

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)

**Old Crow, Y. T.  
July 12, 1975.**

PROCEEDINGS AT COMMUNITY HEARING

**Volume 15**

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APPEARANCES

Prof. Michael Jackson	for Mackenzie Valley Pipeline Inquiry;
Mr. Darryl Carter	for Canadian Arctic Gas Pipeline Limited;
Mr. Ron Veale	for Council for Yukon Indians.
Mr. Glen W. Bell	for Northwest Territories, Indian Brotherhood and Metis Association of the Northwest Territories;

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1 Old Crow, Y. T.

2 July 12, 1975.

3

4 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

5

6 THE COMMISSIONER: Ladies and  
7 gentlemen, I think we will bring our hearing to order  
8 this afternoon now and I think we have a witness to be  
9 sworn, Miss Hutchinson.

10 MR. VEALE: Judge, this is  
11 Myra Kay.

12

13 MYRA KAYE Sworn:

14

15 THE INTERPRETER: She said  
16 she had put in a note and now she said it is pretty  
17 hard for her to say the same thing over just exactly  
18 what she said before.

19 MR. VEALE: She can say it in  
20 her own way.

21 THE COMMISSIONER: Carry on,  
22 you just go ahead and tell me.

23 THE INTERPRETER: She said  
24 long ago she wasn't born in this country, she was born  
25 born in Alaska down in the arctic Village down there  
26 where she was born. As far as she can remember,  
27 probably back around 1902, a minister named William  
28 Naduchi(?) was up there as far as she could remember.  
29 He said if people move up there, that's how come she  
30 came up to his country.

1 | Now she said it has been a  
2 | long time since she move away from her own part of  
3 | country, she move in there and she lives up there now  
4 | and probably she belong to this tribe of people now.  
5 | She said she remembers some part of how the people used  
6 | to make their living in that part of the country where  
7 | she was born.

8 | She said the time she was  
9 | down in that part of country when she was young, she  
10 | remembers that people used to make their own tools to  
11 | kill caribou, and they make their own tools to kill  
12 | moose and caribou and sheep like that, and she said  
13 | they used to make a spoon out of the sheep antler. So  
14 | they -- the bigger horn they get from sheep they make a  
15 | bigger spoon out of it like a scoop so they could eat  
16 | in it. And she said the people, she mentioned before  
17 | they are making tools now, she tells them about the  
18 | caribou hide, how they use it, they use it for  
19 | clothing, winter, --' clothing out of caribou hides and  
20 | such as making babies and use it to make the snowshoes  
21 | and they use it for things like that.

22 | And the way they used to kill  
23 | caribou, the only way they kill caribou is -- they  
24 | caribou fence and they set -- they make caribou snares  
25 | out of those caribou hides and they set a lot of snares(  
26 | inside of this caribou fence and when the caribou come  
27 | near this fence, people used to surround those caribou  
28 | herds and chase them towards the fence and once they get  
29 | in the fence, that's how they used to kill their meat.  
30 | there was no gun, only bow and arrows.

1                                        And she remember her  
2 grandfather used to make a living that way, that's how  
3 she w brought up. And the way they used to handle meat  
4 when they kill the caribou, in the caribou fence, the y  
5 used to take it out of the fence and they used to make a  
6 big place, it was a log they called "tepee", I guess  
7 that's what they call it. They used to make that kind of  
8 big place and they used to make a rack in there and hang  
9 their meat, that's how they used to preserve their meat.

10                                      And she said that they have a  
11 place on the fence where they could pull the caribou  
12 out, people help each other to get the caribou out of  
13 the fence, some people are resetting their snares  
14 inside the fence. Again she is talking about how they  
15 chase the caribou into the fence, people used to  
16 surround this caribou and they have an open place in  
17 one end and they try to get the caribou in there. Once  
18 they've got the caribou in there, they chase the  
19 caribou n and then the rest of the people will go  
20 around the fence, whatever is caught in the snare, they  
21 used to go there and kill, and two -- they leave two  
22 men there with a blanket tied to a pole and run back  
23 and forth so the caribou would be scared, they would  
24 stay inside of the fence so they could go around  
25 looking for a place where they could get out and that's  
26 how they used to get the caribou inside the fence.

27                                      She said in them days, that's  
28 the only way the people used to make their living out  
29 of this land, whatever they get -- if they don't get  
30 caribou they look for ground squirrel, things like

1 | that. People never used to stop working, people working  
2 | all the time.

3 |                                 In the summertime they used  
4 | to move around too sometime and they used to move  
5 | around the mountain range and the men always goes up  
6 | hunting, that's all they do for living was hunting.  
7 | And they carry a spear for fish, they have a special  
8 | spear for fish. they carry that, if you don't kill no  
9 | game one day, then they go follow the river looking for  
10 | fish and spear fish. They all come home with  
11 | something.

12 |                                 She said wherever they go, if  
13 | they get a bunch of caribou during the summer, they dry  
14 | it, after they prepare it to cache it away, they used  
15 | to dig in the ground and make cache underground and  
16 | then keep on moving, look for some other place for  
17 | game. She said it's not only the caribou they dry,  
18 | they dry anything they get, dry fish or if they cu a  
19 | big bunch of ground squirrel, they clean it and dry  
20 | that too. And she said after they do that in summer,  
21 | moving around they go back to their caribou fence. If  
22 | the caribou fence are need to repair, they go hack --  
23 | sometimes they go back during August or month of  
24 | August, and wherever they needed to be repair, they  
25 | repair the fence. Some places are broken down, they  
26 | repair it.

27 |                                 She too herself, she said she  
28 | used to help to repair those caribou fence. After they  
29 | get through working with the caribou, she said they  
30 | settle down for a while. They used to make tepees a



1 | they get plenty of food to stay one place for a while  
2 | they do that, and that's the only time they stop  
3 | working for a while. And once they settle down after  
4 | the caribou season is over, they settle down for a  
5 | while and the women start working on those caribou  
6 | hides, tanning them, and pretty soon they start making  
7 | the winter clothing out of it. Once they got all  
8 | prepared for winter, the rest what they got, they used  
9 | to go T down to the nearest place where they could sell  
10 | the caribou hides, a place like Fort Yukon people used  
11 | to buy these, they use to buy this from each other for  
12 | winter clothing.

13 | And it's always the same  
14 | thing! over and over every year. One season is over  
15 | then they start moving around during winter.

16 | MR. VEALE: Mrs. Kaye, did  
17 | you used to set snares for rabbits and ptarmigan behind  
18 | the Old Crow Village?

19 | THE INTERPRETER: She said  
20 | she used to snare rabbit and ptarmigans. there's no  
21 | rabbit and ptarmigan disappeared in the country, there  
22 | is nothing to get now, and she is showing this sinew  
23 | out of caribou tundra line, they get the sinew out of  
24 | it and they make snares, this is what she used to snare  
25 | ptarmigan.

26 | She also show skin tanned for  
27 | tanning the skins, scraper.

28 | MR. VEALE: Mrs. Kaye, did  
29 | you set snares where the airport is?

30 | THE INTERPRETER: She used to

1 | snare ptarmigan around there, they used to make a  
2 | little fence with willows for ptarmigan and caribou.  
3 | the ptarmigans come around and they used to set snares  
4 | along that, that's how they used to get ptarmigan. It  
5 | has been three years since activities been going on  
6 | around here. She thought that -- ever since that time  
7 | there was no ptarmigan around close to town, rabbit  
8 | too. But like you see other side of the airport there,  
9 | there's a little bush there, she had a snare there this  
10 | winter, she only caught one ptarmigan and one rabbit  
11 | last winter.

12 | MR. VEALE: Mrs. Kaye, what  
13 | do you think of the pipeline?

14 | THE INTERPRETER: She said  
15 | she had told you people about the hard time they had  
16 | way back, how hard they had to work to make their  
17 | living. She told you the story about how the people  
18 | used to make their living and she said she heard about  
19 | pipeline and perhaps the pipeline will bring the hard  
20 | times back to the people in Old Crow. She said it is  
21 | not only for her but for the children of Old Crow, will  
22 | bring the hard times back for the future ahead.

23 | She said she's feeling very  
24 | sad about this pipeline coming through Old Crow.  
25 | thinks that she really feeling sorry for the younger  
26 | children who's growing up now. She's not in favour of  
27 | pipeline going through near Old Crow.

28 | She said there is other part  
29 | of the country, the country is big and she said while  
30 | that, she said people are always having hard time here,

1 | but she thinks that the pipeline coming near Old Crow  
2 | would bring more hard times to the people of Old Crow.

3 |                                   She said she had visit do in  
4 | Alaska back to her home, down the Arctic Village and  
5 | sane thing going on over there about pipeline, but she  
6 | said the white people are really helping the native  
7 | people there and the people there too they don't want  
8 | it to build near their village, so they -- now she  
9 | said that she know that her people had told her that  
10 | if they going to build a pipeline through there, it's  
11 | not going to be near their village. And she said  
12 | people down there, they are marking their ground such  
13 | as they know. the fish out of the lake, it was good  
14 | lake for fish, they mark it, they go there and they  
15 | put their names on it. they put up a post and put  
16 | their name on it.

17 |                                   She's telling a story about  
18 | long time ago again. She said sometime during the  
19 | winter the no moose or the caribou in the country.

20 |                                   The people travel all over,  
21 | sometime they go along some river, a little bit deep  
22 | water, and sometimes the fish stop, get in a deep pool  
23 | and the fish winter there under ice, but there is so  
24 | many fish get into that pool, that ice start to push up  
25 | right in the middle of the river and they know where  
26 | the ice push up like that is fish under there. That's  
27 | where the people start to spear the fish, that's how  
28 | they get a lot of fish too that way.

29 |                                   This is not the only way they  
30 | used to make snare for rabbit or ptarmigan. They have

1 other ways to make this kind of snare too. They used  
2 to dry that cord from moose leg, the cord behind, they  
3 used to dry that, they used to dry that and after well  
4 dried, they smash it with wooden hammer and it spreads  
5 out. They used to get their snares out of there too.

6 She still tell that winters  
7 there's nothing, they have to make their own tools, no  
8 traps, nothing. they used to make snares to catch tie  
9 ground squirrel and they used to make the sharp out of  
10 stone, she didn't explain how they used to make it but  
11 she said it take a long time to make one. they used to  
12 catch the ground squirrel like that.

13 And she said this is all she  
14 wanted to say. She's not very strong in her breathing  
15 for talking, so she can't talk too long.

16 THE COMMISSIONER: Well Mrs.  
17 Kaye, what you have said has been fascinating and I  
18 appreciate your taking the trouble to come here and  
19 talk to me.

20 Mr. Veale, if Mrs. Kaye and  
21 you wish to enter the snare and the scrapers as  
22 exhibits, that would suit us very well, but it may be  
23 Mrs. Kaye doesn't wish to do that. I leave that  
24 entirely up to Mrs. Kaye.

25 THE INTERPRETER: She says  
26 okay if you take it.

27 THE COMMISSIONER: I'm sorry?

28 THE INTERPRETER: She says  
29 it's okay if you take it.

30 THE COMMISSIONER: Oh well,

1 well thank you very much, ma'am, and if you decide  
2 later on you need them, you tell us and we will give  
3 them back right away.

4 THE INTERPRETER: She's as: a  
5 very hard question now.

6 THE COMMISSIONER: Maybe I  
7 should have kept my mouth shut.

8 THE INTERPRETER: She said  
9 I told you how the people used to live around here  
10 long ago, how hard time it was and now she's asking  
11 you to tell her about your background, how it started.

12 THE COMMISSIONER: That will  
13 have to wait until my next trip to Old Crow. Thank you  
14 very much, ma'am.

15 THE INTERPRETER: She said  
16 maybe by that time you come back, it will be too late,  
17 maybe she'll be gone.

18 THE COMMISSIONER: Well --

19 THE INTERPRETER: Well, that  
20 story that she's telling, she said she hope that a lot  
21 of young people would know about it.

22 THE COMMISSIONER: Thank you,  
23 ma'am.

24 (SNARE MARKED AS EXHIBIT C-69)

25

26 (SCRAPER MARKED AS EXHIBIT C-70)

27

28 (WITNESS ASIDE)

29

30

WINSTON MOSES, Sworn

1  
2 THE WITNESS: My name is  
3 Winston Moses. I was born and raised in Old Crow, and  
4 I am one of the many that is against this pipeline for  
5 a few reasons that you hear during my talk, but first  
6 of all, I want to talk about this -- the time when I  
7 used to work with the Department of Fisheries here in  
8 Old Crow.

9  
10  
11 THE WITNESS: This Department  
12 of Fisheries that I was working for, they were working  
13 for the government and of course they had the other  
14 fisheries, which they call F.R.B., Fisheries Research  
15 Board and they are from Winnipeg, and there was other  
16 people that was working, research work on this proposed  
17 pipeline route, we are doing research work.

18 Now you hear of how important  
19 these fishes, meat, berries and all these fruits you  
20 get off the land, well fish is very important to these  
21 people too.

22 Now, when you get the  
23 pipeline there's a possible chance that we could have a  
24 break or a leak. So sometime you get a leak that you  
25 cannot see with your eyes, or you cannot see from the  
26 air when you are travelling with a helicopter or with a  
27 small aircraft.

28 It might not be a large spill  
29 like you get in the Great Lakes, you get a big spill  
30 at one shot, but this spill can do a great damage to

1 | fishes, whether they be adult fish or just spawning.  
2 | they could be damaged. And there will not only be a  
3 | spillage of oil, but they have many chemical substances  
4 | which will be accidentally spilled or some time you use  
5 | it, say maybe for compressor stations where you get a  
6 | little left over and you don't need it and then you  
7 | throw it away, well this also goes into the lakes,  
8 | streams and some of them stay right on the ground.

9 |                                 Some of these chemical  
10 | substance are poisonous. If they get into the streams,  
11 | they do damage to the fish, water fowl and also to the  
12 | human beings who use that water for their own use. It  
13 | also can do damage to fur bearing animals and bigger  
14 | game like caribou, moose, which is a very important  
15 | food to us. Maybe you would think to yourself, how  
16 | would this become, but these animals, like I said,  
17 | caribou, moose, they eat the vegetation.

18 |                                 Now, here is an example of a  
19 | spillage, well it just scares me. A survey was  
20 | conducted last February in Yellowknife, and the  
21 | Yellowknife resident, their air contained a great  
22 | amount of arsenic poisoning, so the people were  
23 | forbidden to use water from lakes and from the rivers  
24 | nearby. This is due to carelessness of mines, for what  
25 | I don't know, but it's the mine's fault. Now this  
26 | would happen exactly the same if you had this little  
27 | leak from the pipeline or a large bust.

28 |                                 I myself have few meat at  
29 | home, caribou meat, matter of fact we got net out now  
30 | and I have whatever I wanted to eat, and I don't want

1 | to eat anything that's been poisoned, I don't want to  
2 | eat anything that's been dead for some time, something  
3 | that's fresh, that my ancestors have been eating for  
4 | many and many of centuries before me.

5 |   Now, during the time I was  
6 | working for the Department of Fisheries, these other  
7 | bunch, F.R.B., they went and did their little  
8 | experimental work down at Bluefish River, and you could  
9 | find that on the map somewhere, probably 25 miles down  
10 | river', During that time when they were going down to  
11 | make this experiment, they took a helicopter and they  
12 | had a 45 gallon drum that they was going to dump  
13 | whatever this was in there, into the river and to see  
14 | what cores of it. And now me and one of the local boys  
15 | who was also working for them, asked to go along with  
16 | the just to see what they were going to do, but they  
17 | didn't want us to go.

18 |  
19 |  
20 |   So after they did this  
21 | experiment, they never said nothing afterwards nobody  
22 | knew what was inside that barrel and nobody knew what  
23 | was the outcome of it and nobody knew what they were up  
24 | to, and as a matter of fact I think they didn't get  
25 | permission from the town council to go down and to do  
26 | this experiment where they didn't even let T them know  
27 | that they were coming in to work in this area. Like  
28 | the other fisheries, and the game department and the  
29 | Renewable Resources who was working here, all  
30 | let us know what they were doing and what they were



1 going to do, except for these people, and I wonder why,  
2 and they were working for Gas Arctic and maybe one of  
3 the Gas Arctic, if there's any of them here, can tell  
4 us -- I am listening.

5 Now, a little bit on the  
6 archaeological side of this, it is very important to  
7 our people, not only to the Northern Yukon Indians,  
8 but the rest of the Indians on the proposed route and  
9 also to the Indian people along the coast and down the  
10 Mackenzie. Now the archaeologists have found a trace  
11 of our ancestors which records as far back as 30,000  
12 years, and that's right out in the Crow Flats and the  
13 surrounding areas. It's not only in the Crow Flats  
14 but it's also the Indian people on the coast here.

