

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)

**Fort Franklin, N.W.T.
June 26, 1975**

PROCEEDINGS AT COMMUNITY HEARING

Volume 9

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

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1 Fort Franklin, N.W.T.

2 June 26, 1975

3 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

4 JOHN TUTCHO, resumed.

5 (EXPLAINING FILM)

6

7 This is the first time that I
8 went across Bear Lake where they figure out to put out
9 a dam. This is how we get our transportation across
10 for trapping. And when we go across for trapping. See
11 how much a womans, they are doing, outside in the cold
12 weather. And this the mouth of the river where you can
13 across right there, and -- this is our first camp. It
14 must be about five miles out of the mouth of the river.

15 This is when we are going to
16 leave our camp, this is the time and the ladies
17 supposal to do some work too. But then we have a
18 skiddo problem one time.

19 This is our second camp. And
20 I told my partner that I know that area real good.
21 This is where some years ago, I used to go trapping
22 right there by dog team, this time by skiddo. All of
23 this way by skiddo. And this is my first experience
24 without my daddy. I don't know, if I go without my
25 daddy, I figure I can do better. Sometimes I make a
26 mistake, but then daddy show me all this area. But I
27 don't know where I went.

28 On the third night we got
29 lost, and someone had to -- one of my partners had to
30 climb a tree, looking for that lake we went to. So he

1 had to climb out so my wife can take a picture of him,
2 take a picture of why he climbed out. He told me, he
3 said, we got lost and we don't know where we are going.

4 That is my third day and it
5 is without daddy. And I don't know. But I figure I
6 can do without daddy now. I see one of my partners has
7 to climb up tree. Dinnertime.

8 The lake, I don't know what
9 they call it. I know in my language but I don't know
10 in the English language.

11 Our fourth camp and then we
12 know where we are now. Because we went beaver hunting
13 right through that area. And we know that lake right
14 away, we know where we are going.

15 And we are going to stay now
16 and set our camp. That is our first night there. And
17 all of the plane's looking for us.

18 This is our first tent and we
19 had to look for rocks, set up the rocks for the first
20 night. Next day we got to set up a tent for the womens
21 That is the inside, we tie up the net and everything,
22 it doesn't show it on the movie real good, -- and then
23 we came back from setting up the net.

24 This is how the ladies work
25 when they are in the bush. They prepare for back home.
26 That is the first time, that is a marten board, that is
27 the first time without my dad I ever made a marten board.

28 That is for the stick for
29 making for a marten. So you can pull out easy, without
30 tearing hole. That is me with part of a marten stick too.

1 This is how the kids learn from their mom how to pick up
2 the branch. That is for the arm of the marten, so small.
3 You have to do all of the work.

4 That is our first day,
5 setting out for marten, that is what we call a marten
6 bait. That is the first we caught and we put it out
7 for fresh air. So it doesn't get blood or anything on
8 it, so the air can take it away. That is the lady
9 sitting on the branch where we are staying. We are
10 coming back to Franklin because we are short of a
11 grocery and we never shot a moose that time and just
12 lived all of the time fish. So we were short of gas
13 and oil and groceries, so we had to come back.

14 That is the first time the
15 boy learned how to set trap by his daddy and he caught
16 a marten. So he didn't know how to kill so his mom had
17 to teach him how. That is how we get experience from
18 our old relations. So his mom had to show him how he
19 set trap after he caught a marten again.

20 Taught me how to, he set a
21 net all by myself. And so I did. And then he told me
22 where the lake are and tells me where's the good spot
23 there and then I caught some fish.

24 That is how the old man
25 taught how to do when you are all by yourself. That
26 is how to set net and how to do it. And how to make
27 sure you get supply for your family. This is before we
28 came into town, we took out the net because we got
29 some moose meat and everything, so we figured we had
30 enough meat.

1 JOHN TUTCHO: The young
2 generation, my daddy taught me. And all the
3 experience that he had and all of the experience is
4 from my daddy. My daddy must be 80 years old, 70, 76
5 years old. He doesn't have -- he got 8 boys out of us.
6 All of us. He went to work for government people.
7 The rest are all trappers.

8 And then I seen what happened
9 to my land, I seen it on the land, those seven years
10 ago when I was 21 years old. When I seen that land,
11 the land was good and there is no seismic line. There
12 is all the way daddy taught me. And now there is
13 about there is about -- even I see it myself. I go see
14 the air strip on the land. See how much damage they
15 done to our land.

16 Even it is not the big plane,
17 but I seen it with my own two eyes. I seen the air
18 trip on our land.

19 THE COMMISSIONER: An air strip?

20 JOHN TUTCHO: Yes. And I
21 could, I could lie. But there is one partner of mine
22 went with me. We seen it. We don't know which
23 direction it is. There is six lines which run all
24 directions. And which one we don't know.

25 So that is all I could say.
26 That is all I could see with my own eyes, when it was
27 seven years ago. There was no -- those kind. And
28 nowadays there must be all over the country. I figure
29 if I should talk for a little while about my younger
30 days when my old man, we went that way. And I could see

1 the country.
2 The mouth of the river, that's the only transportation
3 when you want to go across the rest of land and travel
4 by dog team, by skidoo, that is all of the transporta-
5 tion. That was November 8th when we went across. That
6 is how much our land is important to us.

7 How much the dam -- and we
8 don't want nobody to build the dam. That is the only
9 transportation we can have, when we want to go across
10 someplace.

11 Nowadays a plane costs very
12 much for our relation, our people. And so I have to
13 say that much. That is all.

14 But I don't know. If they
15 build the dam, there will be chemical. That goes on
16 the lake. And so all the fish died away. But then the
17 people get sick. And that's all I can say for mine
18 people, that is all.

19 THE COMMISSIONER: Thank you,
20 thank you very much.

21 CECILE MODESTE: (Resumed --
22 Interpretation.) She says we are here to give you, the
23 womens are here to give you comments about what we
24 think, and she says even the womens are here to tell
25 you what they think. She says, I would like to say
26 something more to you.

27 Since she got married, she
28 has been working in the bush, making her life in the
29 bush. And she says, she's thinking about her children,
30 so what she is going to say next is in reference to her

1 children.

2 She says, every time I go into
3 the bush with my husband, I have to leave some of my
4 children behind. And she says that a mother is never at
5 peace with herself when she leaves her children behind.
6 And she says that when you bring the children into the
7 bush, it is an education for those children.

8 She says, and when you stay
9 in town, you should send your children to school. But
10 when you are in the bush, you should be allowed to take
11 your children into the bush, because that is an
12 education itself.

13 She says that when you are in
14 the bush, there is sometime, you know, what you are
15 doing there, you really enjoy it. There is a lot of
16 animals. And you are doing very well, she says. But
17 because your children are left here, you know, you cut
18 your time short and you just come back right away
19 because your children are left here.

20 When you are out in the bush
21 like that too, if there is another woman with you and
22 your husbands are gone out on the trap line or hunting
23 and the womens are left alone, she says, all you think
24 about and all you talk about is your children. You are
25 really worried about your children. You think about
26 the water, the lake, the dock, sickness, the loose dogs
27 you know, you are thinking about all of the things that
28 may happen to your children in your -- you know, it
29 keeps you worried all of the time.

30 She hopes that you understand

1 | what she is trying to say about how the education
2 | system should be. And she says that that is all that
3 | she has to -- she hopes that there is an understanding
4 | there. And that's all she is going to have to say
5 | about that for the time being.

6 | She says that all of the
7 | witnesses that you have heard, they told how we have
8 | been treated by the white man. But they have
9 | overlooked something in telling you that.

10 | She says that all of the
11 | people have thought about how the white man have
12 | treated them, and they -- and she says that the white
13 | man has also put a lot of unnecessary stuff on this
14 | land. And that sort of has, it has sort of created a
15 | difficult time for the children in the future. And she
16 | says that as a mother with a lot of children, she has
17 | to think about her children and the future. And the
18 | things that the white man put there, you know, making
19 | it difficult for the children, that really worries her.

20 | She says that our ancestors
21 | didn't need all of the things that the government has
22 | put -- you know, like our ancestors didn't need those,
23 | the things that are put around on this land today. And
24 | she says that you know, we don't need that for our
25 | children either.

