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REPORT
OF THE
INDIAN ACT
CONSULTATION MEETING

WHITEHORSE, YUKON TERRITORY
OCTOBER 21, 22 AND 23, 1968

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DEPARTMENT OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

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REPORT OF THE INDIAN ACT CONSULTATION MEETING
HELD AT
WHITEHORSE, YUKON TERRITORY
OCTOBER 21, 22, AND 23, 1968

CO-CHAIRMEN

Chief Frank Sidney,
Teslin, Yukon Territory,
(Teslin Band representative).

Mr. J.V. Boys,
Regional Director, B.C. and Yukon,
Department of Indian Affairs
and Northern Development.

BAND SPOKESMEN

BAND

SPOKESMEN

Carcross

Mrs. Angela Sidney,
Tagish,
via Carcross, Y.T.

Dawson City

Chief Percy Henry,
General Delivery,
Dawson City, Y.T.

Mayo

Mr. Edwin Hager,
Mayo, Y.T.

Old Crow

Mr. Charlie Abel,
Old Crow, Y.T.

Champagne

Mr. Harry Joe,
Haines Junction, Y.T.

Whitehorse

Chief Elijah Smith,
Box 2452,
Whitehorse, Y.T.

Atlin

Mr. Richard Jack,
Atlin, B.C.

Telegraph Creek

Chief Eddy Frank,
Telegraph Creek, B.C.

Iskut

Chief Paul Dennis,
Iskut, B.C.

Liard River

Chief Dickson Loots,
Upper Liard, Y.T.

Selkirk

Mr. Stanley Jonathon,
Pelly Crossing, Y.T.

BAND

Ross River

Carmacks

SPOKESMEN

Chief Mac Peter,
Ross River, Y.T.

Chief Roddy Blackjack,
General Delivery,
Carmacks, Y.T.

CONSULTATION TEAM

Minister for Department of
Indian Affairs and Northern Development

President, National Indian
Brotherhood

Department of Indian Affairs
and Northern Development

Department of Indian Affairs
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Honourable Jean Chrétien

Mr. Walter Dieter

Mr. C. Fairholm

Mr. G. Rimek

Mr. L. Smith

Mr. A. Fraser

Mr. S. Roberts

Mrs. Marion Smythe

October 21, 1968.

Co-chairman Mr. J.V. Boys extended greetings to the delegates and presented the Minister of Indian Affairs and Northern Development, Mr. Jean Chrétien. He also stated that the purpose of the meeting was to discuss together the items which should become part of the new Indian Act and which would improve the conditions under which Indians live. All delegates introduced themselves.

The Honourable Mr. Jean Chrétien then addressed the meeting:

It is quite an important day for me and for you because it is the first time that there has been such consultation with the Indians in the Yukon. We as the Government of Canada decided to look into and rewrite the Indian Act, but we felt that it was absolutely necessary to get the views of those who are most interested in this Act, the Indian people of Canada.

These consultations started July 15 in Yellowknife. Since that time, we have had many meetings with Indian representatives in most of the provinces of Canada. We have had consultations in the Northwest Territories, as I said. We had three meetings in Ontario, one meeting in Moncton, New Brunswick, one big meeting in Quebec City, one in Regina, and we had one last week in British Columbia. There will be four others in British Columbia, one in Alberta, and one in Manitoba and we hope that we will have completed the first round of consultation by the end of December.

In January, all the co-chairmen of these meetings will come to Ottawa and we'll have long discussions with them in order to get another look into the question that I put to you; in order to try to obtain the views of the Indians from everywhere in Canada.

After that the Government will present the Bill to the House of Commons, but before that becomes a law, we are committed to having a second round of consultations. There will be some specific recommendations for the new Act, but, we would like at that time to have another round of consultations with you in order to permit you to express yet another time, your views on the Indian Act. It will take many weeks or many months and after that, we hope that the Parliament of Canada will pass the new Act.

What we would like to do is see the Indian people of Canada take more responsibilities in the administration of their own affairs. I think if we want to have the Canada that we hope to have, we would like every citizen to be a full

participant with all the advantages and the responsibilities of being a Canadian. Over the years, the affairs of the Indians in Canada, under the Constitution have been put into the hands of the Federal Government. Now we feel that, because there is a better understanding on the part of the Indian people, they will again take into their own hands, their own future because there is a new feeling within the Indian communities to participate, because we encourage them to do so and because they are better organized now. They are organizing in provincial groups or national groups. We feel that it is important to have a new departure and to permit the Indian communities in Canada to take their own future in their own hands.

What do we want as a society in Canada? We want to see every citizen equal to every other citizen. We want every opportunity in Canada to apply to every citizen of Canada. In our Canada, we say that we can be united; we can all be equal but we can be at the same time proud of our diversity. You are the Indian people of Canada. You have to be proud of being Indian and you have to be proud of being Canadian. You have a good and fantastic history and this history is part of the history of Canada. You are from a group within Canada, just like I, which is a minority group in Canada. I am proud of being French speaking, of French history. We have some rights and we have some obligations and I'm proud of it, but I don't say and I don't think that I am less Canadian for that.

You as Indian people have your history, you have your tradition, you have your culture and you have to be proud of it and you have to try to develop these things and build up a sentimental pride of being both Canadian and Indian. In Canada, we would all be united and we would like every citizen to be equal to the others as I said. In order to achieve it, we have to give every citizen the tools to permit him to build the kind of life he wants, that is why, we are having these discussions with you, in order to know where you want to go, what are your grievances, what are your hopes and your aspirations.

These meetings are not to hear from us, they are to hear from you. We are not here to try to persuade you in anything. We are here to listen to you. We would like to get your views because it is very important that you speak up. Because I have been charged by the Prime Minister of Canada with the responsibility for the Indian Affairs and Northern Development Department, I would like to have your views in order to talk to my colleagues in the Cabinet; to make the necessary changes in the law and to establish the new atmosphere that is needed to permit the Indian people of Canada to take the responsibilities and the initiatives necessary to be equal to other citizens; to develop associations with the municipal governments that they need in order to be in the main stream of the economic life of Canada.

This is my simple message. I have nothing further to say, but I must tell you that I felt quite happy that I could come to the meeting in the Yukon for the very reason that you are the ones that are the farthest from Ottawa. I wanted to show to all Canadians and all the Indians of Canada that even the most remote areas interest me. That is why I decided to come to meet you here, and now the meeting is open as the co-chairman said. It's up to you to speak up your mind. Ask questions. I will not personally participate. I'm here to listen. I have some advisers who will reply to technical questions that you may have, but the main purpose of this consultation is to hear from you. We are not interested in trying to persuade you on anything. We want to have your views on the books and on record. In January, your chairman, Mr. Sidney will come to Ottawa for the meeting of all the co-chairmen and later next year, there would be a second round of consultations. Thank you very much.

Mr. Frank Sidney, co-chairman, replied that the Minister had made an important statement. There was a movement going on in the Department which was asking chiefs what they thought about a new Indian Act. Some did not understand all the questions clearly but they will understand them as time goes on. It takes time. The important thing was that Indians have to run their own business and control their own affairs. The Indians were honoured that the Minister had come to speak to them. It was the first time a Minister of the Department had come to meet with them and to listen to them. He stated that the Indians were going to be on their own, fighting for their own rights and he didn't fully understand the meaning of all words.

Co-chairman, Mr. J.V. Boys introduced Mr. Walter Dieter, President of the National Indian Brotherhood and Mr. C.I. Fairholm of the Department.

Mr. Fairholm said that the Departmental officials were here to answer questions which the Indians might have about Departmental policy. A full record of what was said during the meeting would be made. He pointed out that there was also equipment to record the meeting, but they were not to have any fear of the microphones as the government people were only interested in hearing what the Indians had to say.

Mr. Elijah Smith presented a brief on behalf of the Whitehorse Band as follows:

Mr. Minister, guests from Ottawa, delegates from the Yukon and other Canadians:

I have been around quite a few years living with the Indian and his problems. I have spent many years working and living with the white man and his problems. From 1939-1945 I did my best to help with one of these problems. As elected Chief I tried to solve some of the Indians' problems.

When the Chief of our Band got sick and couldn't be here, he asked me to talk for our people. We had four meetings last week to talk about what I should say to you people.

We didn't know if you people from Ottawa were going to listen to us talk about something that wasn't in your book. That's the book called "Choosing a Path". Because we felt that our biggest problems weren't in that book. Also many of the questions you have in the book don't apply to the Yukon.