15 These traces are found at old  
16 gravesites, old villages, camps and where a trained  
17 archaeologist figure there was a camp there before.  
18 Also, a trained archaeologist can tell you a lot of the  
19 information and the ages of our ancestors by these  
20 grounds, old gravesites, villages. There is a lot of  
21 unknown sites along this proposed pipeline route and if  
22 you push the pipeline through you will destroy all  
23 these things, and you would not know, and we would not  
24 know, what happened years back.

25 Now, I have a little picture  
26 here to produce to you if you care to see, just to back  
27 up my little say.

28 THE COMMISSIONER: I would like  
29 to see it.

30 It's a picture of a scraper made

1 | from a caribou thigh bone found in Old Crow Flats, dated  
2 | 30, 000 years ago, it is the oldest direct evidence of  
3 | man in the New World, I would like to keep that, if I  
4 | might, and that will be marked as an exhibit.

5 |  
6 | (PICTURE OF SCRAPER MADE FROM A CARIBOU THIGH BONE  
7 | FOUND IN OLD CROW FLATS DATED 30, 000 YEARS AGO MARKED  
8 | AS EXHIBIT C--71)  
9 |

10 | THE WITNESS: Maybe we didn't  
11 | invent the wheel, but you would be amazed at what our  
12 | ancestors used years ago to make their clothing, their  
13 | shelter with these tools they got by. I am really  
14 | sticky on environment protection if this pipeline ever  
15 | do go across, and I think laws should be more enforced  
16 | and extra rules and regulations should be added onto  
17 | this environment protection service.

18 | Now, you have heard from the  
19 | other people how important it is, this Crow Flat, to  
20 | all animals, and I am pretty sure the caribou could be  
21 | more seriously affected because of this pipeline. And  
22 | the migration route of this caribou is very important.-  
23 | -, --' to the people here in Old Crow, down at Alaska,  
24 | Fort MacPherson and where people depend on this.

25 | Now, in the recent years  
26 | since the seismic crew came up here, and before that,  
27 | we right here in Old Crow knows where the caribou is  
28 | coming out and what time. Now you go to these routes  
29 | that used to be and the times that used to be, you go  
30 | there and you don't s any. they are scattered all over

1 | the place, and I give an example of one. In month of  
2 | March of '74, I was over at MacPherson. They have a  
3 | highway built going there, people there told me that  
4 | the caribou migrate through, where they are working.  
5 | Now because of that little activity, the people from  
6 | Fort MacPherson have to go three, four days of travel  
7 | in order to get some fresh meat to eat.

8 |                                   And the caribou, that used to  
9 | stay nearby Fort MacPherson is now you find way up in  
10 | the hillsides and the mountain sides in Aklavik, which  
11 | the people says used to be in Fort MacPherson. It's  
12 | all vice--versa now just because of that little  
13 | activity they got near Fort MacPherson.

14 |                                   And now if you keep this  
15 | pipeline out, we will have our regular migration route  
16 | and at the same time, we will have something to eat.  
17 | And also again fuel spills again. Fuel spills,  
18 | spillage of fuel, it's going to have a great  
19 | destruction of water birds in their habitat.

20 |                                   THE COMMISSIONER: Excuse me,  
21 | you said fuel spills, Mr. Moses?

22 |                                   THE WITNESS: Yes, fuel  
23 | spills.

24 |                                   THE COMMISSIONER: Yes,  
25 | right.

26 |                                   THE WITNESS: It will have a  
27 | great destruction on water birds in their habitat, also  
28 | muskrats and beavers because of the spill.

29 |                                   In conclusion, if you take  
30 | all this away from us, we will have nothing, and if you

1 | keep that pipeline out, then we got something that we  
2 | can still say is ours. Now you talk about jobs for the  
3 | young people and for all other people but this job will  
4 | last only until when the contracting is over and only  
5 | the people that's been trained to run particular things  
6 | will stay on. Where is that going to leave us?  
7 |  
8 |

9 |                                 That's all I got to say, but  
10 | if you want to ask some questions, try to use simple  
11 | words I could understand.

12 |                                 MR. VEALE: Winston, you have  
13 | told the judge about the birds and the fish and the  
14 | animals and what might happen to them. What if a camp  
15 | of 800 men were put near Old Crow, what would happen  
16 | then?

17 |                                 THE WITNESS: I didn't quite  
18 | hear you?

19 |                                 MR. VEALE: I will say it  
20 | again Winston, if they build the pipeline near Old  
21 | Crow, they would have a large camp of men, 800 men near  
22 | Old Crow. What would happen then?

23 |                                 THE WITNESS: Well if you have  
24 | 800 men near Old Crow, I think they should be just where  
25 | they should be staying instead of wandering around all  
26 | over town, because you can't judge a book by its covers.  
27 | Because you never know what evil lurk in the heart of  
28 | men. Out of that 800, they are not -- I but you can't  
29 | bet you can't find a dozen of honest men, I am pretty  
30 | sure they are going to do some damage to Old Crow. Not

1 | only the men that work on the pipeline, but the pipeline  
2 | itself is going to have an effect on the land, the  
3 | animals and they are going to destroy people too.

4 |                   MR. VEALE: Winston, what do  
5 | you mean when you say that they will destroy people?

6 |                   THE WITNESS: Well, an  
7 | example is the little town just on the other side of  
8 | this mountain called Inuvik. I was over in Inuvik even  
9 | before it was even put up. It was called East Three in  
10 | 1955 when they were just starting to put up building  
11 | frames, now it's called Inuvik. You get all kinds of  
12 | people from down south, and the people before -- the  
13 | people that part of the country over there, does not  
14 | like the people they used to be. Now that since they  
15 | got these people from down south, well they talked not  
16 | only the big people, but also the small people too.  
17 | they sue do things that you are not supposed to do and  
18 | they and they copy you.

19 |                   Well when I said destroy, I  
20 | mean they bring in booze. Well sure, I could go u::.  
21 | and get it at the local liquor store, but then get a  
22 | little bit money hungry and they push bootleg and you  
23 | have to buy double the price, and it's not only that,  
24 | they like to take advantage of the girls and the girls  
25 | figure they are going to go out partying, and all this  
26 | and then pretty soon their lives are wrecked. Not only  
27 | booze do this, but there's a number of cases, and I  
28 | don't think they are hidden, that's on drugs too  
29 | that's coming in. Pretty soon things get worse to  
30 | worse, they are going to have organized crime.

1 Well I wants to thank Judge  
2 Berger here for coming up and listening to our little  
3 say.

4 THE COMMISSIONER: Thank you  
5 very much, Mr. Moses.

6  
7 (WITNESS ASIDE)

8  
9 THE COMMISSIONER: I think  
10 maybe we will stop for a few minutes and then hear t  
11 next witness, we will just stop for a few minutes.

12  
13 (PROCEEDINGS ADJOURNED)

14  
15 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

16  
17 THE COMMISSIONER: All we  
18 will call our meeting to order this afternoon and  
19 --

20 THE INTERPRETER: Judge  
21 Berger, this is Mrs. Elizah Kassie, and she says I  
22 haven't got very much to say but I just want to s a few  
23 words to you.

24  
25 MRS. ELIZAH KASSIE, Sworn:

26  
27 THE INTERPRETER: She says I  
28 haven't got very much to say but I just want to let you  
29 know some of the old time stories that I remember my  
30 father said about the way the people lived in this part

1 | of the world.

2 |                                   I have seen many changes in  
3 | my life on this land. When I first came here, even  
4 | the land was different, and the willows on the river  
5 | banks, a lot of places there was no willows at that  
6 | time but now today I see there are a lot of willows  
7 | grown and so I seen quite a bit of the changes on  
8 | this land.

9 |                                   The river change in many  
10 | places during her life, as she stayed in this land for  
11 | a long time, she seen many changes in the rivers and  
12 | also lots of growth of grass, she notice all that  
13 | happen in her life.

14 |                                   She says my father he used  
15 | to say, well there's not much animal that a person  
16 | could get at the time of his life, but he says that  
17 | whatever little animals that a person get, lie's got  
18 | something that is from the land. Lots of times in my  
19 | days I seen when people had hard time, sometimes no  
20 | food and many times I've seen that the dogs that,  
21 | which they used very much in those days disappear on  
22 | account of no food, they starve and so when they go  
23 | around searching for food, they have to pull their  
24 | own belongings, that's how that they go around, move  
25 | around.

26 |                                   And when they move around  
27 | searching for food, the men go out and the woman they  
28 | move camp while the men are out hunting. Now, in the  
29 | evening when the men come back and when it's no luck,  
30 | when they don't kill anything that day, they feel very,

1 | very sad.

2 |   She says this story that I'm  
3 | telling you, it's a very old story. Now the stories  
4 | that you have heard here in the Inquiry, some of them  
5 | are not as old as the stories that I'm telling you now  
6 | because these are the stories that she heard from her  
7 | father when they had no food in those early days, it  
8 | was really a very hard time.

9 |   She says especially when people  
10 | had to go out in the cold weather, hunt for food, and the  
11 | womans behind always wonder what kind of news they would  
12 | receive from their men that are out hunting, and when  
13 | they come back and find no food, it's a really, a sad  
14 | story for the people at the time. Sometimes when they go  
15 | out hunting, they yet in luck, they kill something and  
16 | then the womans, they would expect them, the time of the  
17 | evening, the evening of the day when they are coming back  
18 | and when they hear that they have killed some animals,  
19 | for food, everybody is very happy.

20 |   So this is the story of her  
21 | dad and she remembers them stories, so at the early  
22 | days when her dad grew up, she said that there was not  
23 | very much around this part of the world. there's lots  
24 | of places there was not even no willows and not much  
25 | timber, but -- and then people have very hard time to  
26 | get anything to eat because it was so bare, nothing --  
27 | no timber or no willows, no nothing and therefore there  
28 | was no animals too.

29 |   She remembers very well when  
30 | the people used to kill caribou by these corrals or



1 fence that they used to make at that time, but  
2 sometimes people had hard time to drive these animals  
3 into these corrals, that when they do, it's really  
4 exciting to seer all these animals go into this fence  
5 because that's the only way that -- that was the only  
6 way that they used to get the animals. When this  
7 happen, when the animal gets into the fence, well they  
8 set a lot of snares through these fence and also shoot  
9 them with bow and arrows, then everybody is happy  
10 because they get lots of food.

11   When a man has got a fence,  
12 then everybody is happy because they get lots of food.  
13 This corral or fence that they built to catch the  
14 caribou in, it's only good when the caribou is  
15 migrating, like in the fall or probably in the spring  
16 too, that's the only time it's good, it works, and in  
17 between that, when the caribou pass, well the fence and  
18 the corral are no more good and therefore when the cold  
19 weather come, they have to try and follow the caribou,  
20 go where they could get meat.

21   In the winter they try and  
22 follow the caribou around and look for the animal and  
23 then when the warm weather come and spring break--up,  
24 well then they go to places where they know they could  
25 hunt fish and put up fish, for the coming winter. She  
26 says too they didn't have nets like we do today, they  
27 generally fish by fish traps. they put in traps  
28 where they would get the fish and there was always  
29 somebody watching the trap and once they see that the  
30 trap gets filled up with fish, then they would close

1 | the door on this trap so no fish would get out, and  
2 | that is the way they used to catch their fish.

3 |                               There's not only just one  
4 | family would live on this fish trap, there is several  
5 | families would live on one fish trap and when there's  
6 | a good run of fish, they catch a lot of fish and they  
7 | would divide this fish just the same as they would  
8 | divide the caribou that they get in the corrals.

9 | Later on, there was no white people around this part  
10 | of the world and so any time, this is after they learn  
11 | about the white man coming in, that they would get  
12 | their supply mostly from the whalers at Herschel  
13 | Island.

14 |                               During summer they hunt fish  
15 | and then in the fall, this is year after year, they go  
16 | on for years and years. During summer they have fish  
17 | and then in the fall when they start the migrate of the  
18 | caribou, well they go up to the foothill, they  
19 | generally have these corrals up in the foothills, and  
20 | that's where they would go to hunt their meat. A lot  
21 | of times they have to wait a long time before they  
22 | would spot the caribou coming, but in the meantime they  
23 | have got to have something to eat and so they used to  
24 | go out and hunt squirrels, that's what they live on  
25 | when they couldn't see no caribou. And sometimes they  
26 | would get fish around the mountain, greyling mostly.  
27 | Once they spot the caribou coming, well everything is  
28 | good then.

29 |                               MR. VEALE: Mrs. Kassie, what  
30 | do you think about the pipeline?

1 THE INTERPRETER: She says  
2 when she hear about the pipeline, it make her  
3 frightened, just the same as it would frighten the  
4 animal that is in the land, so she don't feel very  
5 happy about it.

6 She says when she see white  
7 people trying to help the native people, it makes her  
8 very, very happy. She says when I was a kid, she used  
9 to remember that her father had a good spot on the Crow  
10 Flat where there was two big lakes and the caribou  
11 migrate through that spot where her father used to be.  
12 Big lake.

13 THE COMMISSIONER: We had  
14 better get back to translating here.

15 THE INTERPRETER: She said  
16 she! used to remember that when the caribou migrate  
17 between these two big lakes, that the caribou cross  
18 between the two big lakes and that's where she remember  
19 that her father used to kill the caribou by making a  
20 spear, that's how that her father would get his animal.

21 My father had a brother, my  
22 father had a brother and there was another woman there  
23 at the time and she say we all work hard to get the  
24 caribou together. She says I always tell old time  
25 stories, she says that's why I have to tell you all  
26 these old time stories. This is what I've seen done  
27 many years ago, that her father kill many of these  
28 animals, both -- I thought I would let you know.

29 She says her father's name  
30 was Charlie Netro.

1 This is all she had to tell  
2 you, Judge.

3 THE COMMISSIONER: Thank you,  
4 Mrs. Kassie.

5  
6 (WITNESS ASIDE)

7  
8 JOE NETRO, Sworn:

9  
10 THE INTERPRETER: Judge  
11 Berger, I am very happy to be here to talk with you.  
12 Joe Netro. I am very happy for your visit here, Judge  
13 Berger, because you come here to help us people here,  
14 you and the staff that you have with you, you are  
15 doing! a lot for us here and I want to thank you very  
16 much fort it.

17 He would like to say that by  
18 meeting one another, that all what we are doing for one  
19 another, it will really come out to show that we are  
20 trying to help one another. there's much talk about  
21 this pipeline, proposed pipeline coming through the  
22 land in which we have been living for many years. We  
23 know that it's good for the people outside, but still I  
24 don't feel very happy to see it go through our land  
25 here in the north.

26 He said the reason why he  
27 doesn't like this pipeline to come through the land in  
28 which the people are living here, especially on the Old  
29 Crow, is that there are many lakes which is good to the  
30 people. there are many rivers where the fish run,

1 isn't good for the people, and this is what is worrying  
2 him, it's going to stop, it may ruin the lake on which  
3 the fish are, and also they will ruin the river on  
4 which the fish travel.

5 Now, that's about all that I  
6 would like to say on that matter. I would like to  
7 bring up another subject at this time. Now, he said I  
8 remember back 1904 very well. Now at that time, the  
9 people didn't have a very easy time to make their  
10 living out of the land. Now in those days, the people  
11 lived. different to what they are living now. He  
12 remember a lot of time when people went out to hunt or  
13 to trap, they didn't have no camping outfit, no tent  
14 and stove. they went out and had this open fire, as we  
15 it open camp, that's the way the people used to live an  
16 that time.

17 He said since 1904, he  
18 remember all his life, there were many times that they  
19 didn't have an easy time, but he says I can't tell you  
20 all about it right now. Old Crow established here  
21 since 1912. the first building that was built is down-  
22 town here is still up, 1912. In 1920, he went down to  
23 Fort Yukon and that is where that he met his wife.  
24 From there, he went up a river which was called the  
25 Black River, he went up there mostly to trap. That  
26 winter when he went up to Black River, he trapped and  
27 he caught 150 marten. In the spring, when he made his  
28 beaver hunt, he got 70 beaver too. With that money he  
29 got that winter, he bought an outfit and started a  
30 store here in Old Crow, And then from here, I went up



1 | have to say now, and I want to say thank you again for  
2 | your visit.

3 | THE COMMISSIONER: Thank you  
4 | sir.

5 | THE WITNESS: Thank you.

6 |  
7 | (WITNESS ASIDE)

8 |  
9 | PETER CHARLIE, Sworn:

10 |  
11 | THE INTERPRETER: Judge  
12 | Berger, I just want to tell you some of the old time  
13 | story again. I want to tell you about how my father  
14 | raised me up. In the early days, sometimes when  
15 | there's no animal to get, it really make it a hard  
16 | life. He that many times in his days when they can't  
17 | get much to eat sometime for a long time and still they  
18 | had to work hard and it really make life miserable.