26 | She says we are talking for the
27 | good of the people. And we are talking for the good of
28 | the land too. She says, we are not talking for just one
29 | person, we are talking for all of the people here. You
30 | know, you want your neighbor, you know, you just want

1 your neighbor to continue on life like. You don't want
2 them to worry about things, you don't want these sort of
3 things that you know is going to harm them.

4 She says that a lot of our
5 people have died of sicknesses that you can't see.
6 That is okay. But when the things are there, that
7 would you know, hinder a human being's life or things
8 that you can see that can cause, you know, that can end
9 life then that is really bad.

10 Just by herself she probably
11 wouldn't have said anything. She probably would let
12 everybody else talk. But she says she has to think
13 about her children. She is a mother of a lot of
14 children. She has to think about the future for those
15 children. And when there is the talk about something
16 that might happen, you know, like life may be difficult
17 for the children in the future and then she has to say
18 something about it.

19 (WITNESS ASIDE)

20 THE INTERPRETER: She is
21 Shirley Batan. She is eleven years old.

22 SHIRLEY BATAN, Sworn:

23 SHIRLEY BATAN: When I say
24 this is my land, I mean it because I really enjoy living
25 out on the land. And when we eat well, there is lots of
26 work. We live out on land. We have to get fire wood
27 and branches for floor. And we get snow or ice for our
28 drinking water or cooking. My parents teach me how to
29 make dry meat and dry fish, and sewing. And how to
30 clean muskrats. My parents have learned from their

1 | parents and now they teach me how to live on land for a
2 | living. I don't want to, I don't want pipeline or dam
3 | or the highway to go through, because I donut want to
4 | lose my land where I enjoy living.

5 | THE COMMISSIONER; Thank you
6 | very much, Shirley Batan. If after it has been
7 | translated we can keep your, the paper you wrote on.
8 | Do you mind if we keep that?

9 | A Yes.

10 | Q Thank you. Just let me
11 | read this. Shirley Batan showed me on the map where
12 | she had been out in the bush with her parents. And she
13 | had been to Russel Bay and Deer Pass Bay and McGill
14 | Bay as well. McGill Bay being on the North Shore.

15 | Miss Hutchinson, we will mark
16 | this statement of Shirley Batan's, that she wrote on,
17 | as an exhibit. And you might let Mr. Bemister have it
18 | and he can get down what she said. You can get that
19 | down, Mr. Bemister if you like.

20 | (LETTER OF SHIRLEY BATAN MARKED EXHIBIT C-20)

21 | ISADORE MODESTE: (Resumed,
22 | Interpretation.) He says, since I was a young boy, we
23 | can say that I am one of the mens who use the bush a
24 | lot. So he is going to tell you about some of those
25 | things.

26 | He says native people and
27 | whit people eat the same way and have the same type of
28 | features or physical appearance. Although through all of
29 | the evidence given, it may seem that we don't like the
30 | white man. But it is not that at all.

1 He says that about forty
2 years ago there was a white man who lived amongst them
3 and he stayed with them about five years. And that
4 white man never bought anything from the store. He
5 just used the bush.

6 He says on our land, on land,
7 period, animals eat off the land. Human beings eat off
8 the land. And he says, so when we talk about the land,
9 you know , it is serious. That, you know-like, he is
10 making reference to all of the people, you know. Not
11 just this area. He is referring to the white man too
12 and himself, who live off of the land by eating off of
13 the surface.

14 For more than 30 years now,
15 there has been white man on our land. And when a white
16 man comes and visits you, you know, you feed that white
17 man just the way you feed any of your neighbors. And
18 you don't ask that white man for money for your
19 service. He says, we native people don't need money.
20 He says we can make our living off of the bush.

21 We are talking about something
22 that it is very important to the native people, and also
23 to the white people. He says, if we keep destroying the
24 things that, you know, that are important to us, like the
25 land, if we keep destroying, knowing it, there wouldn't
26 be -- like, you know, survival would be very hard for the
27 white man and the native people.

28 He says that on this land there
29 has been a lot of animals and there is a lot of vegetation,
30 you know. Good vegetation for the animals. It is not

1 a growing area. You can't grow anything up here. But if
2 you try to, you know, keep, the land that way, try to
3 keep that as, you know, it would be good for the people
4 to have the land remain the way it is today.

5 He says, you can't -- that is
6 all that he has in mind, you know, about the land and
7 relationship to the native people and the white people.
8 And how important it is to us. And that is all that
9 he has to say.

10 THE COMMISSIONER: Thank you
11 very much sir.

12 THE INTERPRETER: This is Joe
13 Bayah, for the record.

14 JOE BAYAH: (Resumed --
15 Interpretation.) He says that he is 65 years old today
16 and he is going to tell you how they use the bush, and
17 just general statements on bush life and -- .

18 For the past day and a half
19 we have been, sort of pleading to the people to survive
20 He says, we want to be able to survive.

21 He says that you must be pleased
22 to hear all of the old people giving you evidence.

23 He says that all of the old
24 people over 60, who have given you evidence, they are
25 talking about their experience since the age of 14.
26 And they will probably go back in their own minds, but
27 they will never be able to go back to that period. And
28 he says that all of these old people who have been
29 talking to you, will never live for another fifteen to
30 twenty years.

1 He says that we are talking
2 for the little babies that we are raising. We are
3 talking for the little children. It is for their
4 future that we are talking today.

5 I told you my age and you can
6 see by, you know, just looking at him that he is pretty
7 old. And he says, I am not, I never stay in town for a
8 long period of time. I still use the bush and that.
9 And I have a house down at Johnny Hoe River. And I,
10 like he says, he doesn't stay for a long period of time
11 in Franklin. He still uses the bush.

12 A lot of people in
13 Franklin would like to use the bush. But since
14 education sort of stands in the way, you know -- like
15 Cecile gave that evidence before. It sort of holds
16 the parents back because their children are here, you
17 know. They are separated. And it creates a problem
18 for these people to go out on to the land.

19 He is going to talk to you about
20 his father. He is having a hard time concentrating.

21 I guess you must have heard
22 about sickness. You know, like people were able to
23 cope with some sickness here. But there was one
24 sickness that came around, I think it is T.B., or
25 something that just wiped out all of the native people
26 up here. Do you know what they are talking about?

27 THE COMMISSIONER: Yes.

28 A There was a flu they
29 weren't familiar with. It was a thing that --

30 VOICE: 1927 flu epidemic.

1 A He says, about 1927, the
2 flu epidemic. The people weren't able to cope with
3 that flu. So a lot of people died and his father died.
4 And that's it.

5 THE COMMISSIONER: Yes, I
6 think that in other hearings, we have heard about that
7 flu. It hit other communities beside the people that
8 live in Great Bear Lake.

9 THE INTERPRETER: Yes.

10 A That year, his father and
11 his family were at North Shore. And they spend the
12 summer at Charley Lake, around Dear Pass Lake. And he
13 says, at that time too, there was no sled for a rough
14 ice. You have to have sled with steel underneath there.

15 Okay, well, they didn't have
16 any of that. So they had to make their own sled out of
17 wood. And then his father decided that they should go,
18 try to sell their fur in Fort Norman. And they had 45
19 beaver skins. And they had 450 muskrats. And a lot of
20 other furs. And they knew that they would never be
21 able to get there before the end of June and closing
22 season, I guess.

23 And they wouldn't be able to
24 get there. But his father decided, you know, determine
25 to go there. And I guess his father knew too then that
26 he was going to die soon. So you know, it was sort of
27 a last goal. He was so determined to go.

28 He says that at that time, aft
29 r leaving the North Shore, they went to Russell Bay, on
30 the way back. That was the route that they had to take

1 He says that all of the fur and
2 all of the things that they were carrying with them, they
3 had to carry them on the back. The fur, you know, which
4 is more valuable to them, they had to carry it on their
5 back. And it is a lot of weight.

6 And the dogs carried the
7 stove and tents and all of the little basic stuff. And
8 he says, there is no boat. They didn't have a boat.
9 So sometimes they had to set nets. And when he sees a
10 creek, he tries to set a net in it. And most of the
11 time, he has to swim. He has to swim across the creek,
12 set the net. And when he wants to look at the nets, he
13 has to swim in the water again, all over.

14 And he says that there is a
15 lot of mosquitoes. And it is so hot, you know. And
16 just to be able to walk that distance, you know, it is
17 quite a distance.