So, first, I will talk about the questions you have in the back of your book. Then I will talk about the problems we decided at our meetings. We spent the first three meetings discussing the questions and other problems. At the fourth meeting we agreed upon what answers we would tell you people. We did not all agree on every question but we were able to come to an agreement on most of them.

Question 1.

We were not too interested in renaming the Indian Act, but could only suggest that it could be called the New Indian Act.

Question 2.

Asks if the Act should allow more decisions for the Band Councils and field staff. We answer yes - but we want to know why Band Council decisions do not result in action. We have made several decisions, but we do not know what happens to our resolutions. We do not know what matters we have control over. We see a problem. Then we decide on a solution. This is made into a Band Council Resolution. Then we don't hear any more about it. Things have improved since Mr. Underwood and Mr. McCallum came.

Question 3.

We didn't understand exactly what you were talking about, but we feel that a person would give his consent before any of his rights are changed by the White man's government.

Questions 4 to 10 were about enfranchisement. This is the only matter on which everyone did not agree. We took votes on each one and our decisions are:

Question 4 -- yes

Question 5 -- Part 1, yes, providing she is 21 years old.
Same as question 9, part 2.

Question 5 -- Part 2 -- no

Question 5 -- Part 3 -- yes

Question 6 -- yes

Question 7 -- Part 1, yes

Question 7 -- Part 2, yes, but only if an Indian's request to change from Indian to White man be recommended by his Band Council. This allows the Band Council to remind him about his rights and responsibilities to his own people. In the past most persons in the Yukon who elected White Status were talked into it just the same as being bribed. They were bribed, with Northern Allowance, Liquor, and other things.

Question 8 -- no. We feel that this decision should not be made until a person is 20 years old.

Question 9 -- Part 1, no.

Question 9 -- Part 2, children should be allowed to elect their status only during their twenty-first year. That means after they are 20 and before they are 21. We don't feel that they are mature enough before they are 20. We also don't want older people in our Band who just want to become Indians to get more handouts.

Question 9 -- Part 3, yes.

Question 10 - We don't know if this applies to the Yukon because no one at our meetings had ever heard about it. So we did not answer it.

Question 11 - Does not apply to the Yukon because we don't have any reserves.

Question 12 - Does not apply to the Yukon because we don't have any reserves.

Question 13 - This sounds like a legal question and since we couldn't understand it we did not answer it.

Question 14 - This is another question we did not understand so we didn't answer it.

Question 15 - This is another question which we feel does not apply to the Yukon.

Question 16 - This seems to be another legal question and maybe we should have tried to get a lawyer to explain it.

Question 17 - Since we don't have reserves in the Yukon we decided we didn't have to answer this one.

Question 18 - We do not want special or separate schools for our Indian children. We feel the most important thing for our children today, and in the future, is to get the same education as the white children. Our younger children need Nursery Schools and Kindergartens in the Indian Village so they will be ready for Grade One. The way it has been in the past, the white children do better in school because they are ready for Grade One.

Question 19 - Does not apply to the Yukon as we have no reserves.

Question 20 - Does not seem to apply to the Yukon as it sounds like it is talking about reserves.

Question 21 - We are more interested in prospecting than in farming in the Yukon.

Question 22 - We have so many problems of our own that we did not consider this question.

Question 23 - We did not know anything about this question but we do feel that it is a good idea for the Indian Superintendent to be a Justice of the Peace.

Question 24 - Yes. These laws about Indians not to drink off the reserves really are bad in the Yukon because we do not have any reserves in the Yukon. This means an Indian cannot drink anywhere in the Yukon. We realize that liquor is a big problem with not only the Indians but with the White Man as well. A law which says that you cannot drink anywhere is no good.

Question 25 - Part 1, yes.
 Question 25 - Part 2, five years would be okay.
 Question 26 - Part 1, no. If land belongs to the Indians why should someone in Ottawa have power over it.
 Question 26 - Part 2, yes.
 Questions 25 and 26 seem to suggest that the Band Council has land which could be leased. Twice in the past year our Band Council has been asked to lease land. We are waiting to hear from Ottawa whether we can lease it or not. The best land under consideration was already taken by Department of Transport several years ago. The lawyers say we have no land to lease. We want to know if we can or not. We need some kind of revenue if we are going to run our Band.
 Question 27 - This is a very important question to us and I will be talking more about this matter later on.
 Part 1, yes but what capital funds are you talking about? We have never seen any.
 Part 2, yes but what revenue funds are you talking about? We have never seen any.
 Part 3, Up to a maximum figure to be decided by the Band. It should be complete. Expenditures over this maximum should be after Band votes.
 Question 28 - Yes but we do not know what the present system is - or at least we have never seen the rules in writing.
 Question 29, yes.
 Question 30 - yes.
 Question 31 - No. There should be a separate ballot for Chief and Councillors. The Chief should be choice of majority of voters. We would like to use elimination system so that on final ballot only two names would be left. This means over half of voters would have voted for the new chief. I myself, was elected Chief by less than 30% of those who vote. This makes it hard to start as Chief when most of the people voted against you.
 Question 32 - Part 1, yes but in the past the Indian Agent has blamed the Government for taking over two years to act on one of our resolutions. So we would suggest that terms for Chief Councillors be three, four, or five years. We are satisfied with one Chief and four Councillors as we now have. We would like to have four year terms.
 Question 32 - Part 2, yes. We would like to elect one Councillor each year. Then no one group could throw out the whole council. Every four years we would elect our Chief. It takes a long time to learn how to be a good Chief or Councillor. Not like the old days. Then we only had to know where there was good hunting, fishing, and trapping and things like that. Now a person has to know how to read and write. How to make up letters and resolutions. How to work with the Indian Agent and other White Men in important positions. I guess he should know quite a bit about law, from the sounds of this book and because most of our problems today involve the White Man's law.

Question 33 - yes. We are all agreed on this and feel that we can't do much for our people until we have some authority. We want to know more about what kind of Government we should have in our Villages. We want to know if there is any way we can become a municipality. We want to know if we can make Local Government work, and what is involved.
 Question 34 - We have decided that this is the only way that we can make the Band Council work. We want some help finding out how to set this up. We have been asking these questions for two years and have not been getting much help until the last couple of weeks. We still need to know a lot more.

We have decided that the most important questions in your book are:

NUMBER TWO More authority for Band Council
 NUMBER SEVEN Restrictions on those who would give up their Indian status.
 NUMBER EIGHTEEN Equal educational opportunities for our children.
 NUMBER TWENTY-FOUR End discrimination based on liquor.
 NUMBER TWENTY-SEVEN Revenue for Band Council and authority to spend and invest it.
 NUMBER TWENTY-EIGHT, THIRTY-ONE, and THIRTY-TWO We need an effective election system for the Band.
 NUMBER THIRTY- THREE It is necessary for each band to choose the best form of Government for its own needs.
 NUMBER THIRTY-FOUR There must be some way so the Band Council can run the business affairs of the Band.

I would like you people from Ottawa to know that there are a few problems here in the Yukon that we couldn't find the answers for in your book.

There are six of these that I will talk about. The most important ones are five and six.

First: Other chiefs and myself have explained to people from Ottawa before that there should be some money like salaries when chiefs or councillors have to take time off work for Band Business.

Also Band Business cannot be conducted after working hours. Many times we have to see people in their offices. Since most of our professional advice is given to the council for nothing, you can't expect a lawyer or businessman to come to our meetings after supper. In the Yukon this often means after dark. It is hard to examine buildings and land after dark.

I will read you from the minutes of a Band Council meeting on April 7, 1965. Mr. Fry, the Indian Superintendent ran the meeting. Also Chief Scurry Shorty was there. The Chief had asked about this same problem.

The minutes read: "The Agent reported that he had received a letter from Ottawa stating that a grant would be available for salaries to the Chief and his Councillors for their efforts as leaders of their band.

We have not been able to find out any more about this since. Mr. Underwood has suggested maybe this refers to the Administration Grants program which is described in Circular Number Four - dated April 26, 1968. This circular is called GRANTS TO INDIAN BAND COUNCILS.

However this grant, as other grants described in this circular, is not any good in the Yukon because the Band Council must have some money in the Bank before they can apply.