19 | Sometime, they are moving  
20 | along they hear the hunters shoot. Everybody feels hap  
21 | because that shooting they hear means that they would  
22 | have something to eat in the evening. When they used  
23 | to go out hunting for a long period of time, if there's  
24 | no sign of animal and when someone see any sign of the  
25 | animal or caribou, I should say, well they would all  
26 | gather back at the camping place and they would have  
27 | meeting about it, someone would tell the others how  
28 | they should go about hunting that animal sign that was  
29 | seen a day earlier. And then they would go out  
30 | altogether and sometimes they make a kill, and again

1 | they would a come back in about sharing with everyone  
2 | in the camp and this is something that they always did.  
3 | They don't want to overlook any person that is unable  
4 | to get any thing for themselves.

5 |                               Sometimes when people had  
6 | hard time, he said they are trying to move camp, the  
7 | dogs that they used get so weak sometimes, the dogs  
8 | would give up on them, and lots of time they don't feel  
9 | very happy about it. At the same time they would pull  
10 | the dogs along. He said he was raised up up in Lapeer  
11 | House, he said he remembers there were three houses.  
12 | That was after the Hudson Bay have moved out of there,  
13 | he said for windows he said he remembers they used  
14 | caribou skin. In those early days when the company,  
15 | that was the Hudson's Bay, had their store there, it  
16 | was mostly to buy meat, that's what --that is the  
17 | reason why they had the store there, and when they had  
18 | to buy grease so that they would use it for lamps.

19 |                               He says the people used to  
20 | travel back and forth once in a while, and like in the  
21 | fall after freeze--up, the caribou would migrate up  
22 | around Driftwood River, and they crossed the river  
23 | there, and when the caribou does that, that means that  
24 | there's going to be caribou amongst the timber  
25 | country. And when they hear that, it makes the people  
26 | very happy that the caribou have migrated into the  
27 | timber country.

28 |                               Now, this migration that I'm  
29 | telling you about, happened many, many years ago. Now  
30 | he says today, the caribou still migrate the same way.



1 Every fall, my children go up the river and they get  
2 the meat from where these caribou migrate. Now today I  
3 hear about the pipeline that is going through, it's  
4 going to spoil all these routes where the caribou  
5 migrate. He says it really makes me sad to hear about  
6 the pipeline.

7 He said longtime ago they  
8 used to be a lot of rabbits and ptarmigans which they  
9 depended on very much. He says even that is not too  
10 much today, not much rabbits nor ptarmigans. the white  
11 man live mostly on the things that they grow in their  
12 garden, but to the Indians it's not like that. the  
13 native have to go out and try and get what they need  
14 out of the land they have been brought up. then a  
15 native doesn't get what he loves to eat, he don't feel  
16 very happy.

17 He says the fish here are not  
18 plentiful, he said they just run at times, and several  
19 times it's hard to get what a person would like to get  
20 on fishing.

21 This is all I have to say  
22 now.

23 THE COMMISSIONER: Thank you  
24 very much, Mr. Charlie.

25  
26 (WITNESS ASIDE)

27  
28  
29 SARAH ABLE, Sworn:

30

1 THE INTERPRETER: Mr. Berger,  
2 first of all before I say anything, I would like to  
3 tell you how thankful I am, or we are, for your visit,  
4 not only to here but to many other places that you have  
5 been and you are going to be, and I once again I want  
6 to thank you very much for your visit to the people of  
7 Old Crow and to listen and to hear what we have to say.

8 You know a lot of these old  
9 time stories by now by the old people telling you, and  
10 I also live in this part of this land all my life but I  
11 won't tell you too much of the old time stories but  
12 mostly the way I grew up and also the way I've lived in  
13 this part of the world, or country, land.

14 Now, when I was just young,  
15 I became an orphan and a person by the name of Peter  
16 Moses raised me up. He was a good man. He went out  
17 hunting all the time and whatever he got on his  
18 hunting trips, he always share with everyone,  
19 especially the poor people that can't get their --  
20 they can't go out to hunt. I was raised at Rampart  
21 House in Alaska, and it is only a day trip, probably a  
22 day trip from here.

23 Now, the Yukon is not very  
24 big, as I mentioned Rampart down here which is just a  
25 day trip, that's where the boundary is. And you go up  
26 the river and the mountains that you see in between  
27 here and MacPherson, there is the boundary line again  
28 between the Northwest and the Yukon, so in that way we  
29 see that this land is not too big.

30 Now, she says I have to you T

1 about how big the Yukon Territory is, it's not a very  
2 big land and like we have the Crow Flats here which is  
3 a very important part of this Yukon land for everyone.  
4 It's a good place, it's a real good place for here  
5 especially in Old Crow.

6 Now, we hear about this  
7 pipeline coming through this land in which we live,  
8 says every time what the government want to do in our  
9 land, he does it. And we know that the government is  
10 into this project, so we believe that it's going to go  
11 through whether we like it or not, but while it's not  
12 up yet, we want to say our little part how we feel, and  
13 that is the reason why we are talking with you today.  
14 If they want to put in the pipeline, we can't stop it,  
15 but we like to see that they change the route of the  
16 pipeline, put it some other place where there's nobody,  
17 that make a livelihood out of this land, put it some  
18 other places, not where people are making their living  
19 from.

20 Now there is not too many  
21 people in Old Crow that are the adults, but there are  
22 many young people, there is more young people than the  
23 grown--ups, and in that way we know that in few years'  
24 time there is going I to be a lot of people, and that  
25 is the reason why it's for our young people that we are  
26 talking with you at this time.

27 Now this talk of the pipe-  
28 line has been going on for quite a while now, at least  
29 two years around here. We, the people, have lived in  
30 this part of land for many years. Now, it's not too

1 | easy for the younger people to live the way that the  
2 | older people have survived in this part of the land In  
3 | the older days, they went out and at least got  
4 | something like caribou or ptarmigan or rabbits, because  
5 | they knew how to get it, but today the younger people,  
6 | they wouldn't be able to survive so easily as the older  
7 | people did in years past.

8 |   Because we talk so much of  
9 | the pipeline nowadays, and because we say we don't want  
10 | the pipeline through, one thing I don't like to see it  
11 | happen that we make bad friends on account of the  
12 | pipeline.

13 |   Now Judge Berger, the other  
14 | day when you first came here, you said that you want to  
15 | hear the people and to know what they have in mind to  
16 | talk about. She heard that and she has been thinking  
17 | about it and that is the reason why that today she is  
18 | talking to you, and when we come to the table here, we  
19 | take a hold of the Bible and we believe that we must  
20 | tell whatever is right after we make, after we get  
21 | sworn in.

22 |   Now, the reason why the  
23 | people don't want the pipeline which they have been  
24 | thinking about, is not because it's our land and when  
25 | she says our land, it really means mostly the native  
26 | land. Now. the white people are going to come into it,  
27 | and by many white peoples coming into the native land,  
28 | there are going to be lots of problems, lots of trouble  
29 | and especially with the young people. And this is what  
30 | the older people are worrying about now, and that why

1 | they are talking with you. I'm worried about now..  
2 | this place is going to be. It's not a very big , and  
3 | then if it get overcrowded with people, and this is  
4 | what is going to bring a lot of problems, and because  
5 | of getting too many people into a small place, it will  
6 | make trouble for the people, and this is what is  
7 | worrying me.

8 |                                 We don't want to be -- we  
9 | want to be friendly with everybody, not to make bad  
10 | friends.

11 |                                 Now, Judge Berger this is  
12 | about all that I would like to say. I would like to  
13 | say more but this is what -- this is about all that I  
14 | would like to say because whatever I have said now, I  
15 | know will help you and the people that I have talked  
16 | for. And here in our little town, we have a nursing  
17 | station, the schools and a minister, a church and many  
18 | other people that is helping us. And as I close my  
19 | little talk, I know that you are visiting many places,  
20 | you are going to visit many different kinds of people  
21 | and in this way I know that you need guidance, and so I  
22 | am not ashamed to wish you God's help in all your  
23 | travels in all the way you meet different kind of  
24 | people. She says I wish you God blessing in all your  
25 | journeys as you go along visiting to help the people.

26 |                                 THE COMMISSIONER: Thank you  
27 | very much, Mrs. Abel.

28 |                                 THE INTERPRETER: I may come  
29 | back tomorrow and talk some more.

30 |

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(WITNESS ASIDE)

MR. VEALE: Judge Berger, we have a statement from John Russell who did pipeline research for some time in Old Crow, and he has sent a letter up to Mr. Charlie Peter Charlie with a statement, and I was wondering if Mr. Nukon could read it in; at this time.

THE COMMISSIONER: Yes.

MR. VEALE: I don't think it's; necessary to translate it.

THE COMMISSIONER: Well this will be received as an unsworn statement on the same basis as the unsworn submission are received by the Inquiry from many persons all over Canada.

Go ahead, Mr. Nukon, read Mr. John Russell's statement for us.

MR. NUKON: a brief presented to the Berger Commission inquiry to the Mackenzie Valley Pipeline, by John H. Russell, Box 68, Waterton Park, Alberta.

"Mr. Chairman, ladies and gentlemen: It is an honour to speak at this hearing on behalf of the beings of this earth concerning the discussion as to whether or not the MacKenzie Valley Pipeline will be constructed. I have two points that I wish to be considered by the people involved in making the above discus-

1                   sion.  
2                   The first comment concerns abandon-  
3                   ment. If we are to be concerned  
4                   about the environment during the  
5                   relatively few years of construc-  
6                   tion and maintenance, we must also  
7                   be concerned about the hundreds of  
8                   years after abandonment. It is  
9                   very possible that the cost of  
10                  abandonment will be greater than  
11                  that of construction in either  
12                  monetary or environmental terms.  
13                  That is the cost of the physical  
14                  removal of the pipes and the recla-  
15                  mation of the right-of-way could be  
16                  as great as the construction and  
17                  maintenance depending on the meth-  
18                  ods available at the time.

19                  Alternately, if the pipeline  
20                  is left in place, the potential dam-  
21                  age to the environment over the next  
22                  few hundred years is much greater  
23                  than could occur during even the  
24                  worst construction and maintenance  
25                  method over the expected 50 year pe-  
26                  riod.

27                  If left in place, the pipeline  
28                  will eventually thaw out and float  
29                  to the surface, where it crosses  
30                  terrain other than bedrock or

1 gravel. During summer such a situa-  
2 tion would be both a barrier and an  
3 animal trap as the two or four foot  
4 diameter round and smooth pipe sits  
5 in a wide muddy ditch with unstable  
6 sides. During winter the exposed  
7 pipes will create a low but smooth  
8 round and alien escarpment on its  
9 windward side and a drift on the  
10 leeward side, again creating a bar-  
11 rier and or possible source of in-  
12 jury to terrestrial animals of any  
13 size.

14 The above could quite  
15 obviously precipitate a radical  
16 change to the animal populations  
17 which we have spent a great effort  
18 to avoid. If you wish further  
19 details on such a phenomenon, I will  
20 gladly attempt to provide them. It is  
21 extremely important that an estimate of  
22 the cost of abandonment be included,  
23 when considering the total cost of the  
24 pipeline.

25 My second comment concerns  
26 socio--economics of which there has  
27 sadly been a glaring lack of study.  
28 It occurs to me that the people in  
29 southern Canada are being very hypo-  
30 critical. We say we will fill as



1 many permanent jobs created by the  
2 pipeline as possible with natives.  
3 Obviously we are also saying then  
4 that we see no resource for them but  
5 eventual assimilation into the cul-  
6 ture of western society. Our pre-  
7 sent culture happens to require a  
8 great deal of energy and promotes  
9 high population densities.

10 If the people of northern Can-  
11 ada are going to go the course of  
12 those of southern Canada, they are  
13 going to need all the petroleum re-  
14 sources in their land. We, however,  
15 want them to give it to us now when  
16 they are in less need of it and yet  
17 we are not looking to the fact that  
18 if they become like us, they will  
19 eventually need every calorie of en-  
20 ergy source in the land they are on  
21 can produce.

22 I would like to conclude by  
23 saying I think it would make much  
24 better sense to take the money re-  
25 quired for building the pipeline and  
26 invest it in developing ways of  
27 changing our culture to one which  
28 reduces or eliminates the great and  
29 increasing demand for energy. Such  
30 a culture could be as rich and crea-

1           tive as the present one, if not more  
2           so.

3           Will the Mackenzie Valley, pipeline be-  
4           come a reality? Please keep in mind when mak-  
5           ing

6           your decision, there is an  
7           endless variety of alternatives to  
8           that of moving energy from the north to the  
9           south.

10           I thank you.

11           John Russell".

12           THE COMMISSIONER: Mr. Veale,  
13           you're not asking that Mr. Russell's statement be  
14           translated, I take it?

15           MR. VEALE: That's correct,  
16           sir.

17           THE COMMISSIONER: Would you  
18           mind telling me what Mr. Russell's association is with  
19           Old Crow?

20           MR. VEALE: Just give me a  
21           minute Judge, I have got a little note on him here. He  
22           made a great deal of friends when he was in Old Crow.  
23           He was working for the Renewable Resources, I believe,  
24           and studying the actual caribou.

25           THE COMMISSIONER: Well renew  
26           able resources was then working for Arctic Gas, wasn't  
27           it?

28           MR. CARTER: That's correct.

29           THE COMMISSIONER: Mr. Carter  
30           says that they were.

1 Well maybe I am asking the  
2 wrong man. You are still looking through your notes.

3 Can you tell me, Mr. Carter  
4 or Mr. Rowe, how long Mr. Russell was here and in what  
5 T capacity he was employed by Renewable Resources, and  
6 so forth? His letter has been read and -- are you --

7 MR. CARTER: Mr. Rowe will  
8 attempt to give that answer.

9 THE COMMISSIONER: Would you  
10 T just come forward and take this mike and tell us, Mr.  
11 Rowe?

12 MR. ROWE: Judge, Russell was  
13 employed by Renewable Resources Consulting out of  
14 Edmonton in the initial stages of their caribou work.  
15 His terms of reference were at that time a study of--  
16 primarily the study of the migratory patterns and some  
17 experimental disturbance studies on the Porcupine  
18 caribou herd.

19 He also did work on large  
20 mammals, a little bit of the fur bearer research which  
21 was done in the Old Crow Flats. He works for Renew--  
22 able, I'm not exactly sure but I think it was over the  
23 period of two years, probably in 1971--72 or '72, '73,  
24 in that period, and he was working primarily out of Old  
25 Crow at the time.

26 THE COMMISSIONER: What is  
27 his particular expertise, field of expertise?

28 MR. ROWE: Wildlife biology.

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

1 and will form part of the permanent record of the  
2 inquiry, and in view of what has been said about Mr.  
3 Russell's involvement in the study of caribou in Old  
4 Crow, I'll ask that Commission Counsel, Mr. Scott,  
5 consider calling Mr. Russell as a witness at the  
6 formal' hearings in Yellowknife. the secretary will  
7 make a note of that and bring the matter to Mr. Scott's  
8 attention.

9 Mr. Russell, I take it, is no  
10 longer with Renewable Resources.

11 MR. VEALE: That's correct,  
12 Judge, he's now in Waterton, Alberta.

13 THE COMMISSIONER: Working  
14 for the Government of Alberta?

15 MR. VEALE: I believe at this  
16 time that he's not working, but he's no longer working  
17 for Renewable.

18 THE COMMISSIONER: Well it  
19 may, be that commission counsel will wish to call him.  
20 I take it that Arctic Gas may or may not decide to call  
21 him at Yellowknife, so we --

22 MR. CARTER: Mr. Rowe tells  
23 me that he is retained from time to time by Renewable  
24 Resources.

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27 (STATEMENT OF JOHN H. RUSSELL MARKED AS EXHIBIT C-72)

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ROSIE KAYE, Sworn:

THE COMMISSIONER: I understand that you are Rosie Kaye and that you want Mr. Nukon to read your statement, is that it? Do you mind telling me how old you are?

THE WITNESS: 24.

THE COMMISSIONER: Fine. Go ahead, Mr. Nukon.

MR. NUKON: Statement from Rosie Kaye for Judge Berger hearing. "Since the land claims meeting is very soon, I think the important thing is to keep the pipeline out. I don't want the pipeline to come through our land. the land is the most important to our people. If the pipeline comes through they will ruin our land and our people. I want to keep our life the way we are living it today and. also to keep our little town the way it is now.

I am speaking for myself and. I am sure most of my people feel the same way too.'

THE COMMISSIONER: Thank you very much. Are you asking that that statement be translated? That statement by Rosie Kaye will be marked as an exhibit and made a part of the permanent record of the Inquiry.

(STATEMENT OF ROSIE KAYE MARKED AS EXHIBIT C--73)

1  
2 THE COMMISSIONER: I think we  
3 will have one more statement or one more witness, Mr.  
4 Veale, whatever --

5  
6 STEPHEN FROST, Resumed:

7  
8 MR. VEALE: Judge Berger, I  
9 don't think we will have this matter translated. Mr.  
10 Frost has indicated he doesn't require it.