18 He says that when they reach
19 Whiskey Jack Point, it's not -- well, he has sort of
20 pointed out where it is, he says, my father had his last
21 cigarette. And there is no more cigarettes. And he
22 thought that the Bay here might have had some supplies
23 for him. So he sent his son back to get the supplies.

24 So he came all of the way
25 back to Franklin and set back on the same day. And he
26 had to walk all of the way in and walk all of the way
27 back out, in the same day.

28 He says that we, the native
29 people, when we are telling you our experiences, what
30 we do in life, you know. There is no lying involved in

1 | it. We are telling you the truth.

2 | He says that my father and me,
3 | when we caught all of that beaver, you know, that is 45
4 | beaver and 450 muskrat, after selling it, he says, we
5 | got about \$2000. But my father never got to spend one
6 | cent out of that \$2000. After all of that wok.

7 | He says, but that is life.

8 | He says that there may be
9 | that many of us sitting here today. Maybe tomorrow,
10 | maybe the next day , there wont be that many. Who
11 | knows? You know, like the Lord decides things for us.

12 | He says that the animals, in
13 | reference to the animals, our ancestors have done the
14 | same thing that we do today. You know, we go to hunting
15 | grounds and yet we eat well. And this is what we would
16 | like to continue. He says, living in, like, there might
17 | be animals on the land. Suppose we live in Franklin,
18 | you know. Franklin will not feed us as, well.

19 | But if we went out to where
20 | there are animals and then we will be fed well. And he
21 | says again that living in the bush you eat well. And
22 | that is, you know, that kind of thing goes the same for
23 | fishing too.

24 | You know, you may be able to
25 | catch something one day but nothing the next day. But
26 | if you go hunting off to places where you, you know,
27 | there is fishing, then you get it.

28 | He says even if you spend a day
29 | to two days, you know, hunting for where you know there
30 | might be some animals or fishing grounds. You know

1 | you will be able to eat well.

2 | He says, we hope that after
3 | listening to us that you will listen to our pleas. We
4 | don't want a pipeline and a dam. He says, when one
5 | person says something, he says that they thought about
6 | that before they speak. And that is one person's mind.

7 | He says that there is a lot
8 | of people here that would like to say something too.
9 | But he says, but you must have enjoyed coming here to
10 | liste: to us. He is very thankful for that.

11 | He says that is all that he
12 | has to say now.

13 | THE COMMISSIONER: Thank you,
14 | sir.

15 | A He says that I am old
16 | now, getting senile, he says. I can't remember things
17 | pretty good. But he still has something to say, he say

18 | Last time he talked to you
19 | about how his father worked in the bush, today he will
20 | tell you how his mother, as a partner to his father,
21 | helped him in the bush.

22 | He says that the native
23 | people have not grown up with a lot of wealth.
24 | Meaning, that they didn't have all of the things that
25 | they needed. It wasn't available for them.

26 | My father and all of the other
27 | people had to use birch bark canoes sometimes, they
28 | spend a lot of days and a lot of nights just looking for
29 | birch bark, the right type of birch bark. And then they
30 | have to bring it back, and they have to cut it out to

1 | the right size. And he says sometimes there is no nails.
2 | We have to gather 200 sticks, and put it into tie shape
3 | of nails.

4 | | And that is what they use to
5 | hold the boat together.

6 | | He says sometimes there are a
7 | lot of mosquitoes, but the womens, including my
8 | mother, he says, they have to get some gum from the
9 | wood, so they can sort of make a sticky base for the,
10 | to hold the boat together. He says that a lot of
11 | mosquitoes, and they had to go for days just searching
12 | for this stuff.

13 | | He says that we told you that
14 | they take branches about this big and they take the,
15 | they tear apart until they get to the very core, and
16 | that core they strip, into the middle.

17 | | THE INTERPRETER: I told you
18 | that, I think I explained that before.

19 | | A And they have to, then
20 | they have to put it in water until it is all moist.
21 | And then it is usable, after splitting it.

22 | | It was sort of a knife that
23 | you used to sharpen, there is a knife that you have
24 | that is sort of crooked. And it shapes things for you.
25 | And there is also sort of a small square blade, that
26 | you use to sort of like, to smoothen things out.

27 | | He says that at that time there
28 | wasn't any of those available, you know. You don't
29 | just buy it at the store. So you have to make your own
30 | knife to do those things. And then later on you had to

1 | shape out the sort of the arches inside the boat, and
2 | there had to be the right curves and the whole thing. So
3 | they had to do all of that.

4 | THE COMMISSIONER: The ribs?

5 | THE INTERPRETER: I guess so.

6 | THE COMMISSIONER: Anyway --

7 | THE INTERPRETER: Why don't
8 | you translate then, eh?

9 | There is a lot of people here
10 | just trying to get the right word for that knife.

11 | A You take the covers and
12 | you sew it until it is tight and nice-fitting. And it
13 | has to be pretty well close to perfect.

14 | He says this is the way of
15 | the native people, all of the things that you do, you
16 | know. There is something behind it. Like there is
17 | some meaning behind it. And even the womens' share,
18 | you know, even building of the boat, the womens share
19 | that.

20 | And he says, I am not telling
21 | you about something that I don't know about. I am
22 | telling you something that I have seen with my own eyes
23 | and have, you know, experienced it.

24 | He has been living in town
25 | for two days, you know. But still when there is things
26 | that. he needs, he still goes out to set some traps,
27 | to get some extra money to get what he wants.

28 | He says that I am not the only
29 | person that works that way. There is a lot of people
30 | here you know, when they need something too they work.

1 He says that for the two years
2 that I have stayed in town, he says, I am well aware of
3 what is happening in town. I am well aware that some
4 people, a lot of these people go out into the bush and
5 work.

6 That type of work is
7 difficult A lot of people still go off to use the land.
8 And he says that fishing is the same thing, you know.
9 It is a lot of work, but people, in order to keep, to
10 keep feeding themselves, have to set the net. He is
11 just describing the hardships of trying to set a net
12 and looking after it.

13 He says that if the people
14 don't set nets and stuff like that, they, you know, it
15 is hard for them to raise their children to feed their
16 children.

17 And he says that that goes right
18 on until the ice is the way it is out there today.

19 And he says that this year
20 too, you saw that a lot of them went out to McGill
21 Bay. And this is one way of trying to get food for
22 themselves again.

23 These people don't stay around
24 you know, just sitting in town and stuff like that.
25 They go out to find food for themselves. He says that
26 they like to eat well. And they like using the bush.

27 He says that all of us old
28 people, as we, we probably wouldn't make it for the
29 next 20 years. He says, but we want to be able to live
30 we want to be able to use the land. And he says, we

1 don't want to have our minds disturbed by unnecessary
2 stuff. We want to live in peace.

3 He says that we the people
4 like to live in the bush. We like to do something, you
5 know) just like to live off of the land. And he says,
6 that they are very familiar with that sort of thing.
7 And they would like it to remain like that.

8 He says that there is not a
9 person throughout all of this life, never saw one
10 person who just let themselves go, you know. Who
11 didn't fight for himself. You know, the survival means
12 trying to go through all of the difficult times and all
13 of the hardships. And he says, but there was not one
14 person who just let himself, you know, just stay and
15 starve to death or whatever.

16 And he says that that is all
17 that he has to say to you at the time. You know, but
18 I think he says, but he hopes that you understand what
19 he is trying to tell you.

20 He says that all of the people
21 who have come here have talked to you with a sympathetic
22 type of attitude. You know, like they are, they are
23 talking about something that they feel is very important
24 to them. And so they -- he says, we have humbled
25 ourselves so that we may be heard. And he says, we want
26 to live the way we have lived in the past.

27 We want the land to remain as
28 it is today. He says, we have never tried to look at
29 the other person. We have never tried to look better
30 than the other persons. We always have been humble.

1 And he says that we hope we will be very happy if
2 people would listen to us, people would understand what
3 we 'are trying to say.

4 He says that that is all that
5 he has to say.

6 THE COMMISSIONER: Thank you
7 very much. Maybe we should take a five-minute break?
8 (PROCEEDINGS ADJOURNED FOR FIVE MINUTES.)

9 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

10 THE COMMISSIONER: Ladies and
11 Gentlemen, we'll get underway now and I understand that
12 Mrs. Gulley will be the first witness.

13 DORAH GULLEY: Sworn.

14 DORAH GULLEY: (Interpretation1)
15 She says that we refer to Great Bear Lake as our deep
16 freeze. She says, and she is going to talk about the ice
17 and you know, just the lake in general.