Secondly: When we were discussing the questions in the book on enfranchisement, we said some of our people had been bribed into electing white status. Some of these persons are good leaders and good people. Some are children of parents who elected white status. Some are natural leaders among our people. They have no vote, and no say in Band business. They cannot be members of a Band. We want some of these people back. We NEED some of these people. It is hard to take for a full-blooded Indian to be called a white man and a traitor when he is more proud of his Indian Heritage than many of his brothers. How can we get some of our leaders on the Band List? This means a lot to many of us in the Yukon. There is not a great number involved but those that are involved are very serious about the problem.

Thirdly: The Whitehorse Indian Village has been moved four times and is now sitting in an area which is below the river level in the summer on one side, next to a swamp which holds the sewer from Camp Takhini on another side and by new industrial development on the other two sides. The last moves of the village were made by the white man who moved us again and again, lower and lower, as the City of Whitehorse expanded. This next (and we hope last) move would be at the request of the Indian people themselves. The Band Council was told recently by the Indian Agent that such a move would take up to seven years. At the same time he was told by one of the Councillors that the last move took two days.

Mr. Laing has made it quite plain that it would cost too much to put in running water. The present location makes it almost impossible to put in a sewer system. During the past month all the area on two sides of the village has been cleared of all trees and houses. It is soon to be surrounded on two sides by industry, one side by an open sewer, and on the other side by a swamp leading to the Yukon River.

There are two final points I would like to make on the subject of re-locating the Whitehorse Indian Village. Firstly, the Band Council is unanimous in its two year search for a solution. Secondly in the Metropolitan Zoning Plan for Whitehorse, the present village has been replaced by Industrial Development. The theory in the Zoning Plan was that all Indians be integrated and absorbed into Whitehorse proper. This is neither possible nor desirable in the near future.

The fourth problem discussed after we considered the questions in the book was that of our form of local self-government. I have already mentioned our views in the answer to question thirty-three. Our decision on this matter was to request information and advice on benefits, procedures and problems involved in local or municipal forms of government for our Band.

The fifth problem was put in the following resolution:

Whereas at present in the Yukon, Band Councils receive no Capital or revenue funds, it is essential that a predictable source of revenue be made available in order that they function. The following projects have been impossible for the Whitehorse Indian Band because they have no funds:

1. Community Hall - operation and maintenance
2. Local constable and truant officer
3. Administrative Help
4. Recreation facilities, programs, and leaders
5. Grants under Circular #4 dated April 26, 1968
6. Grants or loans for private individuals
7. Grants or loans for co-operative projects
8. Service Truck - at present Indians must cut all their firewood to cook and heat their homes and carry it on their backs from the bush to their homes.
9. Taxi or bus - The present lack of regular transportation between the Whitehorse Indian Village and the City of Whitehorse makes it nearly impossible for many people to keep jobs in the City.

There are many other projects and ideas for projects which have been considered by the Band Council the past two years. These have all had to be dropped because of NO money in the Bank.

We would like to know more about the Economic Development Fund mentioned in the last paragraph on page eighteen in your book.

The last problem is of course the biggest one. We want the land and treaty question settled as soon as possible. Many of us feel we are just wasting our time until this is settled.

During the last Federal Election, Mr. Trudeau said he was going to settle this matter quickly. We need a treaty to tell us what our rights are - where our land is -- we want to plan for the future of our people. We have no future until we clean up this unfinished business. We have several ideas of what we think the terms of the treaty should be. We intend to put a high price on our right to the land of the Yukon. Every year that goes by, and a new mine opens up, our asking price will go up.

This is all we have to say to you people, from Ottawa. But we hope you will do something about what we said. We have accepted the White Man in our country and we want a chance to get back our self-respect so we can earn the respect of all people everywhere. We are anxious and willing to work out solutions with you as soon as possible and we hope we all won't have to go to Ottawa to do it.

Co-chairman Jr. Boys called the meeting to order and advised that Mr. Erik Nielsen, M.P. for the Yukon was in attendance. He noted that he had been advised that the Indian delegates wished to hold their own meeting today starting at 3:00 p.m. The public meeting, therefore, would go until that time. He further advised that copies of the Smith brief were being prepared for distribution among the delegates and the Press. He asked Mr. Lutz for his comments, particularly in respect to problems in his area.

Mr. Dixon Lutz of the Upper Liard band remarked that in respect to question 1 of the booklet respecting the name, he didn't know of any other name that would be better; it would still be the same.

Co-chairman Mr. Boys advised that the meeting would be coming back to the questions in the book and those raised by Mr. Elijah Smith but at this time he was wondering if there were any special problems affecting his people.

Mr. Dixon Lutz noted that the biggest problem was one of employment and probably if the people had obtained the type of education which was available now, they would have been better off. He also thought that better education would be of help in meetings of this type. He noted that until a few years ago when the Chiefs held their first meeting the people had not thought for themselves but had expected the Indian Agent to do things for them. He noted also that if they had more meetings, they would be better prepared. He added that this meeting was to discuss their problems and to see what should be done in the future for the younger generation. He approved of the integration of schools as he believed this helped the children to learn better and of each other. He advised that there were many problems and because of the difficulties, he often thought he should move out but since he did not wish to do that, he would stay and do the best he could for his people. He noted that perhaps the next person elected after him would be able to see what he was trying to do and maybe do it better. In answer to a question of Mr. Boys, he stated that he would like to see the District Council continue to meet at regular intervals.

Co-chairman, Mr. Boys thanked Mr. Lutz and called upon Mr. Eddy Frank for his comments.

Mr. Eddy Frank of the Telegraph Creek band advised that at this time he would just like to raise the problem of traplines. He advised that currently if an Indian did not use this privilege, he lost it. He did not think this was fair. He also believed that there should be closed season on game and fish as the Indian does not waste this.

Mr. Boys, the co-chairman, thanked Mr. Frank and called upon Mr. Paul Dennis for his thoughts.

Mr. Paul Dennis of the Iskut band entered the following answers to the questions as made at a meeting held in Iskut Lake on June 23, 1968. He advised they considered primarily only those questions of most importance to them:

At a meeting held in Iskut Lake, on June 23, 1968, the following points were drawn up:

1. Should the name of the Indian Act be changed?
Not very important, maybe a better name could be found.
2. Should the Act delegate authority?
Yes, it would be much better if Band Councils and field staff could make decisions on the spot.
3. Persons or bands should not be excluded from the provisions of the Act without their consent.
4. The children of unmarried Indian mothers should take their mother's status regardless of who the father might be.
5. An Indian girl marrying a white man should retain the Indian status if she wishes to.
6. Non Indian children adopted by Indian families should take Indian status.
7. No change regarding the Indian who wishes to withdraw from Indian status.
8. Married couples should not be able to give up their Indian status unless they are 21.
9. Children whose parents have withdrawn from Indian status should keep their Indian status until they are 21, then decide for themselves.
10. Unlikely to happen.
17. Indians working on the Reserve should not have to contribute to the Canada Pension Plan.
18. Under separate sheet.
29. Voting age for band councils should be 18.
30. Candidates for Band councils should meet the age requirements of provincial laws.
31. The chief and councillors should be chosen from one list only. The one getting the most votes would be chief.
32. The terms of councillors should be settled by the band. But the terms of the councillors should overlap.
33. The individual bands should be able to select the kind of government which, according to them, suits their community best.
34. Bands who wish to do so should be allowed to form corporations, to administer the business affairs of the reserve community.

Respecting question 18, he entered the following Resolution considered at a meeting at Iskut Lake on June 23, 1968:

We the people of Iskut Lake Reserve, request that our views on the school question he heard at the Chief's Meeting to be held in Whitehorse. The Indian population in this village is entirely Catholic, We request that provision definitely be made in the new Indian Act, to provide for separate schools, either provincial or federal, regardless of the fact that there are no provincial separate schools in British Columbia at present.

On page 16 of Choosing a Path, under the topic "Education", we ask that the law should be written as in choice (1) "The provincial law to apply with special provision for continuing or setting up separate schools where there is no legal provision under provincial law for them now.

He noted that it was signed by the family heads and their wives who were responsible for school children. Other problems included the matter of employment. He noted that the village was remote and it was difficult to obtain steady employment. He advised they would try to bring in the mining industries for exploration purposes to assist in employment. He added that some people would like to get a hunting area so that some day they could start a hunting outfit to provide for themselves.

Mr. Boys, the co-chairman, thanked Mr. Dennis. He noted that it was encouraging to know that some of the Indian people had held meetings among themselves to discuss the problems. He asked Mr. Harry Joe for his comments.