11 Your name is Stephen Frost  
12 and you have already been sworn to tell the truth in  
13 this hearing, is that correct?

14 THE WITNESS: Yes.

15 MR. VEALE: Are you  
16 permanently employed in Old Crow?

17 THE WITNESS: Yes, I am  
18 employed steady here.

19 MR. VEALE: What do you do?

20 THE WITNESS: I work, sort of  
21 act as an agent for the airline that comes in here, ac  
22 I work with the nursing station here as well.

23 MR. VEALE: What about you  
24 are fully employed, do you also do hunting and  
25 fishing?

26 THE WITNESS: Yes, I hunt and  
27 fish all my life and I think if I had a 24 hour job I  
28 11T would still hunt and fish.

29 MR. VEALE: Thank you, and  
30 would you tell the Judge where you hunt, for instance,

1 | start by seasons and start with the spring.

2 |                           THE WITNESS: Start by  
3 | seasons well we start the spring of the year, say  
4 | around the first part of March. We start trapping  
5 | rats. That was a? few years ago, like I can't go out  
6 | now from when the season opens till it closes, because  
7 | I just have so much holiday and that's it, but we hunt  
8 | rats in the spring of the year. After we come down  
9 | from Crow Flats then we start setting fish nets --

10 |                           MR. VEALE: Just let me  
11 | interrupt you there, Stephen. Did you start to -- did  
12 | you go out to the Flats this year?

13 |                           THE WITNESS: Yes, I was out  
14 | to the Flats this year.

15 |                           MR. VEALE: How many rats did  
16 | you hunt?

17 |                           THE WITNESS: I got about 500.

18 |                           MR. VEALE: Okay, go on then  
19 | about the fish.

20 |                           THE WITNESS: Yes, then we  
21 | fish all we could in the summer and towards fall when  
22 | the big run come, everybody is out there on the river,  
23 | pretty near all hours of the day trying to prepare food  
24 | and dog food for the winter.

25 |                           MR. VEALE: Do you have a  
26 | fish I net out on the Porcupine River now?

27 |                           THE WITNESS: Yes, I have got  
28 | a fish net out now.

29 |                           MR. VEALE: Do you know  
30 | approximately how many fish nets are out at this time

1 | of the season?

2 |                                   THE WITNESS: Approximately.  
3 | I don't know, not very many. Like I said, this is  
4 | about the poorest time of the year is now and maybe  
5 | there T would be 15, 20 nets out.

6 |                                   MR. VEALE: Okay, go on then.

7 |                                   THE WITNESS: Of course when  
8 | freeze--up come, we start setting a few traps for fine  
9 | fur. I'm not a young man, and I'm not real old, I'm  
10 | sort of in between, I guess --

11 |                                  THE COMMISSIONER: I know the  
12 | feeling.

13 |                                  THE WITNESS: Yes. I have  
14 | trapped right from the Alaska-Canadian border at  
15 | different times, right to the headwaters pretty nearly  
16 | the headwaters of the fishing branch, the Whitestone  
17 | River and the Miner River. I was the last person that  
18 | hunted beaver the spring before last. I went by boat  
19 | from Old Crow, I would guess probably about 700 miles  
20 | altogether. I went up the Whitestone River, up the  
21 | Fishing Branch and up the Miner River. So that proves  
22 | to you that we still use pretty nearly all of the  
23 | country yet, even though we have jobs, some of us  
24 | travel a long way and we think this country is very  
25 | important to us.

26 |                                  MR. VEALE: Stephen, I wonder  
27 | if you would just tell Judge Berger about what happened  
28 | when the air strip was put into Old Crow?

29 |                                  THE WITNESS: We got an air  
30 | strip.



1 MR. VEALE: That's good.

2 THE WITNESS: Well, before  
3 the, air strip, as you could see probably since you  
4 were her, there is many sand bars out on the river and  
5 that's where the airplanes used to land, and it was  
6 pretty hard on the airplanes at different times of the  
7 year, we couldn't get mail, so on and so forth. the  
8 people get sick sometime and the ice was breaking up,  
9 couldn't! get airplanes in, so the people here in Old  
10 Crow, we asked for an air strip. It was important that  
11 we have an air strip here in Old Crow, so we tried hard  
12 and we were lucky that they give us one but Like I say,  
13 we tried hard, we kept after them and we kept after  
14 them, and we were thinking in terms of maybe a strip,  
15 the biggest airplane the DC-3 or something like that.

16 We are not against the  
17 people, the person that's working here now, he's doing  
18 a good job on it, but sometime we think just what the  
19 heck is going on. We shouldn't kick about it after we  
20 got it, but now we got a 52 or a 5, 500 foot air strip,  
21 and it pretty nearly cuts off one end of the town right  
22 to another, because we are on a point, like, we are  
23 blocked off from the mountains. That's not a real big  
24 problem. That's one of the problems.

25 Every year since then they  
26 have been working on it and working on it, and widening  
27 it and lengthening it. Last fall they had some  
28 surveyors came in and they were going to survey it out  
29 700 feet wide or something like that, and a couple of  
30 the other guys and myself just noticed these people

1 starting to do this so we went to them and we asked  
2 them what was their jobs and what were they doing, so  
3 they told us, and we didn't think it was a good idea  
4 because it was cutting off 'some of the houses pretty  
5 nearly up town and some of the dog yards. It was  
6 cutting off some of the school yard right behind here  
7 where the kids play and all this, so we had to go and  
8 try to put a stop to it by seeing different people and  
9 it ended up that they didn't do it, so that's my story  
10 about the, 1 air strip, I guess.

11 MR. VEALE: If they had asked  
12 you where you wanted the air strip, where would you  
13 have wanted it?

14 THE WITNESS: Well I think  
15 they asked me, but what's the use asking me, they don't  
16 listen to me anyway, but I don't think they should ask  
17 me, I think they should ask the town. But I just  
18 remember one person coming to me and say, where do you  
19 think the air strip should go if we put one here? I  
20 suggested that it goes on top this hill between the  
21 bench of this hill and the mountain, there's a nice  
22 long level place there. I said if you put a small  
23 airstrip there and if someday, for some reason we have  
24 to make it bigger, there's lots of room there. That  
25 was my saying, and I don't know what the rest of the  
26 people say, but all at once we know -- before we know  
27 it, they were putting it right behind town here.

28 And it's pretty hard, because  
29 we used to have trails to the graveyard, a trail to the  
30 mountain where people hunt, trap, different things,

1 | trails down this way for older people to set rabbit  
2 | snares and that's all cut off now. People used to ski,  
3 | we still ski here but we can't ski across on rocks and  
4 | different things like that. My complaint against that  
5 | is just that I think they should have left a little  
6 | space on each side and fixed a nice little trail there  
7 | so we could still use it like we did before.

8 | MR. VEALE: Is there a law, a  
9 | regulation saying that you can't cross the air strip?

10 | THE WITNESS: Well, I don't  
11 | know if we should even mention that part, because I  
12 | don't think that's going to stop us anyway because  
13 | there is no other way. I am always going to cross it,  
14 | let's put it that way.

15 | MR. VEALE: You were talking  
16 | about how people still hunt and fish and trap. Can you  
17 | just tell Judge Berger, just name the families in town,  
18 | as many as you can think of, that have dog teams still.

19 | THE WITNESS: Well, that's  
20 | pretty hard. Pretty nearly everybody still got dogs.  
21 | We don't use them exactly the way we used to use then  
22 | long ago but I think we can never go without dogs,  
23 | that's one of the reasons for having dogs. We still  
24 | haul wood and ice and some people that have part time  
25 | jobs, they still go and trap, and so I would say pretty  
26 | nearly everybody still have a few dogs and some of us  
27 | have got a little too many, like myself.

28 | MR. VEALE: How many dogs do  
29 | you have?

30 | THE WITNESS: Oh, just a dozen.

1 MR. VEALE: Do you still use  
2 your dog team?

3 THE WITNESS: Yes, I -- well  
4 I am just starting up a new team right now, but I have  
5 always had dogs and these I got right now are just pups  
6 most of them and I'll be using them this winter.

7 MR. VEALE: Stephen, if the  
8 pipeline goes through near Old Crow, there will be a  
9 large camp of men, possibly 800 men, maybe 10 to 15  
10 miles from Old Crow. Do you have any comments on that?

11 THE WITNESS: Well, I guess  
12 this is the main reason you're here, to hear what us  
13 people have to say and our feelings about this. We are  
14 not against the white people, or anything like that.  
15 We like to be nice to people, but I think I mentioned  
16 it yesterday, this is one of the last places. One of  
17 the last places pretty nearly in the world that is kind  
18 of unspoiled. I mean, we are not the best people, we  
19 do things too, but there's no roads around and we don't  
20 smell oil all the time and different things like this,  
21 and I think you heard quite a few people talking and  
22 the name of the game is we just don't want the pipeline  
23 and we need help, like yourself, to try to help us not  
24 to get the pipeline.

25 Now, you are asking me my  
26 feelings about this camp too close to town, well I give  
27 my reasons why I feel like this camp wouldn't do Old  
28 Crow no good. I am sorry, maybe these words are a  
29 little bit too strong but -- or not strong enough, I  
30 don't know. One reason is alcohol. We drink, of

1 course we drink, but it will be twice as bad. I never  
2 bought a bootleg bottle in my life, and I imagine if  
3 too many people come from anywhere, I'll have to do it,  
4 I don't have to, but I mean it will happen. I never  
5 seen drugs in my life, I have heard an awful lot about  
6 it and I got kids and I got feeling and I think about  
7 other people and their kids. Things like this. I  
8 listened today to a young fellow talking and he brought  
9 these same things up. think he's thinking about  
10 something like venereal diseases, it's going to come to  
11 the country and we're just not -- we're just not too  
12 happy about seeing the pipeline come through. We don't  
13 want it.

14 MR. VEALE: Stephen, maybe  
15 you would tell the Judge, I think you are the chairman  
16 of the school committee in Old Crow, and maybe you  
17 could tell him about how that runs.

18 THE WITNESS: Well, I can't  
19 really tell you everything about it, but I am the  
20 chairman on the school committee now. It started about  
21 four or five years ago, it was run I think, a school  
22 advisory board, and now it's called the School  
23 Committee, of which we -- I don't know, we have a  
24 little more power, I think, or a little more -- I guess  
25 that's it, a little more power and we find in Old Crow  
26 that it's working really good. the teachers work good  
27 with us and we work good with them and we try to make  
28 sure that the kids have schooling. If they want to go,  
29 they can go as far with schooling as they want, but  
30 beside that we like to teach our own language and we

1 | have a fellow, Charlie Peter Charlie here, that teaches  
2 | language. We have a young lady in town who teaches :1  
3 | language, and different people are working on woodwork  
4 | and beads and so on and so forth, and we find that it  
5 | just fits in very nice and it will help us out in the  
6 | long run.

7 | MR. VEALE: What grade does  
8 | the school go to here, like when do the children have  
9 | to leave?

10 | THE WITNESS: I think it goes  
11 | up to Grade 9 here, then they leave and they go to  
12 | Whitehorse from here.

13 | MR. VEALE: How does that  
14 | affect children, going to Whitehorse?

15 | THE WITNESS: Well, I Cc, n'4,  
16 | W know, sometime not so good, I guess, because they see a  
17 | lot of things that --it's sort of a different life, like.  
18 | Sometime s they are real anxious to go after they pass  
19 | Grade 9 here, I know they are anxious to go out to  
20 | Whitehorse, because it's a bigger place, a lot of  
21 | different things. they go out there for a little while  
22 | and they are just too darn anxious to come back here,  
23 | come back to their home and their parents

24 | MR. VEALE: After they finish  
25 | at Whitehorse, are they coming back to Old Crow, or are  
26 | they staying out there?

27 | THE WITNESS: Well sometimes  
28 | after they are finished schooling, they try to get jobs  
29 | but it really appeared to me that they always end up  
30 | back here in Old Crow.

1 THE WITNESS: Mr. Berger, I  
2 think this is all I have to say. I would like to thank  
3 you very much again, I hope you join the ball game with  
4 us tonight.

5 THE COMMISSIONER: Thank you,  
6 Mr. Frost.

7 (WITNESS ASIDE)

8

9 THE COMMISSIONER: I think we  
10 that we will adjourn now, Mr. Veale, and we will have  
11 supper and come back at 8 o'clock tonight. Would that  
12 be all right? Eight o'clock tonight?

13

14 (PROCEEDINGS ADJOURNED)

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1 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

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3 THE COMMISSIONER: Ladies and  
4 gentlemen, I think we will call our hearing to order  
5 this evening to hear those who wish to make T  
6 statements this evening.

7 MR. VEALE: Judge Berger, the  
8 first statement this evening will be in written form by  
9 some girls in the community, and they are standing at  
10 the back of the room to be sworn in and Peter Nukon is  
11 going to read the statement in,

12 THE COMMISSIONER: All right.  
13 Miss Hutchinson, maybe you  
14 could just ascertain the ages of the girls, and you go  
15 ahead and read the statement the girls have prepared,  
16 Mr. Nukon.

17 DONNA FROST, Sworn:

18 GLORIA NUKON, Sworn:

19 CHRISTINE NUTRO, Sworn:

20 LINDA NETRO, sworn:

21 JOANNE CHARLIE, Sworn:

22

23 MR. NUKON: Here is a  
24 statement from the 5 girls, Gloria Nukon, age 16;  
25 Christine Nukon, age 15; Linda Netro, age 15; Joanne  
26 Charlie, age 13; Donna Frost, age 14.

27 "We are against the pipeline  
28 because it might change our way of  
29 life. It will spoil the caribou  
30 that we all love to eat. It will



1 wreck our culture. Some of us go  
2 out to the Crow Flats, rapping with  
3 our fathers. We love the land. It  
4 means we can be anything we want  
5 and It go anywhere where we want.  
6 We all want to go to university and  
7 we all have to go south to school,  
8 but we want to come back to Old  
9 Crow to see our friends again be-  
10 cause Old Crow is our home".

11 THE COMMISSIONER: That  
12 should be marked. Do you want that interpreted or not?  
13 No, all right.

14  
15 (STATEMENT OF DONNA FROST, GLORIA NUKON, CHRISTINE  
16 NUKON, LINDA NETRO AND JOANNE CHARLIE MARKED AS EXHIBIT  
17 C-74)

18  
19 THE COMMISSIONER: Well that  
20 statement by the five girls will be marked as an  
21 exhibit and will constitute a part of the permanent  
22 recording of the proceedings of the inquiry.

23 MR. VEALE: May we have that  
24 interpreted, I take that back, I think the young  
25 children would like to know that the older folks  
26 understood what they said.

27 Judge, we have several  
28 statements to be read this evening. the next one is by  
29 Mrs. Clara Frost. She is just over here.

30

1 CLARA FROST, Sworn:

2

3 MR. NUKON: Judge Berger, and  
4 all concerned.

5 "First before I say a few words on  
6 the pipeline and how Crow Flats and  
7 Old Crow, I would like to say thank  
8 you on behalf of all my family to  
9 Judge Berger and whoever was with  
10 him when he visit us at Timber Hill  
11 of which we are very proud of. We,  
12 the people, thank him for trying to  
13 help us out. Sure, we do not want  
14 the pipeline to run through the  
15 Crow Flats. We do not want the  
16 beautiful Crow Flats of which we  
17 are all proud of to be spoiled.

18 We want it to be a place  
19 where we can go to rat in the  
20 spring. If they ever spoil our  
21 country, we the people of Old Crow  
22 have nothing to look forward to,  
23 only sit in our houses and just re-  
24 member the good  
25 old days. We want our grandchil-  
26 dren to learn our way of life in  
27 the future.

28 It's a beautiful and clean  
29 place. I hope we will be able to  
30 keep it that way, not only for our-

1                   selves but for our children. So on  
2                   behalf of all the Frost family, I  
3                   wish all our people good luck.  
4                   Sincerely, Mrs. Clara Frost".

5                                   THE COMMISSIONER: Thank you  
6 very much, Mrs. Frost.

7                                   MR. VEALE: Judge, we now  
8 have a statement to be read by Mr. Nukon, made by  
9 Martha Kendi and she is sitting just over here.

10

11

12

13 (STATEMENT BY CLARA FROST MARKED AS EXHIBIT C--75)

14

15                                   MRS. MARTHA KENDI, Sworn:

16

17

MR. NUKON:

18

"John Tizya, my father, was the  
19 first person to put a house in Old  
20 Crow, and then Joseph put a house  
21 next to my father, then Elias  
22 John, then from there on people  
23 started building houses, that's  
24 how this village got big.

25

"In Old Crow Flat, my father  
26 was blind for seven years and we  
27 looked after him good. Sometimes we  
28 stay all summer and winter we feed  
29 him fish and other animals. In the  
30 fall time we kill caribou for win-

1 ter. Sometimes when we got hard  
2 times for meat, even it cold outside  
3 we go outside in the brush and set  
4 snares for rabbits. In March time  
5 we start setting traps for muskrat  
6 and we move to each lake to set  
7 traps. That's all I am going to say  
8 for now. I don't remember any more,  
9 I don't want any white people to  
10 bother Crow Flat, that days white  
11 people never help Indian people, and  
12 also I don't like the pipeline.  
13 Martha Kendi".