18 From Franklin, we use the
19 lake as a fishing area, she says, and that's how we
20 live. But there are some conditions. Like the
21 conditions is that it is like holding the doors on the
22 deepfreeze once in a while and the way the ice is today
23 it is the same thing. Like it is locked up like. And
24 in the springtime. The way that the ice, the condition
25 of the ice today, you probably see it, as you know,
26 you can't walk on it, you can't do anything on it. And
27 that is what we mean by when we say, the deep freeze
28 is locked.

29 You can never tell how long
30 this, the ice will remain like that. You know, this time

1 of the year. So in order to get some fish, you have to
2 walk all across the shore of Great Bear Lake out to the
3 mouth of the river. And that is where you do your
4 fishing.

5 She says that our ancestors
6 and the old people have done the same thing too. Every
7 time this time of the year, they walk and there is a
8 trail that they have from Franklin up towards Whiskey
9 Jack Point, and back across towards the mouth of the
10 river.

11 But she is not going to talk
12 very long. But she has something to say about when
13 people talk about the old days and say how much fish
14 there was, she says that she saw it with her own eyes.
15 So she is going to talk about that.

16 She says that the area where
17 she points to she says that my father and I and our
18 family lived across there. We lived there until the
19 ice froze over.

20 She says then my father told
21 me one day that it is time to set the nets. So they
22 walked off to set the nets. She says that is after the
23 freeze-over, freeze up of the lake.

24 She says that after my dad
25 dug a hole into the ice she says, he was looking into
26 the ice, looking down into the water. She says, I
27 didn't know what he was looking at, but he -- then he
28 asked me to look into the water too.

29 And then her father invited he
30 over to look into the lake. And he covered her with a

1 blanket and asked her to look into the lake. So she
2 looked into the lake.

3 She says that the water, the
4 depth of the water is what is from the ceiling to the
5 floor. And she says that the water is very clear out
6 here so you can see right into the bottomleh. She says
7 that from the, when she was looking into the water
8 there was that much fish. From the bottom of the lake
9 all the way up, it doesn't seem to move because there
10 was that much fish in there.

11 And she says that when people
12 talk about how much fish there was in the lake, she
13 says it is really the truth because she saw it at that
14 time. She says she wonders what happened to all of
15 those fish today. She says that at one time when her
16 husband was sick, she had to go set the nets and look
17 at the nets.

18 And when she goes back there
19 each day, she caught at least 600 , 644 fish. You
20 know, about 624? She says, you know today. You know,
21 they really like their land, they just love their land.
22 So they don't want any damages done to it. You know,
23 all of the things that they are saying, the evidence
24 that they are giving. They hope that it supports them,
25 you know, in their request. That they don't want any
26 damages done to their land.

27 So that is all that she has
28 to say.

29 THE COMMISSIONER: Thank you,
30 Mrs. Gulley.

1 THE INTERPRETER: He says
2 that the meeting is going to be over pretty soon, so he
3 has just got a few things to say.

4 JOE BAPTISTE: Sworn.

5 JOE BAPTISTE: (Interpretation)
6 I was born in 1933. He says when I was about 11 or 12
7 years old, I went trapping and I went hunting, and live(
8 in the bush with my parents and my uncle.

9 He was talking about, it was
10 during the summer time, and people were using packs on
11 their backs. And they had dogs carrying packs too.

12 He says that there was no
13 canvas. Canvas wasn't available. So the people had to
14 take a log and hollow it out and use that as a boat to
15 cross the river.

16 He says that at that time
17 there was no gum boots. He says that people would do
18 their work and that is what they are describing.

19 He says that when we meet
20 with the Dogrib people or any other native people, we
21 are very happy to be able to see them. And we usually
22 have dances and drums and hand games for them.

23 He says that when we give
24 our, when we are talking like this, you know, he says,
25 we have no, we don't, we are not talking about the
26 white man as if we dislike them.

27 We hope that in the future that
28 there is a good relationship between the white man and
29 the Indian people.

30 That is all that he is going to

1 | say for now, you know. I figure, he is just trying to
2 | point out that there is no dislike between the white
3 | people and the native people. That they hope that they
4 | will be working together in the future you know. Like
5 | their relationship is good.

6 | THE COMMISSIONER: Thank you.

7 | ROSIE SIWI: (Resumed --
8 | Interpretation.) The people, the old people here, have
9 | talked about all the way back until Treaty of 1921.

10 | THE COMMISSIONER: I don't
11 | know whether somebody is hammering outside or inside,
12 | but, maybe we could just keep our voices down so we can
13 | just hear what is being said.

14 | A There wasn't any law,
15 | and after 1921, that is when the law was introduced.
16 | The introduction of the law in 1921, you know, there is
17 | sort -- you know, like they are sort of working on that
18 | law, since then.

19 | THE COMMISSIONER: Working
20 | under it, living under it?

21 | THE INTERPRETER: Yes,
22 | working under it.

23 | A And she says that you
24 | are probably working under a law too. And that law
25 | that they made then, was the river flowing and the sun
26 | rise, that is the law that was made in 1921.

27 | She said that those people that
28 | made the law in 1921, you know, the law has existed at
29 | least 57 years. And that person who made the law must
30 | have made some changes in that law. And since 1921,

1 | there must have been some changes in the law.

2 | And she also says that they
3 | made the law, saying that as long as the river flows,
4 | and as long as the sun sets in the same direction, that
5 | law still exists for us. But it seems to her that the
6 | law doesn't stand anymore for the government who made
7 | that law.

8 | She says that we never
9 | changed that law. But it seems to her that the
10 | government is changing that law, and you know, the
11 | changes are occurring right now.

12 | She says that when you
13 | introduce the pipeline, the government must be thinking
14 | in terms of changing the law, you know change the laws
15 | and saying that they, you know, they will probably stop
16 | the rising of the sun. They will probably stop the
17 | river flowing.

18 | She says that the information
19 | that they gathered about the pipeline is that the
20 | pipeline would be built underneath the Bear River,
21 | right across from Fort Norman. And she says, when you
22 | are talking about things like that, she says, when the
23 | people talk about you know, how important the land is
24 | to them, they also know that when the ice breaks out,
25 | towards the river, they don't even know how strong it
26 | is.

27 | They know what they are saying
28 | they are talking about how strong the ice is. Probably
29 | the strongest thing on this land is the breaking up of
30 | the ice and the flowing down of the ice through the

1 | Bear River.

2 | She says that sometimes when
3 | the ice breaks up and it flows down the river, there is
4 | a lot of sand that moves. And there is a lot of ice
5 | that scrapes the bottom of the lake, of the river.

6 | And she says that there is a lot of, you know, like all
7 | of the sticks and stuff like, the wood piles all around
8 | the shores of the river, it all goes into the river.

9 | You know, and it really sort
10 | of blocks everything is in its path. She says that
11 | when the wood and the stuff like that flow down the
12 | river, it piles up on top of each other. And if the
13 | pipeline is underneath the river, she says that a lot
14 | of those logs will pile up into great heights. - just,
15 | you know, that is a stop for them. That all of the
16 | logs will -- it woul4n't flow any more.

17 | THE COMMISSIONER: I understand.

18 | A She says and if that
19 | happens, then that sort of stops the river from
20 | flowing. Then, that will break one of the laws. "As
21 | long as the river flows"? That -- it is sort of a
22 | blockade, so that stops the river from flowing. And
23 | then that is the breaking of one of our laws.

24 | And she says that when that
25 | happens, that is breaking one law. But the sun is
26 | still there. And she says that a man, a human being
27 | can not touch the sun. The Creator made that sun so
28 | that the land can receive from it. And she says, then
29 | the white people have to ask the Creator how they can
30 | stop that sun.

1 She says that the white man,
2 after stopping the, after breaking one law, which is the
3 river, she says he probably has to go to the Creator to
4 ask him how they can break the other law then.

5 It would be dealing with the
6 Creator then, it wouldn't be dealing with the people.

7 She says in our own mind, when
8 a white man asks us, well, when she is referring to the
9 white man, she is probably talking about the government
10 here. She says that when the government asks the Lord
11 the Creator, that, you know, we have broken one law. She
12 says, but when they ask the Lord to break the second law,
13 the Lord will probably answer to that person in her mind,
14 that He is going to say, well, if you can replace the
15 light that I have put on this world, if you can-replace
16 that whole light, then you can do that.