Mr. Harry Joe of the Champagne band advised that he had had little education because it wasn't available in his day. He noted that he could not read or write nor could he really understand the language of the white people. He hoped that the children going through the schools now would be able to understand the white people and what is taking place in the Yukon. He believed he could not go ahead without his people. In answer to a question from Mr. Boys, he advised that the children in his area go to a territorial school.

Co-chairman, Mr. Boys, thanked Mr. Joe and asked Mr. Alec Smith for his thoughts.

Mr. Alec Smith of the Aishihik band advised that since they moved, they had no transportation to school which means that in the poor or cold weather the children did not attend school. In answer to a question from Mr. Boys, he advised that the children were about two miles from school. He asked for help in getting transportation.

Mr. Boys, co-chairman, thanked Mr. Smith and asked Mr. Edwin Hager for his comments.

Mr. Edwin Hager of the Mayo band advised that the Indians were now living in the town again because of the trouble with water supply to the old village. He noted that everything appeared to be fine. The children attended the school with little problem. He entered the following answers to the questions as he had received them from the people of Mayo although there were not many people at the meeting:

1. Should the name of the new Act be the Indian Act or would another name be better? - retain the same name;
 4. Should the children of unmarried Indian mothers take their mother's status regardless of who the father might be? - under the father's name;
 6. Should non-Indian children adopted by Indian families have Indian status? Yes, under the family name;
 8. Should married couples, where the husband or the wife or both are under twenty-one years old, be able to withdraw from Indian status? - yes to both parts (1) and (2);
 9. When a family withdraws from Indian status, should their children lose their Indian status too? At what age should children be allowed to choose for themselves? Should children be allowed to retain their membership, if their parents have dropped theirs? - No, choose for themselves after age 21;
 19. Should all adult members of a Band whether or not they live on a reserve be allowed to vote on surrender proposals? - yes, allow to vote;
 24. Do you agree that the sections on liquor should be repealed? - no change;
 25. Should Band Councils be able to enter into short term leases on their own authority? How long a term? - four years lease;
 31. Should it be possible for a Band to choose its chief and councillors from a single list of candidates, with the person getting the most votes becoming the chief and a number of others becoming councillors? Yes, their own choice councillor and chief; monthly income;
 32. Should the length of Councillors' terms have a fixed time limit of one, two or three years as decided by the Band? Should councillors' terms overlap so that only part of the Council comes up for election at one time? - yes, four years. Chief as long as he wants to.
- Co-chairman Mr. Boys noted that they would be discussing questions as they arose. He thanked Mr. Hager and asked Mr. Percy Henry for his comments.

Mr. Percy Henry of the Dawson City band advised that under the old chief there had not been any meetings for 20 years. The people had now elected him and he was somewhat at a loss as to his powers and the problems such as:

- (a) Is there a reserve for the Dawson Band and if not, why not?
- (b) Was the Peel River area set aside for trapping and hunting for Indians? If so, how does prospecting in that area affect the agreement?

- (c) Why are young Indian men not given jobs for which they are trained?
- (d) Why cannot Indians join trade unions?
- (e) Why cannot Indians get out of jail on bail when they have the necessary bail money?
- (f) Does a Chief have the power to release a man from jail to go back to work on time so that he will not lose his job?
- (g) Why do not the Indians receive equal treatment from the R.C.M.P.?
- (h) Why and how can an Indian in the Yukon be charged with being drunk off the reserve when there are no reserves?
- (i) Does the Band have the right to put a white man off the reserve?
- (j) Why does the R.C.M.P. make an Indian prisoner work on Sunday when they do not require white prisoners to work on Sunday?

Co-chairman Mr. Boys thanked Mr. Henry and asked Mr. Stanley Jonathon for his comments.

Mr. Stanley Jonathon of the Pelly Crossing band advised he had little to say at that time. He noted that although they had tried to have meetings on the Act, only three or four older people appeared. The young people did not seem to be interested. He further advised that the Chief could not attend because he was working. He believed their biggest problem was that of running their own village. He thought the Chief and Council were to do this but it was being done by a white person. He noted that the Chief could not read or write but he was a good speaker and had often met with Mr. Nielsen. He noted that the older people had been taught to behave themselves and obey the R.C.M.P. but the younger people do not and must learn to behave themselves. Many of the younger people had no experience in behaving themselves or listening to the R.C.M.P. He believed they needed the police for order in the village. He advised there were also many dogs running loose. He said it used to be the habit of the women to set a few traps or snares near the village to catch squirrels and rabbits to help the men. They do not do this now as the dogs are loose and picking up the rabbits. He thought the Indian children should learn both the Indian and white man's Act. He noted that by going to school they do learn one but if they went with their mothers to set traps and snares on Saturday, it would help them learn the other but they cannot do that because of the dogs. He thought the dogs should be tied up. In respect to questions 4 and 5, he believed an Indian girl should properly marry a white man and not live common-law. In this way, the children could have their father's name. Otherwise, the white man sometimes leaves the Indian girl with a number of half breed children and she must look to the Indian agent for relief. He believed this situation should also be corrected. Our people didn't come to meetings so we do not have anything to submit except what the Chief and I discussed.

The co-chairman Mr. Boys thanked Mr. Jonathon and asked Mrs. Angela Sidney for her comments.

Mrs. Angela Sidney of the Carcross band noted that at the last meeting about two years ago there was the name of Klondike Indian Association. She inquired whether that was the name of a band or not.

Co-chairman, Mr. Boys advised that it was just the name the group had chosen for themselves.

Mrs. Angela Sidney believed the Indian Act name should be retained. In so far as question 4 was concerned, she thought that the agent should see that they get married, use the father's name and in that way they could look after their own hospital costs. If they were not married, she believed the children should take the mother's name. In respect to question 5, she believed the people should keep their own status or perhaps both status. In answer to a question from Mr. Fairholm, she said that she felt the children should keep the Indian status but should also have a white status. She noted that many Indian girls have married white men - there were few Indians any more - and both they and their children were lost to the Indian group. She noted that generally these people were better educated and could therefore assist the Indian Band, but they could not do so because they were non-Indian. She stated that the newer generation was nearly all white, some by enfranchisement but others because of mixed marriage. In answer to a further question from Mr. Fairholm, she advised that she thought an enfranchised Indian should be permitted to regain his Indian status. She did not think separate schools for Indian children was a good idea as they should mix with the non-Indian. She added that they have only one cemetery and both Indians and non-Indians were buried there. She believed Indians and whites should live side by side as neighbours and brothers, not separated, and then the whites could advise the Indians when they did something wrong. She was of the opinion that education was a good thing.

The co-chairman Mr. Boys thanked Mrs. Sidney and asked for any comments from Mr. Richard Jack.

Mr. Richard Jack of the Atlin band advised that he had many subjects but would bring them up during the meeting, such as Indian lands and reserves, credit for business men and so on.

The co-chairman Mr. Boys thanked Mr. Jack and asked Mr. Abel for his comments.

Mr. Charlie Abel of the Old Crow band advised that he did not have answers to the questions but agreed for the most part with the submission of Mr. Elijah Smith. He noted that the problem that bothered him the most was one of land for his people. He said that before he came to the meeting his people had asked him to ask for their share of land before the white man came into the Old Crow area. Currently there were very few white men there. He also advised that the open seasons on migratory birds and game should be amended. He noted that the season for migratory birds opened on September 1 but the birds left about that time so the Indians had no chance to get any. He further noted that his people still lived mostly by fishing and hunting.

The co-chairman Mr. Boys adjourned the meeting until 1:30 p.m.

Mr. Frank Sidney, co-chairman said that the meeting would continue with general discussion and that he would say a few words about the situation at Teslin. There was not too much left in his area that needed to be done; they have only a few problems in the village of Teslin. Education of the younger people was the most important problem facing the country. Each Chief and Councillor should talk to all the parents in their area to ensure that all their children attend school. Only education could ensure the Indian people a

better future. So many things needed to be done in Canada right now by the Indian people for themselves. The Government gives the Indians all the opportunity to have all their children educated so that they can have steady jobs, such as government jobs.

Mr. Elijah Smith said that he had nothing to tell the meeting at the present time; he would say something after the meeting held by the Indian delegates later in the afternoon.

Mr. Dixon Lutz agreed with Mr. Smith.