14 THE COMMISSIONER: That  
15 statement by Mrs. Kendi will be marked as an exhibit  
16 and form a part of the permanent record of the  
17 proceedings. Thank you very much, Mrs. Kendi.

18  
19 (STATEMENT OF MARTHA KENDI MARKED AS EXHIBIT C--76)

20

21

22 (WITNESS ASIDE)

23

24 MR. VEALE: Judge Berger, we  
25 now have a statement from Dick Nukon, to be read by  
26 Peter Nukon. Could you please swear Mr. Dick Nukon,  
27 please? He is at the back of the room. Put your hand  
28 up there, Dick.

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30

DICK NUKON, Sworn:

MR. NUKON:

"1926, the first time we come from Eagle, Alaska, my father and mother four sisters and brother, Kenneth Nukon. In 1927 first time we went up Whitestone. In 1931 my mother died. Since 1937 three of my sisters died. Til 1940, Joe Netro had a store at Johnson Creek for Whitestone people. He had a store up there for two years, then he had moved his store to Old Crow. At that time we did our living by trapping, lynx, marten, mink, wolverine, wolf. After closed season for trapping, we hunt moose and dry some meat for the summer. But before breaking up we dry meat, after break--up of ice we hunt beaver.

And around the end of May we came down to Old Crow and then go up the Crow for ratting till June 15th. After we came dawn we go down to Fort Yukon. Before first of July we sell our winter

1 furs down there. then we start  
2 off for Old Crow by boat. When we  
3 get up here, we go up to Icestone.  
4 then we go fishing and moose and  
5 caribou hunting. We trap again  
6 all winter. We do this till 1948  
7 when my father died. My father  
8 died, only me and Kenneth were  
9 left out of the family. So at  
10 that time it was pretty hard for  
11 us when you don't make money. No  
12 relief, no allowances for chil-  
13 dren. At that time, 1934 to '42  
14 we don't work for wages. You had  
15 to make your own money by hunting  
16 and trapping, now you work for  
17 wages. You just make money.

18 "Since I come from Alaska  
19 till 1941, there were no school,  
20 no nursing stations or no doc-  
21 tor. Never come here and when  
22 some people get sick they just  
23 stay that way and they just pass  
24 away.

25 "And now it's 1975, all kinds of  
26 things like there's nursing sta-  
27 tion, doctor, come to check the  
28 people every month. When people  
29 get sick they take them to hospi-  
30 tal. And when the school kids

1 finish up to ninth grade, they go  
2 to Whitehorse for finishing  
3 school. And now you work for  
4 wages, you can just work and keep  
5 family allowances cheque, they get  
6 big cheques too. And then fall  
7 time they go fishing and hunting  
8 and you go, hunting meat for the  
9 winter. You keep on living like  
10 that and hope no pipeline comes  
11 through.

12 So that's all I can say  
13 about what I did since 1926.  
14 Thank you. Dick Nukon".

15 THE COMMISSIONER: Thank you,  
16 Mr. Nukon, Your statement will be marked as an exhibit  
17 and made a part of the permanent record of the  
18 proceedings of the Inquiry.

19  
20 (WITNESS ASIDE)

21  
22  
23 (STATEMENT OF DICK NUKON MARKED AS EXHIBIT C--77)

24  
25 ABRAHAM PETERS, Sworn:

26  
27 THE INTERPRETER: He says my  
28 name is Abraham Peters and I would like to say my say  
29 to Judge Berger.

30 First I would like to thank

1 Judge Berger and his staff to come to Old Crow to  
2 listen to Old Crow people. He said he has been to  
3 school, came back from school in '49 and from '49 until  
4 now he would like to tell you how it has been in the  
5 past.

6 He said when he came back to  
7 old Crow from the school, from Carcross, he said at  
8 that time, he said, when we came home the children in  
9 old Crow didn't know how to say a word in English. the  
10 very fi time a teacher came up to Old Crow.

11  
12 The teacher that came up here  
13 at that time, it was a lady, her name was Mrs. Lucie,  
14 and she stayed here as a teacher and nurse, and she  
15 also looked after the church, and that was the very  
16 first time when the Old Crow children started to learn  
17 how to speak English. And he said you probably saw the  
18 old mission rectory there. He said that was the first  
19 place where the kids started to make school.

20 He said very few airplanes  
21 come to Old Crow, and he said during that time there  
22 was mail planes supposed to come up here once a month  
23 and that was supposed to be the end of the month, and  
24 they don't come at the end of the month then we had to  
25 wait another month before we get any mail. But there  
26 was very few white people around here at that time,  
27 the police and a few other who lived up here and the  
28 school teacher, that is all the white people who was  
29 up here.

30 He went to school at this



1 school where Miss Lucie was making school. He attended  
2 school one year, after that he quit school and he went  
3 out in the bush with his uncle, out in the bush to make  
4 a living. And at that time, he said, there were some  
5 hard times around here. We had a lot of hard times  
6 during winter, and he said at that time people used to  
7 start trapping in the fall when the season was open,  
8 they don't come home until Christmas. He says this is  
9 the only way they used to make their living was trade  
10 their fur for food.

11                         Wherever you go, he said, if  
12 you had no dog food, you cannot go no place. He said  
13 he went out with his uncle one winter. From here they  
14 started and they were out 13 days from here, and he  
15 said they ran out of dog food. they were making a  
16 little what we call bannock, for dogs, they would give  
17 a little piece to each dog and their dog was starving.  
18 So they started back, they had nothing, no more to go  
19 on so they started back to Old Crow, that morning when  
20 they started out they start early but not too far away  
21 from where they broke up their camp, there was a bunch  
22 of caribou crossed their trail, so they went back and  
23 picked up their tent at the old camp again and they  
24 went after that caribou.

25                         He said they had to follow  
26 that caribou, because that was the only chance they had  
27 they had to follow it until dark, until moonlight and  
28 they were shooting caribou in moonlight. their dog got  
29 so weak and when they didn't move to that caribou till  
30 next morning, they started moving where they kill

1 caribou, they had to put some dogs in the toboggan and  
2 pull them.

3 They said the way they had to  
4 feed their dogs and start off with a little food, they  
5 had to feed them three or four times a day with a  
6 little because they were weak and they had to stay  
7 there one week before their dogs was any good. And  
8 after he they came back there before Christmas, and  
9 some moose came in from somewhere, there was some  
10 caribou nearby. He said people start off from Old Crow  
11 there to where that caribou was, because he said even  
12 that some of the dogs didn't make it to that camp.

13 And to tell you about the  
14 hard times of them days, he said, to show you how hard  
15 the people had to work to make their living, to pass  
16 the hard time, he said even though the people had few  
17 caribou out of that, he said after New Year's they  
18 start off again that way. they had to pull in front of  
19 the dogs with a rope.

20 He said that time when he  
21 came back here he had to pull his dogs, ahead of his  
22 dogs to come back here to Old Crow, No more caribou in  
23 the country, nothing, his dog was too weak to go alone.  
24 When he came back here, he found out that the Indian  
25 Affairs had given out the relief for dog so they  
26 wouldn't lose all their dogs, and he went and asked to  
27 get a relief for his dog, he was refused because he was  
28 staying with his uncle and his uncle was white status,  
29 and he said they told him you are staying with a white  
30 status, you cannot get no dog food.



1 | to live. White people come from outside, they not  
2 | belong to this land right here. they work on it, they  
3 | make money on it, while us who can't do it, we was  
4 | under the law by the white people and today yet, he  
5 | says we live under the law of white people.

6 |                   To show you an example from  
7 | here if I go outside and start to build a house in the  
8 | middle of your city, he says, he is going to pay the  
9 | white people lots of money to build the house in that  
10 | little piece of ground he's going to build in. He said  
11 | the Yukon Territory is a pretty good sized territory  
12 | and a lot of money came out of it by white people. the  
13 | Indian people never got nothing out of it yet.

14 |                   Right here in the Yukon  
15 | Territory, if you had to go to Whitehorse and buy a piece  
16 | of land there, he said you have to pay for it, you have  
17 | to pay the government for it and you have to pay lots  
18 | before you could even build a house in there. He said  
19 | now we are asking for the land settlement, and this I  
20 | suppose the white people refuse us for it, and then do  
21 | what they want, build a pipeline, build everything in  
22 | that land, then after that native people here will have  
23 | nothing again and supposing what the white people are  
24 | going to do with us from there on again.

25 |                   And supposing, he says, the  
26 | pipeline was built, he is sure that the land would be  
27 | spoiled. If they build the pipeline on the other side  
28 | of Crow Flat, around the mountain range, he said still  
29 | there is tributary running into Crow River. He  
30 | believes that there is going to be lots of vehicles



1 | things about building a pipeline, nothing but good  
2 | things going to be, come around here, but he says he  
3 | don't believe in it. there will be bad things core of  
4 | it too.

5 | Next he is talking about Crow  
6 | Flat now, he said since 1949, since he came back from  
7 | school, he has been going out to Crow Flats to trap  
8 | muskrat and hunt muskrat. He is talking about moving  
9 | to Crow Flats to trap, he says, it's no easy job there  
10 | either, we work hard. We just all rode our toboggan  
11 | one time and we move there, it's not that easy, we  
12 | really loathe to move out there, to move family out  
13 | there, do a lot of work to get there.

14 | Talking about trapping  
15 | muskrat its not one day work, you have to stay there  
16 | all spring to get some rats. After the rathing season  
17 | is over, he said, we start moving to river, this is  
18 | over bare ground, putting dog back into sled and hitch  
19 | up your dog and your dog pulling over bare land to move  
20 | to the Old Crow Road. then he said we build the boat  
21 | frame and put a canvass on it, this is the kind of boat  
22 | we use to come down the Crow River. And he said after  
23 | all this hard work to go move out to Crow Flat until  
24 | they get back to their village in Old Crow, he said the  
25 | white people, they have holiday after working for one  
26 | year, they usually have holidays. He said it's  
27 | something like that for us when we come back from Old  
28 | Crow Flat, we come back with a bunch of rats and then  
29 | we stay here all month of July.

30 | After this month of July is

1 over, we work for a living again. But he said first  
2 they start off with the wood, start dropping wood down  
3 the river from above. He said in them days the people  
4 used to have when the caribou started come over the  
5 mountain, he said they see it and then they usually  
6 have little meeting with their chiefs and he said in  
7 the morning, early in the morning, the chief usually  
8 get up and he goes up the trail and waits at the timber  
9 line up in the mountains, so he wait there for  
10 everybody and the chief waits there until everybody  
11 gets there, then they talk about how they are going to  
12 surround those caribou to get a bunch of meat out of it

13 He said once they kill a good  
14 bunch of meat like that, they will probably move their  
15 family up there in the mountain and start drying meat.  
16 We made good use out of this, we save all the hides,  
17 and dry all the meat and pound all the bone to make  
18 bone grease and this is how they do the meat. they  
19 made lots of things out of caribou hide, they make  
20 babishes for winter and they make two or three  
21 different kind of babishes for the different sizes to  
22 knit their snowshoes.

23 And this is all that he could  
24 remember living out of the land, living off caribou, he  
25 said there was no waste on caribou in them days, they  
26 used every part of it.

27 Now, later on he said the  
28 people start hunting with boats and they go as far as  
29 Whitestone, up around that country to hunt moose in the  
30 fall, this is to put up meat for the winter, and during

1 the moose season in September. But the people from way  
2 back used to live and use this land. He work a few  
3 years now working with the archaeologists, working  
4 on the old sites along the river. He said at one  
5 site they are working on now, they call Klo-Kut  
6 site up here, it's about 6 miles from old Crow, he said  
7 he has been working there for the archaeologists and  
8 they dig a hole there in the ground sometimes about 5  
9 feet. And finding materials from way back about 5 feet  
10 deep around that site. And that's not the only place  
11 they find artifacts from people away back, but some  
12 have been found along the Old Crow River, and some of  
13 have been found along the mountain range that is  
14 surrounding Old Crow Flats.

15 He said by working with the  
16 archaeologists and finding material from a few thousand  
17 years back like that, he said from that he finding  
18 things out for himself that them days, he said probably  
19 there was some intelligent people who were leading  
20 their own people in how to live off the land. But  
21 nowadays he says, it's not like that, it's different,  
22 the people live different nowadays.

23 Finding out how the people  
24 used to live in the earlier days in this country, he  
25 said, probably if he hears from one of those  
26 archaeologists that works down on that site there, he  
27 may find more information from them than you will find  
28 out from me. And he said another thing that he would  
29 like you -- like to let you know, that this land that  
30 we live on today used to belong to the native people,



1 | they used to live there before the white people ever  
2 | come in this country.

3 |                                   Now the native people they  
4 | are going to have to ask for this land again. Now they  
5 | are asking for a land settlement, asking for a piece of  
6 | land for these Old Crow people to live on, and that the  
7 | kind of land settlement he said he would love to see  
8 | for the people of Old Crow. If the pipeline will ever  
9 | cross this land, he wants to see the land settlement  
10 | for the native people.

11 |                                   He said perhaps, it's pretty  
12 | hard to bring everything up at one time like that when  
13 | you haven't got it written down before time, and it's  
14 | pretty hard to explain everything at one time. Perhaps  
15 | if he thought of something again, he may let you know  
16 | before this meeting will be closed.

17 |                                   MR. VEALE: Abraham, I understand  
18 | that you were band manager for Old Crow. Maybe you would  
19 | tell the judge when you were band manager, and some of the  
20 | things that happened with the government during that time?  
21 | I am talking about the airport, Abe.

22 |                                   THE WITNESS: I was band  
23 | manager a couple of years ago and --

24 |                                   THE INTERPRETER: He says he  
25 | was the band manager for the old Crow Band a couple of  
26 | years ago. He said before they ever built the pipeline  
27 | up here, there have been a lot of meetings put up  
28 | before the airport was back there beyond the town. At  
29 | that time, when they had meetings to build the airport  
30 | for Old Crow, he said the people of Old Crow told them

1 | it was too close to town, no room there for the people.  
2 | Put it up on top of the hill somewhere a little ways  
3 | away from town.

4 |   And he said all of a sudden,  
5 | when the airport was going to be built, the machinery  
6 | got here and they started. they never did listen to  
7 | the Old Crow people, where they were going to put it,  
8 | they put it right behind the town, without discussing  
9 | anything with the people of Old Crow.

10 |   And he said after building  
11 | this airport, and it was completed a year ago, and then  
12 | they came back again asking for more piece of ground,  
13 | somewhere around 700 feet more they wanted to add to  
14 | it, to widen from east side of the airport. And then  
15 | he said the Old Crow people step on their toes that  
16 | time, He said the airport is not going to go any  
17 | further, it's going to stay the way it is. they didn't  
18 | want to give up any more ground for airport because  
19 | they had no room, they were pushed to the river and the  
20 | bank was caving in and there was only a little piece of  
21 | ground there that was left. And then he figured out  
22 | that they wanted to make the airport bigger because  
23 | supposing the pipeline started to come, he said they  
24 | wanted to make it bigger just for that.

25 |   When the Old Crow people  
26 | would start talking about putting an air strip in Old  
27 | Crow, he said we didn't ask for anything that big, he  
28 | said we only asked for a small strip where small  
29 | airplanes could land, in case sometime during the  
30 | break--up if somebody gets sick and during the freeze--

1 up, in a place like, he said there was no other place  
2 for those airplanes to land, so they asked for a small  
3 strip where small airplanes could land. He said I  
4 didn't ask for anything that big that time.

5 He said long ago when they  
6 asked for that the government refused first time,  
7 there would be no air strip in Old Crow, and anyway  
8 this ball field up there, the town, he said the  
9 people in Old Crow started to axe and shove. and  
10 everything and cut a strip there but it was too hard  
11 so they quit. You can't build an airport with an  
12 axe and shovel.

13 And once they found out that  
14 the government -- the oil companies started exploring  
15 this country and they wanted to put in a pipeline, he  
16 said the government sure went ahead and start spending  
17 money to build an airport. He said that last winter  
18 he was working for the seismic line for oil company up  
19 here some place, and there were cutting seismic line  
20 and the bulldozer come following to clear the place  
21 out and they had a place there where they made a  
22 heliport, the helicopters would land there, had a  
23 place there and the bulldozer went across and scrape  
24 everything there.

25 They saw wires frozen into  
26 the ground there. And this heliport where they find  
27 this wire coming out of the ground, he said they went  
28 and told the boss that they saw this wire coming out of  
29 the ground and he said they were doing seismic survey,  
30 or exploding the ground anyway with dynamite and one

1 day they went back there and had a look at it, and that  
2 thing explode, it was from dynamite left under the  
3 ground there from some oil company that worked there  
4 before. He said this was left there like that, and  
5 he said probably some other places left like that  
6 too. No one knows.