17 You know, the Lord put the
18 lights there, you know, for the land, for the world.
19 But if you can make that kind of light, then go ahead
20 and break that other law.

21 She says that if the white
22 man can make, probably make light enough for one city,
23 but you know, small communities like this and all of
24 the other little small communities which are not big
25 cities the white man can not make light for that area.

26 In 1921, when the Treaty
27 happened, she says she wasn't present there. But this
28 is the kind of law that the older people are talking
29 about. This is the kind of law that the government
30 made. And that law still stands.

1 And she says that the land is
2 very important to us, and we hope that is clearly
3 understood that when we ask for that 450,000 square
4 miles, she says that what we want, we want the land
5 settlement before the pipeline. We want the land
6 settlement before the dam.

7 And she says that when she is
8 talking, she is talking for the people, for her
9 sisters, for her brothers, for her relatives, for her
10 uncles. And she says that I am practically the last
11 person who is going to talk about something like that.

12 But you know, this is
13 important to us, we want the land settlement before any
14 major land development comes through.

15 And she says that when the
16 oil companies and other people who are going to give
17 evidence in Yellowknife, they probably have a piece of
18 paper, they probably have all the things that they
19 need. You know, to support their case.

20 She says, but I am sitting
21 her I don't have any paper here with me. I am talking
22 on what is in my mind. And she says that what I am
23 saying to you, you know, you should feel some sympathy
24 towards what she is saying.

25 Since 1921, there is a lot of
26 things that have happened to them. A lot of destroying
27 of the land, a lot of damage, has been done to their
28 land. She says, we can not let this, we can not allow
29 this to happen anymore. That is why all of the old
30 people are talking to you, to try -- you know, that is

1 | why, you know, they are trying to plead to you that this
2 | is important to them. That these kind of damages
3 | shouldn't continue

4 | She says that our children,
5 | the government introduced schools. The children may be
6 | educated, she says but what they have been taught, the
7 | children do not live by. You know, whatever has been
8 | taught in school is not the way our children live.

9 | You know, it has nothing to
10 | do with what we live today, you know. Like it has no
11 | reference to the Indian way of life. The children can
12 | not live by it. She says they may make a lot of money
13 | in the, but \$50 probably go to the food. And whatever
14 | you are taught, that \$150 left will probably not go to
15 | Whatever you have taught them.

16 | She says that the kind of
17 | information that you got, the kind of information that
18 | they gave you, it involves a lot of thinking on both
19 | parts. And you probably grasped from the ideas that
20 | she is giving you, it probably has formed something in
21 | your mind. And from your point of view, you probably
22 | know what she is trying to say to you.

23 | You probably have come up
24 | with something in your own mind of what she is trying
25 | to say to you.

26 | She says that when we are
27 | asking for the land, even in the children's mind and even
28 | in their own mind, they ask for 450,000 square miles.
29 | That is what they are asking for. No less than that.
30 | And she says that, they don't want any pipeline. They

1 don't want any dam. And she says that all of the
2 unnecessary things that the government has provided
3 within the nort, which is slowly destroying the Indian
4 people, she says you probably know what I am talking
5 about when I say that.

6 We don't want that also. So
7 with this in mind, she is talking to you. About the
8 four things that they are asking for.

9 She says that she doesn't
10 have a paper on which she is going to speak to, on --
11 but, you know, like she is talking with just what she
12 has in her own mind. And she hopes, she will be very
13 happy if you have grasped something of importance in
14 what she had to say to you.

15 You know, like you have got
16 some idea or you have taken something of all of the
17 things that she has said. She says something that you
18 might think will be important for her. She will be
19 happy if that happens

20 She says that that is all
21 that she has to say now.

22 She says you have spent two
23 an a half days with us and we have given you all kinds
24 of information, And she hopes that, you know -- that
25 they were very happy to receive you. You know, and a
26 lot of old people are very happy that they have given
27 you some of their background, and some of the
28 information that they thought would be important.

29 And you will probably be leaving
30 this afternoon, so it was nice of you to come and visit.

1 THE COMMISSIONER: Thank you
2 very much.

3 (WITNESS ASIDE.)

4 GREGORY SHEA: Sworn.

5 THE INTERPRETER: This is
6 Gregory Shea, from Fort Good Hope.

7 GREGORY SHEA: (Interpretation)
8 But the Lord made one world for us. So that we can live
9 side by side by our neighbor. He says, I was very young
10 when my father died, so my mother raised me. There was
11 nobody to teach me the Native way, you know -- through
12 his father. But he says that with his own mind, he has
13 gathered this information.

14 He says that when you speak
15 about the pipeline, we will never stop to say no to the
16 pipeline. He says, this summer, this spring when I
17 went spring hunting, I saw a lot of dead beaver on the
18 lakes. Who caused those dead beavers?

19 What about in Tuk where we
20 heard people on the radio, talk about how much fish
21 there used to be around Tuk? What happened to those
22 fish? Who is to blame for the decrease in those fish?
23 And to what is happening with the animals?

24 And he says that this is just
25 the work, the little work that is being done. You
26 know, some of the seismic lines have caused it. But
27 think of what, how much more damages the pipeline will
28 do?

29 He says that before my father
30 died, he told me that in selling six marten to the H.B.

1 Company, you got fifty cents. And for one cigarette,
2 you had to give one fox. And he says that the H.B.C.
3 in the past have really stolen from our people.

4 And if that is the kind of
5 treatment that is to continue, we are, you know, we are
6 a poor people as it is. You know, they really treated
7 our people bad in those days, they really stole from
8 our people.

9 He says that there are no
10 animals, you know. There is practically no animals
11 around this land anymore. And animals are really
12 decreasing. You cant even set a snare, you can't hope
13 to set a snare to catch some rabbits anymore.

14 You can't grow vegetables up
15 here, you have to work hard for what you earn. And he
16 says that today, the way the food prices are going
17 today, you can spend ten dollars for one meal. So when
18 you are deciding on building the pipeline up here, you
19 are making life more difficult for the native people.

20 The native people who share on
21 land. And the white man too, have a place on this earth.
22 It also has one land. You know, there is a distinction
23 between lands here. And he says that when an Indian
24 person goes down to the south, he says, after staying
25 five days, the white man has probably asks for rent.

26 He says that what privileges
27 does the white man have on our land? Why should they
28 decide for, on the land what it should do? You know,
29 why should they be given this privilege?

30 He says that the animals are

1 decreasing as it is, and that is practically the last
2 thing that they feed themselves on. Food is very
3 expensive. There is never going to be any white man
4 who is going to offer you food when you are hungry.

5 So why should we give you that
6 privilege to decide what is to be in our land, especially
7 when it is making life more difficult for us?

8 He says that the Inquiry
9 probably will go down to Good Hope too. And there they
10 will hear the voice of the Good Hope people. He says
11 that our Chief is very young, so as a visitor, he
12 probably doesn't have anything to say. But me, as an
13 elderly person, have spoken for our people.

14 He says that the Lord gave us
15 this land, the Lord gave, the Native people this land.
16 The Lord also provided land for the white people. We
17 are one group of people. Our voice is one. He says,
18 so when you move to, when the Inquiry moves to Good
19 Hope, he will probably say more there.

20 But this is all that he is
21 going to say as a representative from Fort Good Hope.

22 THE COMMISSIONER: Thank you,
23 Mr. Shea.

24 (WITNESS ASIDE.)

25 JOE NAEDZO: (Resumed-
26 Interpretation.) Our people here have given you a lot
27 of information. You know, like they have really talked
28 to you about what they think. You will probably be
29 leaving very soon. He has one more thing to say to
30 you.

1 On this land and all of the
2 native people, they share one voice. They share one
3 life. When that old man said that, he is telling you
4 the truth.

5 He says that we Native
6 people, we help each other. We have good words for
7 each other. And we share, you know, the things that we
8 have with each other. I am not talking just for Fort
9 Franklin, he says. This happens throughout all of the
10 north. He mentions names like Fort Norman, Good Hope
11 and Fort Ray and all of the other communities.

12 He says, when we visit another
13 community, he says, you never buy food. You don't have
14 to buy the food, he says. I went to visit Fort Good Hope
15 with with a dog team for five days, he says. My dogs
16 were fed, and I was fed, I had a place to stay.