Co-chairman Mr. Boys enquired of the delegates if they would like to discuss questions contained the booklet "Choosing a Path".

Mr. Fairholm suggested to the delegates that they might perhaps wish to continue discussing problems they mentioned earlier in the day.

Mr. Elijah Smith suggested that Mr. McLeod who is a Councillor from Dawson City, be allowed to present his views.

Mr. George McLeod said that he worked in Whitehorse about a month; he had met some of the Indian people and discussed with them "Choosing a Path"; they made a couple of resolutions. After reading the Indian Act and "Choosing a Path" he said that he came to the conclusion that it did not apply to the Indians of Yukon. He also wanted to know what were the capital and the revenue funds. He also asked for an explanation of the last paragraph of column 2 of page 18 of "Choosing a Path", dealing with an economic development fund.

Co-chairman Mr. Boys said that capital funds were funds that derived from the sale of resources on reserves such as from the sale of timber on the reserve; if those funds were invested and were bringing in interest, such interest was revenue funds.

Mr. George McLeod then presented the following resolution which he prepared in regard to the appointment of a community development officer in every community in the Yukon Territory:

Whereas, the Superintendent of Indian Affairs is not able to meet the Indian people of each community individually and therefore may not be acquainted with certain conditions in the communities:

Be it resolved that there be a community development officer appointed in each community in the Yukon as liaison officer between the Indian people and the Superintendent and this person be of Indian status.

Co-chairman Mr. Boys said that there were a number of community development officers in British Columbia and some of them were of Indian status; but there were none in the Yukon Territory at the present time.

Mr. Fairholm dealt with the question of economic development fund which was brought up by Mr. McLeod. The proposal was to have funds available for economic development - this might take a number of ways in which this money could be used. It would be used for developing the economic potential of projects for the Indian people which would have as its prime purpose the creation of revenue or income for the Indian people. It was not yet known what amount of money would be involved in it; the new fund would take the place of the present revolving fund which was now at \$2,400,000.00 and was not sufficient for the demands made upon it across Canada. It would seem that the fund would have to be substantially larger than that in order to be effective. It required, of course, approval by Parliament. One of the problems was, and had been, lack of adequate financing for development not only on the reserves but outside the reserves. This was quite evident in many communities across the country.

Mr. George McLeod then presented the following resolution in regard to housing in the Yukon, which he prepared after consulting with his father who was interested in building a house.

Whereas, there are no reserves in the Yukon Territory:

Be it resolved that the policy announced of \$3,000,000.00 for CMHC loans be made applicable to the Yukon Territory and that the Department of Indian Affairs study the feasibility of purchasing lots and surrendering title to those Indian families desirous of building under CMHC regulations.

And be it further resolved that existing CMHC regulations be amended to permit construction of Indian houses in the absence of water and sewer facilities provided alternate sanitary facilities be constructed.

And be it further resolved in communities where water and sewer facilities exist, such facilities be extended to adjacent Indian communities or settlements.

Co-chairman, Mr. Boys said, in regard to the off-reserve housing program, that there were funds available for any Indian person who wanted to build a house off-reserve. He must have sufficient income to be able to handle a small mortgage. Since Mr. McLeod's father had a steady job and a fixed income, he should be eligible for a house under this program along the following lines: An application is first made through the Agency office, indicating also the sort and the location of the house, whether it is a new house still to be built or an already existing house to be bought, and an estimate of the costs. The administration of the off-reserve housing program is done by the Department of Veterans' Affairs for the Department of Indian Affairs. The quality of housing must meet C.M.H.C. standards. There were many Indians who had taken advantage of this program. Until about a week previously, a maximum amount of \$7,000 was available from the off-reserve housing fund as a second mortgage and the difference between this amount of \$7,000 and the actual cost of the house had to be found by the applicant through a mortgage or cash if he had it.

He said that last week the amount of the government second mortgage had been raised from \$7,000 to \$10,000 so there should be now an even better opportunity for those Indians interested in a house who had a fixed income, to work out an arrangement under the program; they should ask their Superintendent for further explanation of the particular details which would involve their application under the program.

Furthermore, on Mr. Fairholm's suggestion, Mr. Boys explained that if an Indian meets the terms of his first mortgage, regardless of the amount involved over a period of ten years, he does not need to repay the Government second mortgage, now amounting to \$10,000.

Co-chairman Mr. Frank Sidney asked if Indians living in off-reserve housing would have to pay taxes.

Mr. Boys said that they would be taxed as anyone else.

Mr. Sidney asked how much would an applicant have to pay, whose house would cost \$10,000 under the present provisions of the off-reserve housing program.

Mr. Boys said he wondered whether it was possible to buy a lot and to build a house for \$10,000.

Mr. Sidney then asked how much the Indians had to pay for houses built on the reserves.

Mr. Boys said that there was a small contribution required on a sliding scale - the more contribution that an Indian makes, the better type and quality of house he can get. There was a fixed contribution on reserve by the government; the maximum contribution being \$7,000.

Mr. Fairholm read the amount of government contribution for houses built on reserves - depending on the amount of income of the person in question. If he makes less than \$3,000 a year, then his payment is \$135 and the maximum contribution is \$7,000; if he makes between \$3,000 and \$3,600, his payment is \$235 and the maximum contribution \$7,000; when he makes \$5,700 a year, his payment is \$535 and he still gets the maximum contribution of \$7,000 - - - after that the more money an Indian earns, the more money he pays and the maximum amount of government contribution starts to drop - when he makes \$9,000, the amount of subsidy is \$3,000 - that is the forgivable amount which does not need to be repaid - so anyone who earns up to \$5,700 could get the contribution from the government up to \$7,000. This was the program without the loans from C.M.H.C. - there was another program that provided such loans and it was otherwise very similar to the one outlined.

Mr. Elijah Smith said that he submitted an application to the Department of Veterans Affairs for a house under the off-reserve housing program and had not yet received any answer.

Mr. Boys, the co-chairman said that his application was approved about a month ago and was now in the hands of the Department of Veterans' Affairs.

Mr. Fairholm remarked that it took a little time to work out the legal requirements for the land itself, to ensure that the land title was clear and so on.

Mr. George McLeod said that he was told about a case of a sixteen year old boy who wanted to come back and attend the Yukon Hall but he was not accepted on the basis that his parents received sufficient income. He said that he was unable to see why the child was unable to come to this institution if he wanted for the benefit of his education. Mr. McLeod said that he used to live in the Yukon Hall. He liked it very much and he thought that the boy should have been allowed to continue his education there - he had Grade 9 education but because he was refused admittance to Yukon Hall and he did not like the school in his community, he did not go to school at all.

Co-chairman, Mr. Boys asked Mr. McLeod to provide him, after the meeting, with the name of the boy in question; he promised that he would certainly investigate and find out what were the reasons for such a decision.

Mr. Eddy Frank asked what happened to those Indians who were unable to make any contribution in regard to housing.

Co-chairman, Mr. Boys said that some old people, widows and others who cannot contribute anything were getting housing. In many places the band council is accepting the responsibility for managing the housing program, and they are being encouraged to do this - if it is evident that there is going to be need for a number of houses over the next five years, a program is worked out to bring all of the housing needs of the band up to their requirements within a five-year program. The funds for this purpose are turned over to the band council and they arrange for the construction of the houses. Having control of their own funds they make arrangements, they set up the priority list, they decide who should have housing and who should not. They can make whatever provision they see fit for some of the older people -- houses for them may be the band property.

Mr. Elijah Smith said that the housing program was quite heavy at the present time in Whitehorse; people have been coming to Whitehorse from many places to find a job and they needed accommodation. There were people who had no houses at the present time.

Mr. Boys, co-chairman, said that if they had a steady job, they were able to make use of the off-reserve housing program; but if they just came temporarily, then there was a problem in regard to their housing. Mr. Boys then suggested discussion in regard to Mr. Henry's question asked earlier in the day, namely why the Indians were unable to join trade unions. He said that they can join the trade unions, and many of them have joined various trade unions.

Mr. Percy Henry of the Dawson City band said that the Indians, after they have completed their education in vocational schools, get a piece of paper to get a job with and they are just being laughed at; they cannot get into unions and they cannot get a job.

Mr. Walter Dieter said that the Indians in Saskatchewan found out the vocational courses given by the Department of Indian Affairs were not recognized by the Province and the unions were not informed about the courses and therefore did not recognize them.