7 They were hunting 18 mile up  
8 river here where Kenneth Nukon is staying up there all  
9 winter, they trap with him and they hunt back in the  
10 hill and one valley there they saw some pipe was driven  
11 in the ground like that and there was a sign in the  
12 middle of it that said "Danger, Keep Out", He said he  
13 didn't see it himself but it happened that Stephen  
14 Frost and Georgie Moses were hunting around there, they  
15 are the ones that saw it.

16 He said they would sure like  
17 to find out why this thing was put there and said, a  
18 sign was put up and said "danger". Things like that  
19 have been left behind and without letting Old Crow  
20 people know anything about it, and then it's been  
21 found, after the oil company left the country, but this  
22 kind of things the Old Crow people don't like.

23 MR. VEALE: Abraham, when the  
24 airport was built, were Old Crow people sent out to  
25 Whitehorse and trained for jobs?

26 THE INTERPRETER: When they  
27 started to build the airport in Old Crow, some of the  
28 boys volunteered to go to school for training in  
29 Whitehorse to drive trucks. He said after they came  
30 back he said everyone that had a job there to build

1 | that airport. And he said these boys are working in  
2 | the airport, he said, they go there they drive around,  
3 | they drive truck for good money, good piece of money,  
4 | they make a good piece of money in a short season, and  
5 | once they get paid, they got a big lump of money  
6 | in their pocket and feel happy but after no more job.  
7 | the money is no more there in their pocket and those  
8 | boys, they are not too happy after the money is gone.  
9 | Well perhaps he says some other people want to come up  
10 | to the mike and talk, and this is all he would like to'  
11 | say, and he would like to say thank you again.

12 | THE COMMISSIONER: Thank you,  
13 | Mr. Peters, thank you very much.

14 |

15 | (WITNESS ASIDE)

16 |

17 | BERTHA ALLEN, Resumed:

18 |

19 | MRS. ALLEN: First I would --  
20 | my name is Bertha Allen. First, I would like to get  
21 | permission from the people of Old Crow to see if I can  
22 | speak, and the reason I would like to speak is I was  
23 | born and raised here in Old Crow, and I feel that -- I  
24 | feel that I should have my say on behalf of my  
25 | grandmother, Myra Moses, who, is sick, and on behalf of  
26 | other members of my family who lives in Old Crow, so I  
27 | would like whoever is in charge to -- the chief, if he  
28 | would ask the people if it's okay that I have my say.

29 | THE COMMISSIONER: Well I  
30 | think it's okay with everybody, isn't it chief? the

1 CHIEF: Yes.

2 THE COMMISSIONER: I think  
3 you can go ahead, Mrs. Allen.

4 MRS. ALLEN: Okay. Well I  
5 would like to start off, my grandmother couldn't make  
6 it here, Myra Moses, she is presently sick at home and  
7 she's asked me to speak on her behalf, and first she  
8 would like me to inform you about the medal that my  
9 grandfather got from the Queen, no King George, King  
10 George at that time. Just to show how generous the  
11 people of Old Crow were at that time, it was during the  
12 Second World War in 1941, I think that my grandfather,  
13 you know is Peter Moses, and he was the longest  
14 reigning chief of Old Crow. He reigned for 18 years,  
15 and then on two occasions through the Second, through  
16 the mail of my grandmother, I found out on two  
17 occasions that while he was chief that he collected  
18 money to send to the orphans, the ones in England to  
19 the amount, till those days, 300, in the amount of 300  
20 something. In those days, that was a lot of money, and  
21 the money was used for clothing for the orphans.

22 On another occasion, he  
23 collected money for the Soviet Union, who you know at  
24 that time the war was being fought against them, I  
25 think, if I remember my history correct, so I am sure  
26 everybody knows this, I won't ask this to be  
27 interpreted, so I'll just in my own version, I would  
28 like Peter to interpret what I have to say.

29 I feel that the people of Old  
30 Crow should, you know they are so isolated that they



1 I see across the river and I see up on the mountain  
2 where we use to pick berries. I see that they are  
3 still undisturbed. I see the trees the same way they  
4 were when I left in '45. And I'm afraid if they ever  
5 decide to build a road or the pipeline up in your area,  
6 all these things will get further and further away from  
7 you. And I'm still on development and I would just  
8 like to go down to --this southern part of Canada,  
9 where the southern Indians live. I would like to point  
10 out about the Kenora area in Ontario.

11 As you all know, my sister  
12 Agnes, she used to live in Kenora and being an Indian,  
13 she was an eater of fish as the Indians of Kenora area  
14 were. So what happened there was a paper mill and  
15 other industries were all started up in these areas.  
16 they dumped all their garbage into the rivers and this  
17 contaminated the rivers and now the fish that live in  
18 the rivers are poisoned with mercury. And the Indians  
19 still eat this fish, and are now starting to feel the  
20 side effects of this poisoning. If you eat this  
21 mercury poisoned fish, sometimes your eyes or your  
22 vision starts to get very poor, and your hair may fall.  
23 the government, the federal government knew about this  
24 mercury poisoning in the Kenora area, but never  
25 bothered to inform the people about it until the native  
26 organizations put pressure on them to make this public  
27 to the people.

28 This is what the greediness  
29 of the white men will do, they will do anything to  
30 develop the country. these are just some of the things



1 | that I wanted to bring up on development for the time  
2 | being.

3 |                                   I would like to go onto the  
4 | pipeline, about the seismic line and compare it to this  
5 | big development. What will the pipeline do, like  
6 | I did a program on the pipeline information program in  
7 | Fort MacPherson and Inuvik, and some of these points  
8 | I'm going to mention were things brought up to my  
9 | attention by people I visited in their homes, and I  
10 | would like to bring it to your attention. I don't  
11 | know, I've! never heard any of you so far bring up most  
12 | of these things, and I would like you to think about  
13 | it. these are ideas given by the other native people  
14 | around MacPherson, Inuvik area.

15 |                                   there's a comparison between  
16 | the seismic line, which is a small operation and the  
17 | native people have found out wherever they have blasted  
18 | the creeks, and the -- the breeding beds of the fish ?  
19 | have been destroyed. the fish have been destroyed,  
20 | because they know these creeks and because they fished  
21 | in these areas from time to time and they know the  
22 | areas well and they find out that the fish just  
23 | disappeared after the seismic crew went past, and now  
24 | they are asking if such a small operation as a seismic  
25 | line should disrupt their way of life and their  
26 | livelihood, what will a big project such as the  
27 | pipeline do to us, that's a question they are asking  
28 | themselves now.

29 |                                   And another big question they  
30 | are asking to the government, federal government and

1 | the oil companies, is what kind of compensation or  
2 | guarantee will you give us if you put the pipeline  
3 | through and you have chased away all our animals and we  
4 | can no longer use the land of ours to make our  
5 | livelihood, what kind of guarantee is the  
6 | government going to give the people if this should  
7 | happen? And that's about enough of that, so I go on to  
8 | the leakage of a pipeline, and this is another thing  
9 | that people have talked about.

10 |   they are asking the question  
11 | about what kind of precautions is the companies going  
12 | to take if there should ever be a leakage, and I know that  
13 | you don't have T.V. here and a lot of times the  
14 | reception is not good on the radio, but in Inuvik where  
15 | we have good communications and you watch the news on  
16 | T.V. and it's not too long ago we saw a film on -- in  
17 | Japan about an oil spillage. All this the government  
18 | is not going to tell you about. And when this tanker  
19 | leakage, it leaked out thousands and thousands of  
20 | gallons of, I think it was fuel oil, I'm not quite sure  
21 | -- fuel oil, and I'm sure in your information program  
22 | you must have been informed that they have equipment to  
23 | collect the oil spillage if it should ever break, and  
24 | to tell you the truth, watching this film, that  
25 | equipment they had to collect the oil in Japan was  
26 | useless.

27 |   There's another question on  
28 | topic: What measures would the federal government or  
29 | the oil companies take should this ever happen in the  
30 | north, if they built a pipeline, and I'll go on to a

1 | few other things that other native people in other  
2 | parts of the north are thinking about.

3 |                                   Like this Inquiry, you tell  
4 | this Inquiry about what kind of guidelines you would  
5 | like to see if a pipeline is ever built in the north,  
6 | it's us that should set the guidelines. Where I come  
7 | from, we are going to tell Judge Berger we want some  
8 | rules set down in camps, to be strictly enforced, that  
9 | these employees, there's going to be 800 men to each  
10 | camp, and what will happen if they all decide to come  
11 | into our communities?

12 |                                   In the Inuvik area like I  
13 | told you, it's a fast developing town. We already see  
14 | what could happen to a town should people come in who  
15 | are not residents and who don't act as visitors in our  
16 | towns. What we want to do is for them to stay in camp,  
17 | and out they go after they serve their two weeks or  
18 | three weeks they do, we don't want them hanging around  
19 | our towns to disrupt our way of life.

20 |                                   I know that's being mean to  
21 | do something like this, but there has to be some rules  
22 | laid down. And another thing, we want to put pressure  
23 | on the employers, people that employ workers. We are  
24 | going to tell Justice Berger that they should sign a  
25 | paper or document that they will promise a return  
26 | ticket to any of their workers should they get fired.  
27 | We don't want them hanging around our towns.

28 |                                   It's on numerous occasions  
29 | we've had a few people, because of development in the  
30 | Inuvik area, got fired and they have been hanging

1 around our towns and now we are stuck with them, some  
2 of the native people have to house them, and it's been  
3 proven too, that they stick around, next thing they  
4 know, they end up with one of the native girls and  
5 they think they have put in enough time in the north,  
6 next thing they know they are approaching the trapper,  
7 association for trapping licence. And another thing  
8 that we pointed out I was you know, I don't know how  
9 much you know about unions. If the pipeline is ever  
10 built, you know it's going to be all the jobs is going  
11 to be given to unions, unions of labour, unions of you  
12 name it, welders and all this. We are just thinking of  
13 what kind of chance have the native people got for  
14 short term jobs on this pipeline.

15                                 So what we are thinking to  
16 tell Judge Berger on unions is we know we can't get  
17 jobs on a lot of -- you have got to be professional to  
18 build this pipeline, so only thing the native men are  
19 professional in is doing labour jobs, and even that,  
20 we're not sure of because these unions down south of  
21 labourers. What we want to do is set up a union of  
22 native men and ask would they recognize this union and  
23 hire from this union only for labourers' jobs.

24                                 Seeing Peter is tired, I am  
25 going to sum mine up. Do you want me to finish or to  
26 hear more?

27                                 THE COMMISSIONER: Well I  
28 will tell you what we will do. While we are changing  
29 interpreters, we will just stop for 5 minutes and  
30 stretch our legs.

1 MRS. ALLEN: Okay.

2

3 (PROCEEDINGS ADJOURNED)

4

5

6 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

7

8

9 THE COMMISSIONER: We will  
10 come to order again. Mr. Sittichinli maybe you would  
11 come over here and act as our interpreter now.

12

13 MRS. BERTHA ALLEN, Resumed:

14

15 MRS. ALLEN: I still got lots  
16 more to say on this inquiry. I just spoke to a lot of  
17 people and they said they would like to hear it to the  
18 bitter end, so I'm going to finish my say.

19

20 I would like to go onto the  
21 social aspect of this pipeline. For example, when  
22 development came to Inuvik, that there was a lot of  
23 money flowing around by men from the south, and what  
24 happened, a lot of sad things happened in Inuvik in  
25 those days. A lot of times these men took off with  
26 these girls when they were still half drunk, and these  
27 girls found themselves in Edmonton a lot of times in  
28 hotel rooms. And they find out they are in their hotel  
29 rooms by themselves and their boyfriend is nowhere to  
30 be found, he's gone, he's abandoned her.

30

And it always ended up, a

1 | phone call home to their parents or a phone call to the  
2 | social development and it ended up that they always  
3 | were brought home by social development. This is not  
4 | going to improve if the pipeline and highways are built  
5 | into our communities, it's only going to worsen.  
6 | A lot of times it will be ten times as bad, there's  
7 | going to be lots of deaths found on the highways. And  
8 | I'll go back to when the social workers came into the  
9 | country. What they did was it all started by when  
10 | social development came into our country, that's when  
11 | we start sing our pride. they made it easy for us to  
12 | get assistance instead of going out to work, it was  
13 | easy to get social assistance, and what happened is a  
14 | lot of us learned to depend on social assistance now.  
15 |   What happened down south in  
16 | cases like this is say your children, your grandparents  
17 | your parents, you yourself, that's four generations,  
18 | sometimes down south social problems so bad, all these  
19 | four generations learn to live on social assistance.  
20 | So what you have to be careful about is that you don't  
21 | fall into this line, you have to learn to get your  
22 | pride back before you learn to live like the white  
23 | people down south on social assistance, generation  
24 | after generation.  
25 |   And then the social  
26 | development, they were the ones that told our  
27 | youngsters informed them of their rights. they told  
28 | the girls if you are 18 and you can't get along with  
29 | your mother and father, you are on your own, we will  
30 | look after you. They were the ones that did that to

1 | the native people. So that's enough of that and I'll  
2 | go on to something else.

3 |                   Another thing the people in  
4 | the other settlements are worried about is with people  
5 | moving in for employment, they will demand sports  
6 | hunting licence so therefore you must lay down the  
7 | rules, who can be eligible. As you know, sports  
8 | hunters from south, they kill for the pleasure, not for  
9 | survival as the native peoples do. You should now  
10 | think about that and make some kind of rules that they  
11 | should follow and learn to enforce it.

12 |                   And I would like to, you know  
13 | the native people have always been criticized for being  
14 | against development. I would just like to point out a  
15 | few places down south that I know are in the same boat  
16 | as we are fighting the government. You know, the  
17 | government don't usually listen to the people at all  
18 | For example, in Toronto, there's a part of that big  
19 | city where the people in that little district don't  
20 | want this airport built on there, because it is good  
21 | for farming. What happened is the government didn't  
22 | listen to the people and got the airport started,  
23 | against the wishes of the people.

24 |                   I would like to point out  
25 | where the people demanded ownership in Sable Island a  
26 | few years ago, where they found oil the same as they  
27 | found oil in our country, then the federal government  
28 | the provincial government start fighting over this  
29 | island, who it belongs to. And I don't know what  
30 | happened to that, I didn't keep up with the new, it

1 | just goes to show an example we're not the only people  
2 | in Canada that's fighting for our rights. they are all  
3 | out in the limelights trying to win what is rightfully  
4 | theirs.

5 |                                 What I want to know is if  
6 | this pipeline is built against our wishes; another  
7 | thing I would like to point out is we may, you know we  
8 | may -- this pipeline may be pushed upon us, but at  
9 | least we be very vocal and tell the Berger Commission  
10 | what we want, the rules we set down, the least we could  
11 | get out of this pipeline is set down some rules and  
12 | guidelines that they have to follow, if there is  
13 | nothing else.

14 |                                 Another thing I would like to  
15 | bring to your attention is on my way back from Edmonton  
16 | the other day, I read a report by Dr. Otto Schaeffer,  
17 | people around the Inuvik area know him very well. He  
18 | works for the Northern Health Services, and there was a  
19 | report on cancer of the Eskimo people. would like to  
20 | bring that to your attention, what development can do  
21 | to us. Why do you think a lot of us are dying of  
22 | cancer? It's because of the testing of bombs and the  
23 | fall-out of the bombs and the fallout fall on where the  
24 | caribou breed.

25 |                                 He says that the native  
26 | people being eaters of wild meat, they seem to be  
27 | getting more cancer amongst the native population in  
28 | the north. And another thing he found out was a of  
29 | native woman are dying of cancer of the womb and  
30 | cancer of the breast. I'm sure that's going to be



1 brought up and we want to know, what is the Northern  
2 Health going to do? What kind of a health program,  
3 will they do for woman, say the few of us that know  
4 about it we go for pap smear test, that's to see I  
5 got cancer of the womb. Will they inform the native  
6 woman in these communities about something like this?  
7 It goes to show that is what we sacrifice for  
8 development.

9  
10 And as you all know, in all  
11 these northern towns, the biggest problem is the  
12 alcohol problem. We are caught between two cultures,  
13 the Indian culture and the white culture, that's why  
14 the native people are mixed up now. I remember my  
15 growing up years in the Indian culture, taught to me by  
16 my grandparents, which was in those days sharing and  
17 cooperation amongst the people of the town. Now I see  
18 that the white culture is slowly sneaking into these  
19 communities and the spirit is not the same as when I  
20 was growing up, there's not too much sharing and  
21 cooperation. What I'm trying to get at is this is not  
22 our lifestyle and you should learn to go back to the  
23 old ways, which is much better in a town like this.