17 And on the return trip, they
18 gave me food for the dogs. They gave me food enough,
19 enough food to make sure that I come home.

20 I also went to visit my friend
21 in Fort Ray when my father was alive. His father is a
22 very well-known prophet. His name was Neidzo. He says
23 that my family, while my father was alive, my family went
24 down to Fort Ray and spent one month and didn't spent one
25 cent on the food that they got, that they received there.
26 He says that we ate very well. And we were content with
27 the food and he says, we treat these people the same way
28 when they come to visit us.

29 But we are very displeased
30 with the decrease of the game and the wild animals on

1 | which we, you know, on which they feed themselves.

2 | In this community, if one
3 | hunter went out hunting and got five to ten caribou, he
4 | says that that person feeds everybody. They share that
5 | whole meat until it is all gone with everybody. He
6 | say that is the way the native people live amongst each
7 | other, they share.

8 | He says, it is the same thing
9 | for fishing. If a person went out fishing and got some
10 | fish, he says that that person shares it with the
11 | community. He says that we help each other. That is
12 | how our life continues. We share all of the time.

13 | Our ancestors have taught us
14 | a lot of things. They have taught us how to make life
15 | continue. They teach you that for your neighbours,
16 | when they are in need and when you are in need, the
17 | neighbor will feed you. Take care of each other and
18 | share with each other.

19 | Sharing is one way in which
20 | the native people's lives will continue. This is what
21 | the ancestors have taught us.

22 | The old people have taught us
23 | how to keep on surviving, like how to keep on living.
24 | And they also taught us so that we can better our lives
25 | how we can continue this on by sharing their experience
26 | and just teaching us.

27 | He says that you saw the show,
28 | that John Tutcho showed you, where a little boy has
29 | caught a marten. And since that age, our parents have
30 | always taught us so that we can make life for ourselves

1 | And we can continue on.

2 | He says that when I was really
3 | young, my father shot a moose for us. He says, after we
4 | skinned, we went and set two traps. After three day we
5 | went back to those traps and we got some marten.

6 | He says, then we lit a fire
7 | an we sat around the fire. He says, that was his
8 | father and him. And his father asked him, do you like
9 | the meat? And he says yes.

10 | And he says, do you like, you
11 | know, getting something in your traps like that? And he
12 | says yes. And he says, so my father says, if you like
13 | it very much, then you must work for it. You must
14 | continue this on. If you like meat, then go hunt for
15 | it. If you like to catch marten, then set traps for it.

16 | You must continue this on if
17 | you like it.

18 | He says I was not the only
19 | one whom my father taught these things to. All of the
20 | native people, all of their fathers have taught them
21 | these things. That is how we make our living, from
22 | what we have heard and from what we have been taught.

23 | He says, I am not speaking
24 | for, just the people in this community. I am talking
25 | for all of those people who are still living off of the
26 | land, and all of the Northwest Territories,

27 | You know, I guess he is
28 | referring to all of the people.

29 | The old people, and our ances-
30 | tors have taught us four major things; that is the setting

1 of nets, hunting, trapping, and taking care of your
2 neighbor. He says, till the native people, as long as the
3 native people exist, these four things they will hold
4 dearly, I guess.

5 He says, we will never let go
6 of the four things that they have given us. Whatever
7 the old people have taught them, they can not let that
8 go. He says, you can not replace what they have taught
9 you.

10 The teaching by receiving
11 jobs The things that they taught you are irreplaceable.
12 He says, that is why, when we talk about our land and
13 how important it is and why we should maintain that
14 land, he says, that is the reasons we are giving here.

15 And sometimes, the young
16 receive jobs from the white people. He says,
17 sometimes they do their job very well. But still they
18 quit and come back because they enjoy working the bush
19 more than holding on to their jobs.

20 He says, and sometimes a
21 white man, if an Indian person doesn't work good for
22 them they fire them too. But although they are fired,
23 they can always go back to the bush. They can always
24 make money living off of the bush.

25 And he says that that is why
26 the land is so important to them, that they can always
27 use it, you know, during hard times. He says, so when
28 we are talking about land, you know, we can't just let
29 it go just like that.

30 You know, you have to defend

1 | yourself.

2 | Gregory Shea has given you
3 | evidence about the seismic lines and about a lot of
4 | dead beavers. He says, and that it is true. He says
5 | that all of the native people, want their neighbors to
6 | live well, to eat well.

7 | He says, we don't want our
8 | neighbor to have no food. He says, white man and the
9 | native people exist today because they eat. You can
10 | not survive without eating. And he says that, when you
11 | are talking about doing things to this land, and what
12 | good it will do for us, and it's -- what good it will
13 | do for yourself, he says, it should be talked about.

14 | You know, what he is saying
15 | is that when -- that there should be a lot of things
16 | said before something is, you know, any major
17 | developments come through you know, it should be talked
18 | among, between those two people, the white man and the
19 | native people.

20 | And you should be able to
21 | understand each other, because both -- any type of
22 | human beings, you know, like the only way that they
23 | live is by eating.

24 | The native people don't only
25 | share amongst themselves, he says there was one white
26 | man who lived amongst us. His name was Jack Raymond.
27 | He went to Johnny Hoe River with us. He says, he had
28 | no money. He had five pounds of flour and that is
29 | supposed to last him for the whole year that they spent
30 | at Johnny Hoe River.

1 | people in the world they have bosses, they have leaders
2 | And under those leaders, do they decide anything.

3 | He says, even I, if I wanted
4 | to go somewhere, I have to ask Chief George Kodakin to
5 | let him know that I want to go there.

6 | The white people have decided
7 | to put a pipeline up this way. And they have made a
8 | lot of seismic lines. And all of these things happen
9 | behind our backs. He says, he is going back to saying
10 | that poisons were put on this land, like he said before
11 | and before -- he gave you that evidence, I think, about
12 | the poisons.

13 | He says, a lot of thousands
14 | of fur died that way. A lot of animals died that way.
15 | And he says that before they placed those poisons, they
16 | should have asked the native people there. Naturally
17 | the answer would have been no. But at least, they
18 | asked us. And all of these things happened behind our
19 | backs.

20 | He says that whatever he said
21 | was for the future. And the animals is what the people
22 | help and feed each other with. And that animals, those
23 | animals are disappearing. He says, even if a white man
24 | came to our land and he didn't have anything to eat, we
25 | will help them. And that is the only way that we will
26 | help them is by sharing what we have got with them. And
27 | usually it means feeding the other person.

28 | And that when the seismic
29 | companies want to put seismic lines here and there, he
30 | says, it would be nice if they asked us, because we

1 | could tell them, well, we see, we have our fish lake
2 | here and we have our trapping areas here. And there
3 | will be an understanding there.

4 | But that doesn't happen all
5 | of the time. So what he is saying is that that
6 | whatever type of work should be done, should be shared
7 | with the native people whom it concerns.

8 | And they should be the ones
9 | to decide where it should be.

10 | The southern part from
11 | Franklin, from the southern part, there is a bay, and
12 | there is no name for it. So we usually call it Bomb
13 | Bay. And it means, that is a translation from English,
14 | from Slavey.

15 | So I will call it Bomb Bay, I
16 | will refer to it as Bomb Bay. He says that, two white
17 | men left Fort Franklin and at that time, they were
18 | living there. And I guess they were on, going
19 | somewhere, but there was a storm, and there was no food
20 | and they got lost during the night. They didn't know
21 | where they were going. And by accident they came by
22 | where our camp was. So we took care of them for two
23 | days. We fed them, we fed their dogs.

24 | He says, this is what we
25 | native people help each other with. That is food, we
26 | feed each other. He says, all of the times that we
27 | spent, that they spent with us, we don't ask them for
28 | money. And this is the way of the native people.

29 | All of the native people have
30 | been taught by their ancestors, to share with each other.

1 And that sharing is, by feeding and helping your
2 neighbors who are in need. We don't want this to change,
3 he says. Not only did they teach us that, they taught us
4 how to trap. They taught us how to fish, and they taught
5 us how to hunt.

6 And these four things that
7 the have taught us, we hold on to them. It means a
8 lot to us. He says, we want to be consulted before any
9 seismic lines or any development happens in our land.
10 There is a lot of damage done to it already. And we
11 don't want any more.

12 He says, and it is good that
13 you came, because these ideas that we give you, you can
14 share with the boss, meaning the Canadian government or
15 all of those people who it involves.