Mr. Boys said that, with the exception of one forestry training school in central British Columbia, the Department of Indian Affairs had no training courses; in British Columbia, the Department used the provincial schools and in the Yukon, the Territorial Government training school.

Mr. Walter Dieter said that another problem which the Indians ran into when they wanted to join the unions, was the initial fee which involved large sums of money; an Indian who was about to start his first job did not have this kind of money. So an arrangement was made with the employers to deduct from their wages certain sums until this initiation fee to the union was paid.

Mr. Paul Dennis of the Iskut band said that he was from British Columbia and took a vocational training course in carpentry in Whitehorse; after completing his training, he went back to British Columbia and was unable to get a job in his trade there; his Certificate was not recognized and he has to work now only as a labourer. He was told that he would have to take the same course again in British Columbia -- but that would take another two to three years and he was unable to do so.

Mr. Boys said that the most difficult thing for those who completed their vocational training was to find their first job. He said that the Department has placement officers attached to the Agency and District offices and they work with personnel officers of the employers, but they just cannot be everywhere - he said that this was a real problem - employers preferred workers with experience - but without being able to get his first job, a person cannot acquire any experience.

Mr. Eddy Frank said that Indians were often refused entrance to a union on the grounds that they had not enough education - but that was not true in many cases - where the Indians were not even asked what education they had - they were immediately told that it was not sufficient.

Mr. Fairholm wondered whether it would be helpful to bring some of these particular cases to the attention of the head offices of the unions involved - maybe the various locals did not receive proper instruction from their head offices in regard to Indian membership.

Mr. Walter Dieter suggested that the Department of Indian Affairs should look into this matter.

Mr. Elijah Smith suggested that the Department should pay the initiation union fees for those Indians who completed the vocational training and were looking for their first jobs. He said that he was sure that with this fee being paid, the Indians would be able to get their first jobs much easier. He said that he belonged to two unions - in one case he paid his initial fee of \$119.00 one day, and got a job immediately.

Mr. George McLeod said that when he asked Mr. Baston, the Director of Vocational Training in Whitehorse, why he was unable to get a job as an apprentice, he was told that the main reason why apprentices were not employed was because in the Yukon Territory apprenticeship was not effective and the only way was through the employer or company involved.

Co-chairman Mr. Boys said that the Department of Indian Affairs had a policy which could be helpful in this regard; the Department goes to the employer and tells him that it will pay half of the new employee's wages for the first six months; because it is recognized that when he first starts he has not got the experience and skills as an already experienced worker in the same field. In order to compensate the employer there are funds available for that purpose - it is the on-the-job training program.

Mr. George McLeod said that the on-the-job training program should be more effective in the Yukon.

Mr. Fairholm commented that this program was beneficial not only to the employee but also to the employer - the former gets practical experience and the latter gets half of the wages paid for him.

Mr. Elijah Smith asked if this program could be brought to the attention of the officials of the vocational training school so that they could so inform their students.

Co-chairman Mr. Boys said that the Department would ensure that this was done; he thought, however, that they already knew.

Mr. Fairholm asked whether there was a Canada Manpower Centre at Whitehorse.

Mr. George McLeod replied that he went to the Canada Manpower Centre at Whitehorse and they sent him over to the Vocational School - they did not offer any help or suggestions.

Mr. Fairholm said that it was very important that everyone knew what programs were available so that each could have a starting point from where to go towards finding employment.

Co-chairman Mr. Frank Sidney said that some time ago six men from his reserve were sent to the vocational training school for a very short period of time and they did not get enough training to be able to find a job. He said that the government just wasted money to send these men just for two or three months; a much longer period was needed for learning a trade properly.

Mr. Boys, co-chairman at this point informed the delegates that he had just received a message from the Minister, the Honourable Jean Chrétien that he would be unable to return to the meeting.

The meeting decided to hold a closed session and to reconvene with the Departmental officials the next morning at 9:00 a.m.

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closed session
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October 22, 1968.

Mr. Elijah Smith reported that at the meeting held among the Indians themselves yesterday, Monday, October 21 at 3:00 p.m. they had founded the

Yukon Native Brotherhood
President - Elijah Smith
Vice-President - George McLeod
Secretary - Edna Rose

Mr. Dieter explained that the Indians of northern British Columbia had not been included in the Yukon Native Brotherhood but that he would discuss the jurisdictional matter with the National Indian Brotherhood.

Mr. Elijah Smith said that the most important matter discussed at the meeting was the question of land and he asked permission to seat Mr. Johnny Johns of Carcross with the delegates today to discuss the question.

Mr. Johnny Johns of the Carcross band said that in 1964 all the Chiefs had received a circular from Ottawa indicating that the land settlement question was being looked into and that money would be given instead of land. The Bands were given only two months to reply. They had retained two firms of lawyers who had written letters to Ottawa but received no reply.

Mr. Fairholm stated that this was correct and that in 1964 an Indian Claims Bill, C-130, was being considered. One of the terms of that Bill would provide financial compensation for lands taken. The Bill did not reach the floor of the House in that Session, but did in 1965 and was sent to a Joint Committee of Commons and Senate; however, the legislation died with the calling of a general election in 1965. It had been indicated another Bill would be introduced in Parliament.

Mr. Johns said that he was over 70 now and that it was many years since the land was taken. He said that he had lost some land and that the Indians' patience was running out. When he was young, there were no schools. He had been able to go for about two years. He said that the Indian people could not understand the big words.

Co-chairman Mr. Boys pointed out that there were assurances that a Claims Bill would be introduced in this Parliament. He agreed that there was a genuine problem in the Yukon but that the Indian people's dissatisfactions would be heard.

The meeting then started to discuss the Brief presented the preceding day.

Mr. Elijah Smith felt that the problems stated at the end of the Brief were important:-

- 1) There are no salaries for Chiefs and Councillors. They must take time and their own money to do Band business. Sometimes they cannot afford it and Band business suffers.

Mr. Boys asked what was the population of Mr. Smith's Band.

Mr. Smith replied about 391 with about 250 of them living in the village, the rest in Whitehorse.

Mr. Fairholm explained the Grants to Bands program and stated administration grants could be received by bands having no funds. Copies of the circular had been sent from Ottawa to every Chief.

Mr. Smith pointed out that none was received in his band and that it would require a lawyer to tell him what it meant.

Mr. Johns wanted to speak about enfranchisement. He noted that sometimes it works a hardship on the children and grand children. At Carcross there was a school for full blooded Indians where they are fed and get clothing but enfranchised children cannot go there.

Mr. Boys suggested these provisions for enfranchisement could be taken out of the Act.

Mr. Walter Dieter quoted cases of people who had become enfranchised to gain some immediate benefit, not only the use of alcohol and these people are not able to look after themselves.

Mr. Fairholm explained that there are practically no cases of enfranchisement today, except for girls who marry non-Indians.

Mr. Johns and others pointed out that in many Indian bands the name is carried through the mother. People may not always know who their father is. There was a general feeling that the provisions for enfranchisement could be left out of the Act since the Indian can do practically all the things that the white man can.

Mr. Fairholm stated that in the year 1966-67 no application for enfranchisement had been granted to any person in the Yukon. Six Indian women had married out and had taken with them three children.

Mr. Walter Dieter claimed that under the British North America Act an Indian is always an Indian and this seemed to be in conflict with the Indian Act.

Mr. Fairholm in answer to a question stated that there was Indian legislation before the British North America Act in the Province of Canada and in Lower Canada and even some legislation back to the French Colonial period - also in pre-Confederation British Columbia. Of course there was nothing in the Yukon until the 1890's.

The co-chairman Mr. Frank Sidney noted that there were many reasons for being enfranchised often because of work. Personally he noted that he had been trying to get an outfitter licence but could not do so and retain his Indian status. Finally, with the help of Mr. Nielsen he obtained it but if it was not for that, he would have been enfranchised. He added that there

were several enfranchised Indians that he would like to see come back to the Band but the Indian Agency had said that this was not possible. He also noted that a short time ago one of the enfranchised Indians became ill and he could not be helped by the Agency. He noted that many had hard times. In answer to a question, Mr. Boys advised that he was of the opinion that the provision would remain in the Act for enfranchisement but the Act should allow some to come back if they wished. Mr. Sidney thought that Mrs. Sidney had a good point when she suggested retaining two forms of status. He added some were willing and wanted to come back if Ottawa would allow it.