24 Another thing I'd like to say  
25 to the young people that's going to school now about the  
26 land claim. You all know if you ever make your land  
27 claim with the government, if that's what you want, you  
28 know that there's going to be money that comes from  
29 royalties, that go out of the country, and if you want to  
30 handle that money in your own way and not pay somebody  
from down south, you have to learn to handle that money



1 | leaders because they went through this system. I know  
2 | this is the only educational system that did any work  
3 | for the people of the north, is the mission education  
4 | system. That is the one and only, they taught  
5 | us Christianity which is sharing and cooperation with  
6 | your neighbour.

7 | Another thing I would like to  
8 | say to you, I was really happy to hear one of the  
9 | speakers mentioning the yes man We have always been the  
10 | yes, yes man, anything the government says to us was  
11 | always "yes". I know how friendly and generous you  
12 | people of Old Crow are, but I must warn you, you have  
13 | got to learn to say no sometimes to a lot of these  
14 | things that are trying to be pushed on you. The way you  
15 | go about learning to do this is when thing comes up  
16 | new, don't be so agreeable to it right away. You tell  
17 | them we will think about it, and in the meantime you  
18 | talk to other people, even if you have to make long  
19 | distance calls to somewhere and get opinion of other  
20 | people, then you could decide if it's good for us or is  
21 | it not. If it's not, learn to say no.

22 | And these things I've spoken  
23 | to you about are experiences I have gone through. I  
24 | didn't come to the point where I am today to express  
25 | myself overnight, it took me 15 years before I'm able  
26 | to express myself openly and without fear. What I c.  
27 | a little disappointed with some of the women here is  
28 | they are not coming out to speak. I know you can do it  
29 | if you try. Don't be shy, there's nobody will chew you  
30 | up.

1   You know, this Berger  
2 Commission is your last chance to tell the government  
3 how you feel about the pipeline and here's your  
4 opportunity. He's sitting there now, you tell him what  
5 you think about the pipeline. If you don't, then  
6 forever hold your peace, you had the chance.

7   I would like to close off  
8 with saying that you know, I would never ever want to  
9 see the people of the Northwest Territories be a  
10 stranger in their own country. I have seen too much of  
11 it down south in my travels. I see native people in  
12 other countries being strangers in their own place,  
13 even close to Inuvik, I won't call out the cities. I  
14 see native people standing around and seeing these big  
15 developments going around them and they are standing  
16 around, don't know what's happening in their own  
17 country. Don't let that happen to you.

18   This is the biggest project  
19 I've ever heard of in this country, the Yukon. This is  
20 the first hearing that I know of in the Yukon, is it?

21   THE COMMISSIONER: Yes it is.

22   THE WITNESS: Community  
23 hearing, and that's the only community hearing you will  
24 have in the Yukon?

25   THE COMMISSIONER: And White-  
26 horse.

27   THE WITNESS: Whitehorse, I  
28 mean that's a big one, but I would like to know if  
29 somebody could answer my question, where is your Member  
30 of Parliament? This is a federal issue, where is he? I

1 myself always like to get first hand information, I  
2 never like to get it second hand, even from the best of  
3 informers that I have around, I always like to get  
4 first hand information. I think your M.P. should be  
5 here getting first hand information, not second class.

6                               You know, I observe a lot, I  
7 look around me and I talk to people, and I'm convinced  
8 that the best place for you people, and I wish you  
9 would think about it, is we have better programs in the  
10 Northwest Territories and I find that Whitehorse look  
11 at Old Crow as if you don't exist. Your M.P. I find out  
12 hasn't been around since the last election after a lot  
13 of promises to you. So what I'm trying to get at is, I  
14 don't know what you'll think about it, but I have  
15 spoken to a few people. This is not going to be the  
16 first time that ever happened. We decreed and we act  
17 for the Northwest Territories, think about joining the  
18 Northwest Territories. You're much closer, we have got  
19 a lot more things in common. I know the Yukon  
20 government's not going to approve of that, they like to  
21 have your number. We say all you are to thc. is a  
22 number, so okay that's all I have to say and I hope  
23 what I missed I will pass it on to somebody, hopefully  
24 they will bring it up and not be afraid.

25                               THE COMMISSIONER: Thank you,  
26 Mrs. Allen.

27                               THE INTERPRETER: I don't  
28 know whether to translate the last part or --

29                               MRS. ALLEN: Yes, tell them.

30                               THE COMMISSIONER: I think

1 | you should translate it, it's what Mrs. Allen said.

2 | THE INTERPRETER: All right.

3 | .

4 | (WITNESS ASIDE)

5 | DR. WILLIAM IRVING, Sworn:

6 |

7 | THE COMMISSIONER: Mr. Veale.

8 | I understand that this witness has to return to camp

9 | tonight, is that right?

10 | MR. VEALE: Yes, that's correct.

11 | THE COMMISSIONER: Mr.

12 | Sittichinli has been doing a yeoman's service here. Is

13 | it possible for this witness to give his evidence in

14 | its entirety, and it might be summarized and then

15 | translated tomorrow? Does that, or would you rather it

16 | be translated as we go along? Whatever suits you.

17 | THE INTERPRETER: I think I

18 | can do it.

19 | THE COMMISSIONER: Well, I

20 | would just like to hear what Mr. Veale has to say about

21 | it.

22 | MR. VEALE: Well I discussed

23 | this with the chief, Judge, and he felt it should be

24 | translated as we go.

25 | THE COMMISSIONER: All right,

26 | let's do it that way. We could certainly have a give

27 | you a break, though Jim, if you wish.

28 | THE INTERPRETER: No that's

29 | all right, go ahead.

30 | MR. VEALE: I understand your

1 name is Dr. William Irving, and you are with the  
2 Department of Anthropology at the University of  
3 Toronto, and that you're a professor of anthropology?

4 THE WITNESS: Yes, that's right.

5 MR. VEALE: Dr. Irving, Would  
6 you tell Judge Berger and the people what your  
7 objective is from an anthropological point of view?

8 THE WITNESS: It is easiest  
9 for me to begin in a somewhat narrative fashion and say  
10 that I came here in 1965 looking for some part of the  
11 Loucheux territory in which I could relate the  
12 information that I get from the old people, the  
13 ethnographic information, to the information that I get  
14 from archaeological remains about pre--historic times.

15 When I arrived here, I found  
16 that the Old Crow region was ideally suited to the  
17 kind; of work that I wished to do. there were people  
18 with a great deal of knowledge about the early days and  
19 there were some excellent archaeological sites, old  
20 camps where people had lived nearby. the following  
21 year in 1966, I came here with several other people  
22 from the National Museum and together with some men  
23 from Old Crow, we began digging at the site that is  
24 called Klo-Kut, about 6 miles up the river from here.

25 THE COMMISSIONER: That is at  
26 the Porcupine?

27 THE WITNESS: Just up the  
28 Porcupine River from here, yes.

29 During that year and the yea..  
30 1968 when Dr. Morlan was excavating there, we between us

1 | have discovered or established that the site of Klo-Kut  
2 | was occupied over a period of more than 1,000 years. I  
3 | cannot be exact about the time when it was last occupied  
4 | or used by Loucheux people, but I think that that was  
5 | about 1900, and I'm sure that there are people in this  
6 | room who can be more precise about it than I can.

7 | THE INTERPRETER: Last use  
8 | was 1900?

9 | THE COMMISSIONER: It was  
10 | occupied by Loucheux people for a thousand years before  
11 | 1900, is that it?

12 | THE WITNESS: That's it.

13 | One interesting and  
14 | possibly significant piece of evidence comes from a  
15 | fireplace, a pile of ashes at one part of the site  
16 | and in the top of the pile of ashes we recovered a  
17 | jack--knife and in the bottom of the same pile of  
18 | ashes, and apparently just a little bit older,  
19 | there were pieces of chipped flint from making  
20 | flint arrows.

21 | Evidence and information of  
22 | this kind helps to support the reports of old people  
23 | that the site was used for as long as anyone can  
24 | remember and up until relatively recent times.

25 | MR. VEALE: Dr. Irving, could  
26 | you elaborate on the evidence that establishes a direct  
27 | connection between the remains at Klo-Kut and the  
28 | modern day people at Old Crow?

29 | THE WITNESS: It is difficult  
30 | to point to evidence that will show that specific



1 individuals or people whose grandfathers or great-  
2 grandfathers occupied any particular site at any  
3 particular time, but what we can do is point to the  
4 pattern of land use and match that with the information  
5 that we get from old people, and when the pattern of  
6 land use indicated by the archaeology fits with the  
7 pattern of land use indicated by the old people, then  
8 we think that we have evidence for continuous use of  
9 that piece of land.

10 THE COMMISSIONER: By the  
11 same people?

12 THE WITNESS: By the same  
13 people.

14 MR. VEALE: Dr. Irving,  
15 could you tell us the pattern of land use that your  
16 investigations have revealed?

17 THE WITNESS: the work  
18 carried on by myself and my colleagues can be  
19 summarized, the work relating to the late pre--historic  
20 period, the period of the last presumably a thousand  
21 years, can be summarized by reviewing the annual cycle  
22 of activities. On the one hand as it's shown by  
23 archaeological remains;; and on the other hand as it's  
24 shown by an ethnographic reconstruction. I will  
25 attempt to review this very quickly.

26 THE COMMISSIONER: Well, take  
27 your time, Mr. Irving, we've got lots of time here and  
28 we are anxious that -- and it sure these people are  
29 anxious to have you tell the full story, so --

30 THE WITNESS: I should point

1 out that we are still encased in research and the story  
2 is not complete, but I will give you the story as best  
3 I can at this point in time.

4 Well according to the  
5 ethnographic information, and by this I mean simply the  
6 information that I get from old people and other  
7 students of ethnology in other parts of the Loucheux  
8 territory. In the spring, according these ethnographic  
9 reconstructions that we make, many the Vunta Kutchin  
10 and possibly other Kutchin, a Loucheux people as well,  
11 would gather along the Porcupine River to intercept the  
12 caribou as they migrated north and west to the calving  
13 grounds.

14 During the course of the  
15 summer, apparently the people engaged in various  
16 activities, hunting water fowl, fishing and preparing  
17 for the fall caribou hunt. We have not very much  
18 systematic information and I'm led to believe that  
19 people did a great number of different subsistence  
20 activities during the summer.

21 During the fall, many of the  
22 people, if not all, would gather in large organized  
23 groups at caribou fences, most of them situated along  
24 the north side of the flats. This still -- north and  
25 east side of Old Crow Flats, and this still by  
26 ethnographic report, that is report of the old people.

27 According to some reports,  
28 several young men would be assigned the task of  
29 repairing the caribou fences and would spend as much of  
30 the latter part of the summer doing this. they would,



1 THE COMMISSIONER: We will  
2 find out.

3 THE WITNESS: We have dug --  
4 INTERPRETER: You have  
5 dug out that much?

6 THE WITNESS: I mention that  
7 to illustrate, to show that the site Klo-Kut  
8 particular is a very large and very important one.  
9 There are other sites that are similar along the  
10 Porcupine River, one for example at Rat Indian Creek  
11 which we have not dug very much off but it's a similar  
12 site but a little smaller.

13 Now, we have looked for sites  
14 that were occupied during the summer and for example  
15 and Crow Flats/along the Porcupine River, we have found  
16 very little of these. I think that perhaps is

17 THE COMMISSIONER: Excuse me,  
18 Mr. Irving, Would you mind repeating the thought you  
19 have just begun to express? I was still looking at the  
20 map.

21 THE WITNESS: We have looked  
22 for sites, archaeological sites to represent the summer  
23 activities of the Vunta Kutchin. these are not easy to  
24 find, I think haps partly this is because people lived  
25 in small groups during the summer, but this is just my  
26 guess and it may be something we will find out more  
27 about later on.

28 What we have found, and what  
29 is extremely interesting to scientists and I think to  
30 others as well is the sites of many of the caribou

1 fences used in the fall. Now, these were first  
2 indicated to us by Old Crow people and then during the  
3 time when there was a great deal of survey going on,  
4 with respect to environmental impact studies, several  
5 of these fences were reported and we began to locate  
6 them.

7  
8 These caribou fences are one of  
9 the things that the people working with me are  
10 concentrating on this summer, and we have just today  
11 finished mapping in detail the fourth caribou fence that  
12 we have located, and we hope either this year or next  
13 year to map four, at least four others. these are: on  
14 the north side of the flats at the, usually at the edge  
15 of timber where the mountain valleys lead out into the  
16 flats, and some of them are along the east side.

17 Now, these are quite impressive  
18 structures when you see them from the air, they are even  
19 more impressive when you see them on the ground. then, --  
20 well I have here a photograph taken from the air which I  
21 would perhaps show the Berger Commission.

22 THE COMMISSIONER: The  
23 caribou I take it, are driven into the open end of the  
24 fence and then trapped inside, is that the way it  
25 works?

26 THE WITNESS: In general,  
27 yes. the pocket or the corral part of the fence is  
28 provided with snares that are held in place firmly and  
29 it's built of a fence that's usually about five to six  
30 feet high as nearly as we can reconstruct it, made of  
logs. the wings of the fence, which guide the caribou

1 | into the corral or the pocket, may be up to three miles  
2 | in length. I suspect they may have been longer, but  
3 | they are pretty hard to recognize when they get out  
4 | toward the end. The whole construction entails quite a  
5 | lot of highly organized labour, and to my mind, it  
6 | confirms the impression I get that there's a high  
7 | degree of organization and planning in the exploitation  
8 | of the country by the late prehistoric and early  
9 | historic people.

10 |                                   THE COMMISSIONER: Before you  
11 | translate, maybe while Mr. Sittichinli is explaining  
12 | this, I could pass this around the room, would that be  
13 | all right?

14 |                                   THE WITNESS: Please do.

15 |                                   THE COMMISSIONER: You might  
16 | just pass it along. Carry on.

17 |                                   THE WITNESS: As nearly as I  
18 | can tell at present, each fence would support perhaps 8  
19 | to 12, perhaps a few more families. I may be able --  
20 | we may be able to say something more definite about  
21 | this when we have completed the study of some of the  
22 | winter villages that we have found near the fences.  
23 | This is consistent with the statements of, for example,  
24 | Big Joe Kickavichik(?) who lived when he was a boy at  
25 | the Thomas Creek fence, and he can recall the names, or  
26 | could recall the names of I think eight heads of  
27 | families who lived there with him.

28 |                                   THE INTERPRETER: How many  
29 | families?

30 |                                   THE WITNESS: Eight.

1 THE INTERPRETER: Eight?

2 THE WITNESS: Yes.

3 While I am talking about the  
4 Thomas Creek fence, it's interesting that Big Joe  
5 recalls that the fence went out of operation the year  
6 after repeating rifles were purchased from the whalers  
7 at Herschel Island, and the whalers first began  
8 wintering at Herschel Island in 1895, which matches  
9 well with Big Joe's memory of the event.

10 I should mention that Big Joe  
11 Kickavichik is the father of the present chief of old  
12 Crow, John Joe Kaye, and to indicate continuity with  
13 the recent past, I have been told that Big Joe's father  
14 is buried on the ridge over at Black Fox Creek, where I  
15 have seen his grave.

16 THE COMMISSIONER: I think I  
17 should say for the record that Professor Irving has  
18 just pointed out on the map the locations of two of the  
19 caribou fences, as well as location of Black Fox Ridge.  
20 Black Fox Ridge is unmarked on the map, it's an exhibit  
21 in the proceedings.

22 The two fences were on the,  
23 essentially on the north side of Old Crow Flats. I  
24 hope I am right in saying that.

25 THE WITNESS: Yes.

26 THE COMMISSIONER: I have  
27 forgotten, Professor Irving, were those fences used to  
28 intercept the migration from the coast in the fall, or  
29 to the coast in the spring, or both?

30 THE WITNESS: For the most

1 part from the coast in the fall. Now, other caribou  
2 fences were built for use during the winter in the  
3 event that caribou should winter in the region, which  
4 they do from time to time. But these fences, which I  
5 think are probably the most important ones, were  
6 designed for use in the fall.

7 THE COMMISSIONER: That  
8 photograph that's being passed around, that's a present  
9 day air photograph, I take it?

10 THE WITNESS: That was made  
11 in 1970, yes.

12 THE COMMISSIONER: And in that  
13 photograph, I take it we see the remains of the posts  
14 that were used, is that what we observe from the air?

15 THE WITNESS: That's what we  
16 see from the air, the logs and the stakes

17 THE COMMISSIONER: And how  
18 many, how many posts or stakes would have been used to  
19 construct the fence that we see in that photograph?

20 THE WITNESS: Unfortunately  
21 that's not one that we have mapped in detail yet. I  
22 can give rough dimensions and the pocket part of the  
23 fence varies from a quarter of a mile to about half a  
24 mile in length, that's just the place where the snaring  
25 took place. the fence around the pocket was up to, it  
26 was between five and six feet high, and pretty much  
27 solid logs from top to bottom, either as pickets or as  
28 horizontal logs. there is some variation in the style  
29 of construction. That's as close as I can give to the  
30 estimated number of logs, I would have to go back and



1 | do some counting, I guess

2 | THE COMMISSIONER: And you  
3 | said that the wings where the collection of the caribou  
4 | takes place --

5 | THE WITNESS: Yes.