16 He says that we, he hopes
17 that the ideas that they have given you will give you
18 something to feed them back with. And he says that
19 this little girl that came up here this morning to tell
20 you about how she has been taught to collect brushes
21 and put it on the floor, he says, this is how we teach
22 our children.

23 He says, that is all for then.

24 He can't predict the kind of
25 death that awaits you. But it is nice of you to come
26 all of the way from Ottawa. And that they are happy
27 for you that you came. They are happy for you that you
28 participated in the dance. And that, with this speech,
29 it is like saying farewell to you. And that he is just
30 saying that he is very happy that you came.

1 THE COMMISSIONER: Thank you,
2 sir.

3 A When you return to
4 Ottawa, you will probably tell your wife that you
5 danced amongst the native womens in Franklin.

6 (WITNESS ASIDE.)

7 THE INTERPRETER: He says his
8 name is Victor Dolphus.

9 VICTOR DOLPHUS: (Sworn,-
10 Interpretation.) He says he was born in 1921, November
11 7th, and he is 53 years old.

12 He says that we native people
13 are poor people. And our only means of survival is by
14 using the land and the animals. He says, you saw the
15 show yesterday in which you saw a little girl dancing.
16 He says, that is how we were raised. That is when our
17 fathers decided to take us out into the bush and teach
18 us, And he says this is the way of the native people.

19 And he says, when we talk
20 about how important the land is to us, and why we don't
21 want any damages, we are speaking the truth.

22 When we talk about the
23 animals he says, the animals may grow on your land, he
24 says. But we have no control on the animals.
25 Sometimes you g moose hunting hoping to get that moose
26 but sometimes you don't get that food. And there is
27 nothing left at home, but you return. You return home
28 without that moose.

29 And he says the net is the
30 same way, the fish is the same way. He says, we might

1 | be hungry, so we set the nets. He says, but we are not
2 | sure, you know, that it will feed us.

3 | He says, sometimes you go out
4 | to the net, hoping that you get some fish. And there
5 | is nothing. But you still return with a hungry stomach
6 | back to where you have nothing.

7 | The same thing goes for
8 | trapping. He says, you may set a trap, but if the, if
9 | the marten or the fur doesn't pass, doesn't use that
10 | path, you don' come home with marten. He says, you
11 | have no money and although there is a lot of things at
12 | the stores and stuff like that, because you have no
13 | money, you still remain hungry.

14 | He says, that is why we
15 | native people talk about why, you know, this is their
16 | main reason why we native people don't talk, native
17 | people talk about why we don't want any destruction on
18 | our animals or on our land.

19 | Sometime he grows a garden.
20 | And they grow that garden, they work on it. And they
21 | eat well off of it. They receive as much as they want
22 | from that garden. And when he has a job, he can be
23 | assured for working one hour that he will receive some
24 | sort of wages. And with that wages, they can go and
25 | buy some things and buy their food and eat well.

26 | We native people are in a
27 | completely different situation. He says, so when we
28 | talk about how important our land is to us, how
29 | important our animals are to us, it is, we are talking
30 | in terms of , you know, well, he is saying that nothing

1 | should happen to the way of life of the native people,
2 | because we are in a completely different situation.

3 | Look at the condition of the
4 | ice now. It is not all of us that have money, a lot of
5 | us have debts at the Bay. And he says, so when a
6 | native person is hungry, they can set the net and they
7 | know they eat well, just from that net.

8 | That is how difficult, that
9 | is how hard life can be for the native people. You
10 | know, you don't always have things available for you.
11 | So that is when we talk about the animals and the
12 | land, he says, we look, it is the only means of
13 | survival, and so when we talk about that, you know, we
14 | really are expressing our true feelings to you.

15 | He says, that we may look
16 | like it or it may seem. that we are blaming the white
17 | man for the decreasing of the animals. He says, but we
18 | are illiterate, we can't read or write, and we don't
19 | know, you know. So we are finding reasons for why we
20 | think the animals are decreasing.

21 | In 1947, there used to be a
22 | lot of caribou on the lake here. And then in 1948 and
23 | 1949 there was a seismic line and made right in the
24 | path of those caribou. And when we say that the
25 | seismic lines are bad for the animals, and that all of
26 | the oil spills are bad for the animals, we are telling
27 | you the truth.

28 | He says now there is a winter
29 | road made from Fort Radium all of the way to Fort Ray
30 | region. And he says that also caused a lot of decrease

1 | in the caribou and all of the animals. The fishing is
2 | the same way. There is eight lodges on the Great Bear
3 | lake. And that is the cause of the decrease in fish,
4 | he says.

5 | I have worked for these
6 | lodges for seven years. He says, for seven years he
7 | has worked with tourists. And sometimes you have to
8 | throw, as long as it doesn't get into the throats, as
9 | long as the fish hooks doesn't get into the throats,
10 | you have to throw the fish back. But you only kill a
11 | fish when it is, you know, it touches its throat.

12 | And sometimes he says the
13 | fish may be more harmed than you know. The fish may be
14 | more harmed than we think but we still have to throw it
15 | back.

16 | And he says the fishes, I
17 | have worked on the fish, he says. And sometimes there
18 | is blood coming out of the mouth and stuff like that.
19 | But he says, it didn't tough the throat so you have to
20 | throw it back. So you throw it back, he says. But
21 | there is no doctors available for those fish in the
22 | water when you throw it back. And he says, with this
23 | in mind, he think that is why he says that the causes
24 | of the decrease in the fish.

25 | He says that the animals, the
26 | government decided that the wolves were killing off a
27 | lot of animals. So they decided to put poison on our
28 | lands and they can kill off the wolves.

29 | He says that since then the
30 | fur has been decreasing. And now it is really hard

1 | to get any fur around here. On top of that too, the
2 | seismic crew have made all kind of seismic lines. And
3 | that is one of the biggest reasons for the decrease in
4 | fur.

5 | If we were to do the same
6 | thin to the white man and on their land, what will they
7 | have to say to us? Since 1921, this is the first time
8 | the native people have decided to make special requests
9 | of the government.

10 | We don't want any more
11 | damages that is why we are pleading to them. We are
12 | talking about the dam and all of the damages that will
13 | happen if the dam is built, we are telling you the
14 | truth, he says.

15 | Even on a small lake or a
16 | small creek, when a beaver builds its dam, you know,
17 | the water increases unbelievable, it can be three times
18 | as much as the actual, the actual situation of where
19 | the lake has been

20 | He says that we native people
21 | what we have been taught by our ancestors, that is the
22 | only thing that we know. And that is what we are
23 | talking on.

24 | When we talk about how
25 | important how land is, he says, we are talking for the
26 | future, that is all that we have for the future, so
27 | when we talk to you in this manner, we are talking for
28 | just those two things.

29 | I am not the only person that
30 | is in a difficult situation. I can't set nets on the

1 ice. He says, I have a hundred dollar bill at the Bay,
2 I cant charge any more. I got up to eat nothing this
3 morning. And when I go home, I will still have nothing
4 to eat.

5 And he says, that I am not the
6 only person in that situation here. We are talking in
7 terms of building the darn, the pipeline and the highway.
8 He says, look at my situation now. These three major
9 developments that you are talking about. Think of what
10 will happen then, what will happen to the native people.

11 Think of the situation then.

12 All of the information that
13 we gave you, we hope that when you reach back to
14 Ottawa, you will pick out all of the important things
15 and support our case to the Canadian government. That
16 is all that he has to say to you because there are a
17 lot of people here and they will never get a second
18 chance to talk to you.

19 So he says, this is all that
20 I have to say. I am expressing my own self.

21 THE COMMISSIONER: Thank you
22 Mr. Dolphus.

23 (WITNESS ASIDE.)

24 OLD ELEMIE: Sworn.

25 OLD ELEMIE: (Interpretation.)

26 He says he is going to tell you about the old prophet.
27 And he says that that old prophet lived amongst, like
28 you know, when he can remember, he lived with them for
29 two years.

30 (PROCEEDINGS ADJOURNED FOR FIVE MINUTES)

1 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

2 THE COMMISSIONER: Please
3 continue on.

4 A He says that in the old
5 days you know, a lot of people mention the old days,
6 tents and that, this is today, he says. But in the old
7 days, there were no tents.

