the
26 | Chief on July 1st wanted to make feast, you got to
27 | phone the Superintendent of Education in Inuvik to get
28 | permission to use this place and permission to dance in
29 | here, just like we've got no say in the community, we
30 | are all governed by somebody, somebody is on top of us,

1 | somebody is on top of education, somebody is on top of
2 | trapping -- like we can't make our own decisions: we
3 | do make them, we request them to the Government, they
4 | take it and I don't know, we never hear no answer, and
5 | you ask any one of Trapper's Association or anyone of
6 | the groups, that this is a true fact.

7 | I'd like you to recommend
8 | to the Territorial Government that they do
9 | something about a recreation hail in McPherson
10 | before it is too late. You could come back about
11 | five years again and you'll still hear how much
12 | money we spend on alcohol, how much guys got picked
13 | up, how many canoes somebody could have bought if
14 | they weren't drinking -- we've got to have a place
15 | to go. There is no way out of it.

16 | I know a lot of the young
17 | people, even -- there is a guy here who is a
18 | carpenter, and he is a good carpenter, he told me
19 | that there is no place for him to go so he's got to
20 | drink and he gets drunk and he stays drunk for
21 | about four days, never goes to work and then, you
22 | know, things like that, you have to have some place
23 | to go, and if that's the truth I could ask -- Neil
24 | Colin could either nod his head or disagree with me
25 | -- is that true Neil?

26 | MR. COLIN: I agree with
27 | you that there has to be some place for young
28 | people to go.

29 | A Okay, that is all I
30 | have to say and I hope you recommend that to the

1 Territorial Government, for, like we put in pro-
2 posal to send out people on the land too, like what
3 they done in Good Hope last year -- they call it --
4 Territorial government call "outpost policy" and
5 they gave Fort Good Hope Trapper's Association
6 \$10,000 to send them out on the land and it was a
7 success, and then we put in a proposal and we never
8 heard about it yet. Johnny is the president of the
9 Trapper's Association and he never heard nothing
10 about it. You see we get tired of writing letters,
11 we get the settlement secretary piled up with
12 letters and then she ships them out and then there
13 is nothing, no feedback. Maybe it should be a
14 different government -- maybe Indian Affairs should
15 take over.

16 Okay, thank you.

17 THE COMMISSIONER: Thank
18 you, Mr. Itsi. Thanks very much.

19 Well, that may well be
20 all of the people who wish to speak. Do you wish
21 to say anything, chief?

22 CHIEF CHARLIE: Yes, I
23 was just waiting.

24 CHIEF JOHNNIE CHARLIE resumed
25 A Mr. Berger, sitting
26 here listening to my peoples talking to you about
27 how they feel about the pipeline coming through in
28 their land, you have heard 62 peoples now telling
29 you what they think of their land and I agree with
30 everyone I of them peoples who present to you.

1 | but it is about four miles from here where we can
2 | just about see them working with it.

3 | Should anything happen
4 | four miles down here, what is going to happen to
5 | the Mackenzie Delta? We have two communities below
6 | us, Aklavik and Inuvik, and then they'll go right
7 | down to the coast.

8 | Some people are saying,
9 | and I agree with them, that they say the pipeline
10 | should be put across the Shallow Bay over to the
11 | other side, but there you have Tuk peoples too and
12 | they won't go for that, but if anything happens
13 | there, it will be down below the Mackenzie Delta.

14 | We've heard already that
15 | there is one down in Alaska. Maybe they could put
16 | it down there.

17 | But three weeks ago, they
18 | were having a meeting right here and in that
19 | meeting they said that they had some information
20 | saying that tie Gas Arctic wants 16,000 pilings
21 | from the McPherson area. We have that piling in
22 | our area. Who is going to replace them after we
23 | cut them? Once you cut a tree down it won't grow
24 | again, the stump dies and we lose that much. We
25 | get money for it, but the money don't go far with
26 | the price of stuff that is in the store now.

27 | So Mr. Berger, on
28 | listening and seeing the slides of Mrs. Simon
29 | reminds of us of the way that McPherson used to be,
30 | ten, fifteen, or twenty years ago, that McPherson

1 | will remember our visit here for a long time.

2 | I think that is all that I
3 | have got to say.

4 | CHIEF CHARLIE: Thank you,
5 | Mr. Berger. We didn't know what to get for you, Mr.
6 | Berger, just a little present to take home and you
7 | could probably hang it on your wall. -- went down to
8 | handicraft but we couldn't buy a necklace for you
9 | because necklace won't look good on your neck, so --

10 | So we bought you a little --

11 | MR. CHARLIE: On behalf of
12 | the Chief and the people of Fort McPherson, we now
13 | present to you a gift as a token that your visit to
14 | Fort McPherson will not be forgotten.

15 | CHIEF CHARLIE: Open it.

16 | THE COMMISSIONER: Thank you
17 | very much. It's a very nice gift, chief, and Mr.
18 | Charlie, and I want to thank all of you. This wallet
19 | will be a memory that I'll always be able to carry with
20 | me so that I will not forget Fort McPherson whenever I
21 | have to take it out and spend any money, and you chose
22 | a gift that makes it pretty certain that I'll be
23 | thinking of you often.

24 | So thanks very much, Chief
25 | and thank you all.

26 | (PROCEEDINGS CONCLUDED)

27 |

28 |

29 |

30 |