Mrs. Angela Sidney of the Carcross band advised that she didn't mean for all enfranchised Indians to come back, just those who wished to do so. She thought it was their choice to make. She added that she would like to have them authorized to attend their meetings and assist them if they wanted to and the Band wanted them to. She noted that generally the enfranchised Indian had a better education, particularly the younger generation. She also thought that the children should retain their choice and not be forced to be enfranchised just because their mother married a non-Indian. Regardless of this though, she believed the parents should teach their children to love their neighbours. In the end, she thought the main thing was to go ahead. She noted that if a bomb fell on the meeting, no one would be able to divide the non-Indian blood from the Indian blood. She didn't believe that all the children should or would give up their status.

Mr. Boys advised that a band was entitled to obtain advice from anyone they so desired. He inquired whether their new organization was open to both Indian and non-Indian, noting that it would be up to their people to decide.

Mr. E. Smith suggested it was open to both.

Mrs. Angela Sidney believed this would require thought.

Mr. Stanley Jonathon advised he agreed basically with Mrs. Sidney and therefore had nothing to add.

Mr. Percy Henry suggested Sections 93 to 99 respectively, should be removed - mentioned yesterday.

Mr. Fairholm said it seemed to be the consensus that all liquor sections should be removed from the Act and, therefore, Indians would be treated, in this respect, like everyone else. However, he noted that until it was changed, the magistrates probably had no option but to use these sections.

Mr. Edwin Hager of the Mayo band said that he had nothing to add.

Mr. Harry Joe of the Champagne band felt that he would like to see the enfranchised people come back to help them as they knew more about the white man. He noted the older Indian people could talk among themselves but could not really understand the white language whereas many of the enfranchised Indians could.

Mr. Alec Smith of the Aishihik band said he agreed with Mr. Joe that the older people could not understand what the non-Indian said or meant in many cases.

Co-chairman Mr. Boys enquired if the delegates would prefer to speak in their own languages. He noted that the equipment was available but they would need interpreters.

Mr. Charlie Abel believed this to be a good idea.

Mr. Alec Smith advised that there were a dozen different languages. There was a general discussion on the possibility of using interpreters with no real conclusion although it appeared not to be feasible. Mr. Johnny Johns noted that although many of the languages were basically the same, there was a different pronunciation and accents, which prevented Indians from one area understanding those of a different area a short distance away.

Co-chairman Mr. Boys agreed that probably the biggest problem facing the Indian people was one of communication. He noted that the laws and directives are made in English and French and it is difficult for the Indians to understand them. He said that it appeared to be the consensus of the group that the enfranchisement section of the Act needed to be changed. He noted that the group had started out this morning discussing the matter of grants for Band Managers, secretaries and administrators who are working for the Band and he had advised that it was possible to get such grants but it was dependent upon the Band accepting some responsibility for managing some programs.

Mr. Elijah Smith advised he had been referring to a regular salary for the Chief and Council in that instead of working they could stay with the Band to do its business on a full time basis.

Co-chairman Mr. Boys added that the proposed grants were on an annual basis to pay managers of band business.

Mr. Smith said that he had obtained a band resolution for a community development worker who would have been of help a year or two ago but he had heard nothing of it. He added that Dr. Hadiz had promised him one and the application had been sent directly to the Minister's office.

Mr. Boys suggested that the group go through the Smith submission to see what the other delegates thought of the proposals. Question one referred to a new name for the Act. He added that some people had spoken on this and generally were of the opinion that there was no need for a new name.

Mr. Fairholm said that he was wondering if there was even any need for an Indian Act at all in the Yukon Territory.

Mr. Elijah Smith noted that many of the questions raised did not apply in the Yukon where there were no reserves or treaties.

Mr. Fairholm agreed with Mr. Smith. He also enquired whether the Indians in the Yukon relate themselves to any particular Band or individual family of the same background such as Tlingit or Kutchin or do they think of themselves as belonging to a specific community.

Mr. Elijah Smith said that even though he didn't live at Champagne, he still thought of it as his home. He thought most people felt the same way. He noted that his membership was there. In answer to a question from Mr. Boys he agreed that the Whitehorse Band had asked him to represent them because the one who was due to speak became ill. He further noted that he had been the Chief at Whitehorse at one time. He added that in order to attend, he was losing forty-five to fifty dollars a day and that is one of the reasons he thought the Chiefs and Councillors should be paid.

Co-chairman Mr. Boys noted that the Indian Act made provision for many things to be done through the Chief and Council. He inquired if it would be better if the Act provided for the individuals to do these things rather than have them done by Band Council.

Mr. Elijah Smith noted that he was referring to the Band Councils without having to go through the red tape.

Mr. Fairholm asked whether the community of Indian and non-Indians in the Yukon had any local authorities or municipalities, empowered to do certain things. He added that where people live in a common community and all are interested in what goes on in the community that type of system might work where the people joined together to work on local problems. He added that this would be done through the Territorial Government. He added that this was one other way of dealing with the problems in the community - jointly.

Mr. Elijah Smith advised that this was one of the reasons why they had asked for a community development worker who would have the necessary education to do a job and deal with Ottawa. He noted that he had an application form but it required a high school graduation and there were not many in the area with that.

Mr. Johnny Johns noted that the white men had only been in the country for 68 to 70 years and it was really a new country. The Indian is mixed up today with the new ways and new ideas. He believed that it was impossible to adjust to these ways over night and would take several generations which is where the newer generation was today. He believed that what the Indian required was help, advice, and help to help themselves.

Mr. Boys noted that that was the role of the community development worker which brings up question 2. Generally, the Act provided for the Chief and Council to do certain things but only with the consent of the Minister, which means in many cases a decision must be referred to Ottawa. The Band Resolution must go to Ottawa and back again before it can be acted upon.

The question asked was whether they felt that the Band Council and the local field staff should be able to make more decisions. He acknowledged that Mr. Smith and his people say 'yes'. He asked for the delegates' opinion.

Mr. Elijah Smith noting the lack of response, said that he was probably the only one who had made resolutions to be sent to Ottawa. He added that most of the delegates were reasonably new to the Councils.

Mr. Fairholm agreed that probably where the Band had no funds or specific lands there would be little need for resolutions except of a general nature. He added that he kept wondering about a community council and whether this wouldn't be a good idea where everyone is involved in the local government although this would not likely be in the Indian Act. He added that in that way a community development officer would be able to work for the entire community regardless of who the people are. It appeared to him that this might be a better way to manage and deal with community problems in some areas.

Co-chairman Boys inquired if there were any more comments related to the powers of Band Councils.

Mr. Fairholm noted there were a couple of problems of membership that affect Indian people here and elsewhere. One already had been discussed, that of an Indian girl who marries out of Indian status, the second one has to do with the adoption of children and whether a child adopted by an Indian family gained Indian status. Currently he noted that if the child so adopted was Indian, then it retained that status but if it was non-Indian, it did not achieve Indian status. The question was often raised as to what that status should be. He added that under the laws in most provinces the adopted child is the same as though he was born to the family but the Indian Act was different.

Mr. Edwin Hager added that if a white family adopted an Indian, he takes the white family name.

Mr. Fairholm noted that the child might have the family name but would still be Indian. In answer to a question from Mr. Hager, he noted that there may be many reasons for adoption.

Mr. Elijah Smith said the matter referred to question 9, part 2 and believed that children should be allowed to elect their status in their 21st year. That meant after they are twenty but before they are 21 which gave them time to consider it. He added that in that way the person could not blame anyone for making him into a white man or an Indian.

Mrs. Angela Sidney believed that children should have the choice after they are twenty-one. She thought that up to that time the parents should have control over them.

Mr. Charlie Abel said he agreed with the previous statement.

Mr. Stanley Jonathon said he agreed. He noted that he had adopted a girl who had his name and was his daughter. He indicated he did not like all the red tape involved in adoption as it sounded too much like buying a puppy.

Mr. Hager and Mr. Percy Henry, in answer to a question from Mr. Boys, replied that they had nothing to add but agreed with the idea of the choice.

Mr. Lutz, Mr. H. Joe and Mr. A. Smith all agreed that that choice was a good idea.

Co-chairman Boys referred to question 5 which indicated that currently an Indian girl marrying a non-Indian accepts the status of her husband. He inquired whether the delegates believed she should lose or retain her Indian status.

Mrs. Angela Sidney believed that if she was properly married, she should accept the status of her husband, if she was not married, then she remained an Indian. She added that the Indian Agent should ensure that people who live common-law should become married. People should be proud of their husbands and marriage.