8 All of the old people when
9 they traveled, they traveled with caribou hide, made
10 things like caribou hide blankets and trousers and park
11 its and every thing was made of caribou hide. And he
12 says that whenever we traveled, and that all of the
13 time that his father lived, he only remembered him to
14 have two traps made by the white man. The rest was all
15 wooden traps.

16 He said we even had socks
17 made out caribou hide, with the fur on it. That is the
18 inside of the socks they used. He says, when we went
19 off trapping, sometimes we went five to six days. And
20 there was only three of them that traveled off like
21 that, to trap.

22 All of the time that we were
23 traveling too, we have to keep, carry our food on our
24 backs. We have to carry the traps, we have to carry
25 the, you know, the fish they grind it up and that is
26 sort of the bait for to place on the traps. We had to
27 carry that.

28 And you carry a blanket. And
29 you know like they didn't have very much things. So do
30 you know how a muzzle loader works?

1 THE INTERPRETER: I am
2 confused because he mentions three different things and
3 you know, I think it is their gunpowder, their lead and
4 the container? He says that they only have five of each
5 when they travel.

6 A All of the time that
7 they travel too, they don't, they don't set nets.
8 They just carry their food that they need, you know,
9 just for that short of time.

10 THE INTERPRETER: I am really
11 confused, you see. He is talking about old traps and I
12 don't know how old traps work. I guess apparently when
13 after they set those wooden traps, they don't recover
14 them. But only two traps that are made by white man
15 do they take those back.

16 A But he says that they
17 weren't allowed to use those for -- the white-made traps.
18 He was using snowshoes. In those days, he says, we only
19 carried a blanket. But the blankets were full of holes,
20 you know, because that is all that they had.

21 He said he saw his
22 grandfather make a bowl out of wood. He questioned his
23 grandfather how are you going to cook fish in that?
24 And he says, his grandfather replied by saying that you
25 place the fish in it, you know, you put it a distance
26 from a fire and it cooks. He says, I guess that's how
27 my grandfather cooked the fish.

28 He says, grandfather lived for
29 about two years after. And he is teaching him things.
30 And he says that, his grandfather made a knife with a

1 | 1921.

2 | He says my people have given
3 | you a lot of their comments and their personal feelings
4 | and how they feel about things. It is when we are
5 | asking for -- to be specific, when they are asking for
6 | this piece of land, which means 450,000 square miles,
7 | he says, we are asking for that so that we can continue
8 | our traditional way of life.

9 | And we can teach our children
10 | how to use that land, the way we have been taught.

11 | All of the things he has
12 | mentioned is the way of the native people. And they
13 | would like to continue the way their ancestors have
14 | lived. And that a white man's way is to discover gold
15 | mines, to discover minerals and to get oil. That is
16 | what thei4r boss told them. That is their job.

17 | But as a chief, his job and
18 | his people's job is to continue on the way of the
19 | native people. To carry on the traditional way of life
20 | and that is their job. He is sort of describing two
21 | job descriptions there. One of the Canadian government
22 | and one of the native peoples' ways.

23 | We want to carry on the
24 | traditional way of life. We want our land to remain
25 | the way it is for our use. And he says, when we are
26 | asking for 450,000 square miles, that is what we are
27 | asking for.

28 | He says that we want to be able
29 | to survive. And the government and now the white people
30 | are not talking about the pipeline. And that, when he

1 | is talking, he is expressing his fears. He says that he
2 | is not just talking for the people of Fort Franklin. He
3 | says, we are talking for the people, the native people
4 | all over this north.

5 | He says, they don't want the
6 | pipeline. Why don't -- he is asking a question. Why
7 | don't they want a pipeline?

8 | He says that the answer to
9 | that question is that the native people know how it is
10 | going to be built. The damage is going to be done to
11 | the native people. The damage it is going to do to
12 | the land, the damage it is going to do to the animals.

13 | Last month or this month, he
14 | doesn't know it, the right date, but he says that the
15 | word has gone around that there is some arsenic
16 | poisoning in the Slave Lake region and that arsenic
17 | poisoning was only discovered after a woman died.

18 | And now you can, you hear a
19 | lot of stories about that arsenic poisoning. And he
20 | says that water moves, and there is a lot of creeks
21 | going to that Slave Lake. And yet, they are talking
22 | about the arsenic poisoning in that lake, you know.

23 | I think he was trying to say
24 | something, you know, I think he was just trying to
25 | point out the arsenic poisoning in that lake.

26 | He says they are talking about
27 | the building of the pipeline. He says, this is a cold
28 | country. He says that around town, you see little pipes,
29 | you know, sewage pipes, water pipes. He says, all of
30 | these pipes, where they are joined together, in

1 | the wintertime it is so cold that it leaks, you know.
2 | Although the people who are working at it really try
3 | hard not to make it leak, it still leaks.

4 | And in the winter time you see
5 | oil on top of the snow and stuff, like that, from where
6 | it leaks. He says, in the spring time, in the summer
7 | time, you can see an area around the joints where all the
8 | oil is.

9 | He says, I am not talking from
10 | just from my point of view. He says, this is what all of
11 | the native people in this community see.

12 | He is using that little small
13 | pipe in comparison to the pipeline. He says, that this
14 | is about 3 or 4 inches. You are talking about 3 or 4
15 | inches, the width of these pipes. He says, now think of
16 | the three and four feet that you are talking about, and
17 | the pipe you are building the pipeline.

18 | He says, that like if this oil
19 | spill leaks out and stuff like that, it will cover at
20 | least 1500 feet around the land. And he says, we know
21 | that. You know, we know the danger involved in trying to
22 | build the pipeline.

23 | We are talking about leaks in
24 | the pipeline at the joints. He says, now suppose there
25 | was an oil spill, you know, the busting of the pipeline
26 | somewhere. And he says, that in our land, in our county
27 | it is very cold. And sometimes, underneath the ground
28 | even if you bury that pipeline, underneath the ground
29 | there is areas where there is ice in the ground. And if
30 | that breaks, it creates sort of a split in the land.

1 | And suppose that happens there
2 | He says, it is very cold and you know, this is one of the
3 | dangers, you know. He says, now think of the oil spill.
4 | Suppose there was an oil spill. It would cover at least
5 | 20 miles.

6 | He says, is the oil company
7 | going to replace that? Are they going to be able to
8 | replace all of the land that they have damaged? And if
9 | there is an oil spill, are the oil companies going to
10 | re-fix that land? Are they going to wash with soap so
11 | they can wash away the oil on that spill?

12 | He says that if that oil
13 | spill occurs, it will destroy animals, it will do, you
14 | know, sort of destroy the people. The traditional way
15 | of life. And he says that all of the people have
16 | thought about that, they have discussed it, you know,
17 | several times.

18 | And he says that all of my
19 | people don't want the pipeline. My people have told me
20 | that they do not want the pipeline. They do not want
21 | the dam and they do not want the highway. He says,
22 | that Bear River is used as a road, as means as
23 | transportation.

24 | He says, my people have told
25 | me that we want land settlements before any major
26 | development. And that still stands. And that, after
27 | the land settlement , if the pipeline and the highway
28 | is still something that hasn't been done talked about,
29 | well, then after the land settlement, maybe we can talk
30 | about it. But not before the land settlement.

1 He says that my people have
2 expressed their feelings to you. They have told you
3 that no land settlement before any major development.
4 And he says that, you know, that they feel good because
5 now that their feelings have been told. That they
6 shared this with you.

7 So he says that this is their
8 closing remarks for Fort Franklin.

9 He says we have provided you
10 with maps and you have asked to take the maps. And we
11 let you take them. And now he says that he is going to
12 give you a present from the people.

13 THE COMMISSIONER: Thank you
14 very much, Chief Kodakin. And members of the Council
15 and let me thank all of you who attended our three days
16 of hearings. And all of you who spoke, because I
17 learned from each one of you who came here to tell me
18 what was on your mind. To tell me how you feel about
19 the pipeline proposal.

20 I will be thinking about what
21 you have said, along with what people are telling me in
22 each community and what is being said to me at
23 Yellowknife. I will be thinking about all of those
24 things. During this Inquiry and when I have to decide
25 what my report to the Government, and my
26 recommendations to the Government will be.

27 And I should thank you, Chief,
28 and all of the rest of you, for this present. And say
29 how much I have enjoyed this visit. It has been very
30 pleasant and I am not used to staying up that late at