6 | THE COMMISSIONER: -- to be  
7 | funnelled into the pocket

8 | THE WITNESS: Yes.

9 | THE COMMISSIONER: -- those  
10 | were how wide?

11 | THE WITNESS: Well in length  
12 | they range up to, I would think about three miles, and  
13 | in width from -- well they are rather complicated in  
14 | their arrangement because there may be three or four  
15 | different wings, so that the measure of dispersion is  
16 | spread between the widest ones, could be misleading.  
17 | But something on the order of a couple of miles across  
18 | between any paths, is not out of line.

19 | THE COMMISSIONER: A witness  
20 | yesterday, an older woman, discussed caribou fences,  
21 | she called them caribou corrals, that may be a more  
22 | accurate description.

23 | THE WITNESS: I think perhaps  
24 | it is, yes, yes, I think so.

25 | THE COMMISSIONER: Well, do  
26 | you want to translate this little conversation and. as  
27 | best you can? I am sorry.

28 | THE INTERPRETER: I seen one  
29 | built, how it is built. I seen one at Rat River and  
30 | one at Driftwood, at the Driftwood River. I seen how

1 | it was built. The one I seen at Driftwood, it was  
2 | still pretty good.

3 | THE WITNESS: I have got to  
4 | talk to you later.

5 | THE COMMISSIONER: He has got to,  
6 | will talk to you. The interesting thing is that those  
7 | structures may well be the greater in extent than any  
8 | structures, than any man--made structures that have been:  
9 | built in the last 25 years north of the 60th parallel.

10 | THE WITNESS: I wouldn't be  
11 | surprised, I wouldn't be surprised.

12 | I would like to point out  
13 | that there is some indication that the construction of  
14 | these fences goes well back into pre--historic times,  
15 | it's not: just a phenomena of the late 19th century,  
16 | because some of the logs that have been used in the  
17 | construction of them have been clearly cut with a stone  
18 | axe rather than, a metal axe, and this is pretty easy  
19 | to see if the evidence is here, some of them. Most of  
20 | the fences were repaired with metal axes right up until  
21 | their final abandonment, so most of the logs will look  
22 | as though they were cut with metal axes. Some  
23 | apparently were cut with stone axes, or stone edges.

24 | THE COMMISSIONER: Just one  
25 | last question on my part, about how many caribou would  
26 | likely have been trapped or snared in one of those  
27 | corrals? Is there any way of telling, or --

28 | THE WITNESS: At any one  
29 | time. I would -- I can't make a calculated estimate, I  
30 | can just guess that it might be anywhere from 20 to 50,

1 75. It might well have been more.

2 THE COMMISSIONER: Yes.

3 THE WITNESS: But until we  
4 have completed our architectural drawings of these  
5 things and analyzed them and talked more with some  
6 people who may recall something about them, it would be  
7 risky to hazard any more precise estimate.

8 MR. VEALE: Dr. Irving,  
9 maybe you could tell us how you determine the age of  
10 that particular artifact or fence?

11 THE WITNESS: Telling how old  
12 something is is one of the most difficult things that  
13 an archaeologist has to try to do, and there are ways  
14 of going at it. You can sometimes tell that one thing  
15 is older than another thing, if it rests on a layer  
16 that is underneath the layer of mud, say, that was  
17 dropped later. You know that the bottom one is older  
18 than the top one.

19 At the site of Klo-Kut every  
20 so often during the spring there's an ice jam and a  
21 flood, and the flood brings 'a layer of silt down on to  
22 of the site, and then perhaps 20 or 30 or 50 years  
23 later, another layer comes in and it stacks up like T  
24 that, and we came along and dug down through the layers  
25 and we know that the bottom one is the oldest. Well,  
26 there are other tricks for telling how old such things  
27 are, and one of them is a trick that I can't explain  
28 very well because I don't do it, I just collect the  
29 material and send it to a lab where they measure it.

30 Now, this --

1 THE COMMISSIONER: Is this  
2 carbon dating?

3 THE WITNESS: This is radio  
4 carbon dating, yes.

5 THE COMMISSIONER: I don't  
6 think I could understand that. Well, take us --

7 THE WITNESS: Well then I  
8 will try to explain it, sir. the living material,  
9 whether wood or bone, when it stops living, it starts  
10 changing, getting broken down and rotten and so on and  
11 so forth, and it is possible sometimes to measure how  
12 much it has changed and figure out how old it is. You  
13 can do this especially with charcoal from wood fires.  
14 Well we had this done at Klo-Kut in the lowest layers  
15 that we dug out, which are not the lowest layers in  
16 that place. there are older ones yet that we haven't  
17 got to, and the middle ones and we have got some idea  
18 of how old most of the layers are that we have dug up,  
19 down to about four feet, four and a half feet down in  
20 the ground.

21 MR. VEALE: Dr. Irving,  
22 there are other dates that have been mentioned, 30, 000  
23 years, and 10, 000 years. Could you just tie those in  
24 with the research you have been doing, and what those  
25 dates apply to?

26 THE WITNESS: I shall try not  
27 to spend the same amount of time on the 30, 000 years  
28 that I have spent on the last hundred and fifty,  
29 proportionally.

30 Well while we were working at



1 | which is preserved in an almost unique series of lake  
2 | and river in sediments, baked in river deposits. these  
3 | old bones are preserved and old logs and trees and  
4 | flowers and beetles and all sorts of things. And these  
5 | can be studied effectively so that we can learn how the  
6 | country, the countryside and the climate have changed  
7 | over the course of several thousand years.

8 |   MR. VEALE: There's also, I  
9 | understand, a site called Old Chief Site, Could you  
10 | tell us about that site?

11 |   THE WITNESS: The site at Old  
12 | Chief Creek is still being excavated so that I can only  
13 | give a -- well I can say something about what we are  
14 | doing and looking for there. It's a couple of miles up  
15 | the Porcupine River from Klo-Kut and it was first  
16 | noticed as a couple of deep depressions in the ground,  
17 | which we then started to look into and these have  
18 | turned out to be underground houses. And this is very  
19 | interesting because these are the first underground  
20 | houses we have found in this part of the Yukon that I  
21 | can think of.

22 |   The picture is not all that  
23 | simple, however, because the houses were used at least  
24 | twice and possibly three times, and people camped on  
25 | that terrace and that river bank before the houses were  
26 | built, you can tell this from the way the layers stack  
27 | up in the ground and the way the dirt that they have  
28 | flung out of the house is mixed in with older tools and  
29 | like that. So the work there goes pretty slowly, and  
30 | perhaps by this time two years from now, I can tell you

1 I can answer your question a little more effectively.

2 But we do have one radio carbon  
3 date from one floor in one of those houses and that is  
4 about A.D. 100, and that's really about all I can say.  
5 There are a few things to look at there, but not much  
6 that I can say very much about.

7 MR. VEALE: Just a short  
8 question. You mentioned Vunta Kutchin and Loucheux.  
9 Could you explain whether those are similar words or  
10 just explain the difference?

11 THE WITNESS: I know just  
12 enough linguistics to get myself into trouble. When I  
13 used the term Vunta Kutchin, I think I have tried to  
14 use it as the Kutchin people use it, to refer to the  
15 people of the Old Crow Flats region who may have gone  
16 other places too, but the Old Crow Flats with all its  
17 lakes is the place of the Vunta Kutchin, is that right?  
18 Well the term Loucheux is

19 THE INTERPRETER: I don't  
20 know, I was going to ask you one question too.

21 THE WITNESS: I think the  
22 term, 1 Loucheux was applied to all speakers of Kutchin  
23 language, and it's a term of French origin, and so  
24 Loucheux and Kutchin are, for most purposes, pretty  
25 much interchangeable words.

26

27

28

29

30

1 All the way over to Arctic  
2 Village and maybe beyond. Pretty much the same, a  
3 little different I'm told, but pretty much the same  
4 language.

5 THE COMMISSIONER: And as far  
6 as Arctic Red River to the east?

7 THE WITNESS: I think so, but  
8 I --

9 THE INTERPRETER: That's  
10 another tribe, Kutcha Kutchin.

11  
12 THE WITNESS: Yes. I'm  
13 getting beyond my scope.

14 THE INTERPRETER: Kutcha  
15 Kutchin.

16 MR. VEALE: I will ask  
17 another question. Maybe you could tell the Inquiry  
18 about your experience with the winter road of 1970 in  
19 Klo-Kut?

20 THE WITNESS: Well I do so  
21 with the help of -- or having consulted with some of  
22 the people in Old Crow. In 1969, I think it was, we  
23 learned that there was to be a winter road that would  
24 come into the Crow Flats area to make seismic work  
25 possible, and I was concerned about the safety of the  
26 archaeological site, Klo-Kut that I have said quite a  
27 bit about already, so I saw the appropriate authorities  
28 in Whitehorse and indicated the site on the map and got  
29 their willing agreement to divert the road around the  
30 site. So I went back to I guess it was Toronto at that



1 time and returned in the spring to find that the road  
2 had gone right across the middle of the site and torn  
3 it up quite seriously.

4 Well I had no reason to  
5 question the good faith of the people with whom I had  
6 talked and I wondered what had happened, and I asked  
7 people in the village and at least one person had gone  
8 out to give directions to the advancing winter road and  
9 the bulldozer operators who were pushing it through,  
10 and suggested that they cross at one place as had been  
11 agreed and which was indicated on my map. This didn't  
12 happen. the road, the site is not destroyed completely  
13 but it is seriously damaged and there's some kinds of  
14 study that just can't be carried out there because of  
15 this destruction. And the main reason that I would like  
16 to bring this up is that incidental to any kind of  
17 heavy construction, in fact any kind of industrial  
18 activity at all, there is going to be the destruction  
19 of archaeological sites, and it is almost unavoidable.  
20 By accident or by negligence or by whatever reason,  
21 it's going to take place and -- well this is a factor  
22 that needs to be made -- a fact that needs to be made  
23 plainly and bluntly, that if there is to be heavy  
24 construction in this area, then important arctic sites  
25 will be destroyed.

26 If there is going to be heavy  
27 construction, then there will be some salvage archaeology  
28 carried out, that is recovery of archaeological sites  
29 that are known to be in the way of highways or whatever,  
30 before they are destroyed, but this kind of

1 | archaeological work is not a substitute for  
2 | archaeological research. It's simply the recovery of  
3 | information: as quickly as you can without bothering  
4 | much to think about it. Well these are simply the views  
5 | of an archaeologist on the matter.

6 | THE COMMISSIONER: Thank you.

7 | MR. VEALE: One further  
8 | question. If you are familiar with where the proposed  
9 | pipeline would cross the Old Crow River, can you  
10 | indicate what kind of an area from an archaeological  
11 | point of view that is?

12 | THE WITNESS: I don't know  
13 | the precise crossing, I know approximately the crossing  
14 | at Old Crow River, of that route, and I guess closely  
15 | enough. It happens to be right across one of my chosen  
16 | study areas

17 | THE COMMISSIONER: It has T  
18 | to be what?

19 | THE WITNESS: Right across  
20 | one of our chosen study areas.

21 | THE COMMISSIONER: In what --  
22 | what was the word, something study areas?

23 | THE WITNESS: One that we  
24 | have chosen to concentrate on.

25 | Just below the canyon, I  
26 | believe, and in the place where there are some preserved  
27 | ancient river terraces, which will be helpful in figuring  
28 | out the chronology of river development and also the  
29 | chronology of some of the remains in Old Crow Flats.

30 | Whether or not there is

1 significant archaeology on the terrace I don't yet  
2 know. There is some there, but we don't know how much,  
3 because we just haven't come to that yet. the area  
4 itself is interesting from the point of view of  
5 geomorphology certainly and archaeology possibly.

6 MR. VEALE: Just to wrap it  
7 up, Dr. Irving you might indicate to Judge Berger, the  
8 involvement that you have had in Old Crow and with the  
9 people of Old Crow in setting up their museum and so  
10 on.

11 THE WITNESS: I'm not sure  
12 how to summarize that. Every time we, every year when  
13 we come here to work, we have as our associates and in  
14 effect colleagues, people from Old Crow working in our  
15 camp and their contribution is one that other people  
16 could not make. Over the course of a few years, people  
17 in the village I think, I like to think, have become  
18 interested in the work that we are doing and also in  
19 its relation to their own history, and there seems to  
20 be increasing interest on the one hand, the school  
21 programs aim toward Loucheux skills and language, and  
22 history, and on the other hand, toward setting u a  
23 museum designed, I think primarily for the people and  
24 especially the children of Old Crow, but perhaps also  
25 to some extent for visitors, in which there will be  
26 archaeological and paleontological material and also  
27 some other things.

28 The beginning of that is in  
29 the cases just out there in the hall, and the National  
30 Museum has provided casts of some of the implements

1 | that we excavated at Klo-Kut and I'm sure will provide  
2 | more when the facilities for looking after them are  
3 | made available.

4 |                                 You may have noticed the  
5 | muskrat stretchers for sale in the Co--operative store  
6 | which were made by the children in the school, and the  
7 | proceeds of this production will go toward the support  
8 | of the new museum.

9 |                                 MR. VEALE: I notice that you  
10 | brought a map with you. I wonder if you could tell us  
11 | a little bit about that?

12 |                                 THE WITNESS: I can do it  
13 | with just a trace of hesitation, because it's not  
14 | exactly a legal sort of document. It's an informal  
15 | compilation of the archaeological sites that we have  
16 | located so far. Here are the approximate locations of  
17 | the caribou fences that we know about, this will be  
18 | changed after this year and each of the dots is an  
19 | archaeological site of one kind or another.

20 |                                 Now, the thing you notice is  
21 | that the sites are concentrated in certain areas. This  
22 | does not mean that the people concentrated in these  
23 | areas, it means that the archaeologists have  
24 | concentrated there, and when all of the archaeology of  
25 | the entire region has been done, the distribution of  
26 | dots may be significantly different from what you see  
27 | now. This is just a very preliminary sort of a map.

28 |                                 THE COMMISSIONER: I notice  
29 | those caribou fences extend from the Firth River  
30 | down to the Flats, across the north side of the Flats

1 | and down the east side. Is that a fair summary?

2 |                   THE WITNESS: Yes, and in  
3 | fact one of the migration patterns for caribou is  
4 | somewhat like that. there are others as well.

5 |                   THE COMMISSIONER: I am going  
6 | to try and summarize at least this -- what this map  
7 | says, Mr. Sittichinli for the people that don't speak  
8 | English?

9 |                   THE INTERPRETER: I was half  
10 | sleeping when he was talking.

11 |                   THE COMMISSIONER: Oh. I  
12 | guess it can't be done, try it again tomorrow.  
13 | I --

14 |                   Mr. Veale, is there anything  
15 | further? That you would like to bring out while  
16 | Professor Irving is with us?

17 |                   MR. VEALE: I was just  
18 | wondering whether this, whether you would be interested  
19 | in this map as, a photocopy of it as an exhibit?

20 |                   THE COMMISSIONER: Oh yes,  
21 | and I would be interested in the photograph you  
22 | circulated earlier if you can let us have it, and I  
23 | would certainly like us to have a copy of the map too  
24 | if you could let us have it.

25 |                   THE WITNESS: I should point  
26 | out that it was not made for purposes of this  
27 | Commission, and it is just a heuristic sort of thing.  
28 | With your permission, I will see if I can arrange to  
29 | have an up--dated map prepared and submitted, if that  
30 | would be appropriate.

1 THE COMMISSIONER: Fine, and  
2 you could submit it either through Mr. Veale or  
3 directly to the Commission in Yellowknife, and that  
4 photograph that you were good enough to let us have  
5 earlier will be marked as an Exhibit, Miss Hutchinson.

6  
7 (AERIAL PHOTOGRAPH SHOWING CARIBOU FENCES MARKED AS  
8 EXHIBIT C-78)

9  
10 (WITNESS ASIDE)

11  
12 MR. VEALE: I guess that  
13 wraps it up, except for the baseball game.

14 THE COMMISSIONER: Yes, well,  
15 could I just thank you Professor Irving, for coming,  
16 and say that your evidence, when considered together  
17 with that of the older people whom we have heard the  
18 last two days, makes a very fascinating story.

19 Well I think we will adjourn  
20 now, it being after midnight, and we will start again  
21 at 1 o'clock tomorrow and the people who still want to  
22 say something, who haven't had a chance to speak, and  
23 some of those who want to add to what they have already  
24 said, I will be glad to hear from all of you tomorrow  
25 at 1 o'clock.

26 So thank you and good night.

27  
28 (PROCEEDINGS ADJOURNED)

29  
30