Mr. Johnny Johns added that common-law marriages are quite a problem particularly when children are involved.

Mr. Elijah Smith said that he believed that if the girl was under twenty-one she should retain the right to choose in her twenty-first year. If she was over twenty-one, she should automatically lose her Indian status.

Co-chairman Mr. Boys noted that this was not the law at present as regardless of age, the girl takes the status of her husband. He inquired about the reverse, a non-Indian woman marrying an Indian man.

Mr. Johnny Johns believed the woman should have Indian status automatically.

Co-chairman Mr. Boys noted that that was the current law but should it be so.

Mr. Elijah Smith believed that in getting married the girl made her choice.

Mr. Fairholm noted that if his daughter married, she did not lose any rights but if an Indian girl married, does she lose any rights and if so, should she. He added that this aspect may not apply in the Yukon but it does elsewhere. He stated that it was true that the girl made the choice but sometimes they do so not thinking of this. He added further that another way of looking at it was, can a person be an Indian regardless of whom he or she marries and retain their Indian rights as long as they live. In answer to a question of Co-chairman Sidney, Mr. Fairholm explained that currently if a girl lives common-law with a non-Indian the children are regarded as automatically having Indian status unless there is a protest within one year from the Band Council that they do not want the child to have Indian status because the father is a non-Indian. He added that most children follow the status of the mother as in some cases the father is unknown.

Mr. Johnny Johns advised that he believed what was required was one nation, one country, one people.

Mrs. Angela Sidney agreed with Mr. Johns. She believed they should have the choice when they were of age. They should not be forced as it was up to them.

Mr. Fairholm said that perhaps all should be one with a new Band called the Yukon Band.

Mr. Elijah Smith added with a new Act called the Yukon Act.

Mrs. Angela Sidney believed one couldn't keep dividing people. She thought that most were white right now and what was left of the pure Indian would die off from tuberculosis.

Mr. Fairholm pointed out that at one time T.B. was the main killer of Indians but this did not apply now. He said that the medical program had reduced this a great deal. He added that across Canada the Indian people are now the fastest growing group of people.

Co-chairman Mr. Boys inquired what the delegates thought of the proposal that all Indians in the Yukon should be one Band.

Mrs. Sidney did not believe this was a good idea as the people were too distant to know what each was doing.

Mr. Johnny Jones added that now the people at Old Crow were isolated and, therefore, not spoiled yet. He pointed out that the Chief was still a man of importance and noted that the way of life there was different from the way of life in the southern or settled part of the Yukon.

Mr. Hager asked if this meant doing away with each Band.

Co-chairman Boys noted that the government was not telling the delegates what to do but were asking for their opinion.

Mr. Fairholm added that what he was asking was whether or not everyone in the Yukon should be one people and eliminate Indian and non-Indian status.

Mr. Hager believed they were already one people.

Co-chairman Sidney asked if Mr. Nielsen, M.P., would care to say a few words.

Mr. Nielsen said he had been taking notes of the views that were being expressed and he had all sorts of ammunition on the subject from the views of the delegates who have spoken and, when the proposed changes in the Indian Act came before the House of Commons, then all of the views that had been expressed were going to be expressed in the House of Commons. In this way, the views of the Indian people as expressed through their chiefs during the three days would be made known and would form a part of the new law, whatever it might be. He thought the meeting was proving very useful. He pointed out that it was difficult for people who live in Vancouver and Ottawa and who don't know the conditions that exist in all of the Indian and mixed Indian and white communities in the Yukon to understand perhaps what some of the Indian delegates were saying. It would get through to people who live in the Yukon and who know the conditions; perhaps getting these points across was what he could do in the House of Commons when the legislation of the new Act came up. He believed the formation of the Brotherhood and its continuation was an excellent

and most useful idea as was the one to have Indian people travel from community to community. Their views were now known to him and he assured them they would be favourably expressed when the matter arose in the House of Commons.

The meeting adjourned until 1:30 p.m.

Co-chairman Mr. Boys, on resumption of the meeting, said that he would like to invite anybody in the audience to participate in the discussion, especially the young people, to whom the future belongs. He then suggested that Mr. Smith's brief be a basis for further discussion; he referred to the summary of this brief where there were listed the most important questions. He asked the delegates whether there should be any difference in the treatment of Indians and non-Indians for drinking offences or should there just be one law for everybody.

Mr. Elijah Smith said that when Indians were brought before the Magistrate for drinking offences, especially the old ones, they should be given a proper explanation of what they are charged with - most of them do not understand the charges. He said that as long as one smiled on an Indian even if charging him with the worst possible crimes, the Indian would accept it because all he understood was the smile on the white man's face - he had no idea about the charges.

Co-chairman Frank Sidney said that the country needed law; without it the country would fall apart.

Co-chairman Boys said that there was one law for Indians and another for non-Indians. He asked the delegates if they thought that the law should be separate.

Mr. Johnny Johns said that there should be one law for all.

Mr. Elijah Smith asked the delegates to allow a young friend of his, Mr. Charlie, to express his views.

Mr. Bob Charlie, an observer, said that the questions in "Choosing a Path" were too difficult for the delegates to understand. He felt that if they were better worded the delegates would be able to participate more fully in the discussions. Young people are in a better position to express their views. They feel there is a wide gap between them and the older generation - they often cannot even understand each other. He said in regard to the Indian status that back in the 1920s the Indian people were not allowed to own land, operate a business, send children to public schools or buy liquor unless they were of non-Indian status; the Indians, therefore, had to give up their status in order to be able to do so. He said that many of these people have since that time regretted their, or their parents' decision to give up Indian status and he felt strongly that these people should be given the opportunity of reclaiming their Indian status. He said that many Indians who were receiving various benefits or hand-outs were being spoiled and lost their initiative. He concluded his remarks by asking whether the Indian people had an opportunity of having a reserve in areas like the Yukon Territory, where there were no reserves, had they any choice?

Mr. Boys said that in some places in recent years where the Indians had been eligible for reserve land and they had elected to get some, they had been given the choice of defining where they would like it to be, provided the land that they asked for was still vacant Crown land - that is if they had not been given their entitlement to a reserve already. The Indian band at Fort Nelson, British Columbia got a reserve under such terms in recent years; he was not sure what would happen in this regard in the Yukon Territory.

Mr. Fairholm said that in so far as the Northwest Territories were concerned, there was a Treaty signed which provided for specific land entitlement. The Indians there had a specific right for 640 acres for every family of five; they were still entitled to that but they have not taken reserves as yet although they had been entitled to that for 69 years. Some did not want reserves, others might but most of them had not yet decided what they thought might be for their best benefit. The matter was being discussed among themselves at the present time.

Mr. Bob Charlie noted that it was hard, if not impossible, for the older people to adjust themselves to the rapidly changing environment; the younger people should be given every opportunity to get education, preferably in larger centres so that they could get used to living in cities where there would be more opportunities for them in the future. He then raised the case of Pelly Crossing where they had lots of trouble resulting mainly from liquor. He was told that these people were moved from Minto, about 30 miles away, where they were happy, did a lot of trapping and hunting and were doing well. Then they were moved to Pelly Crossing so that the children would be able to attend the local school; but they had nothing to do now, they did not know the area so as to be able to hunt and trap; so all of them turned to drinking, even children for whom this situation was bad because they saw their fathers do nothing except drinking and receiving welfare cheques.

Co-chairman Boys said he appreciated very much Mr. Charlie's remarks. He said that he did not know the background of the movement of the people from Minto to Pelly Crossing and asked for more information about it.

Mr. Eric Nielsen explained the historical background of the move of the Pelly people. The village of Minto was established in the early years as a supply stop for the stern-wheelers that plied the river between Whitehorse and Dawson City and it was a refuelling centre which supplied a great deal of the economy for the people of Minto. The steamers stopped running in 1950 or 1951, the economy of Minto collapsed and most of the people then moved away to Pelly Crossing where there was just a trading post and a ferry. Ten or twelve families remained at Minto and were employed there by a sawmill operation which folded about 1959 and the remaining families left. Only two or three families commuted between Pelly Crossing and Minto where they set traps. When the Indian Affairs Branch started on the housing programme, they had to have a place where they could develop a community. Pelly Crossing was selected because most of the people gravitated there after the economy of Minto folded. This was the historical reason for the move of the people; it was not a question of not being consulted - it was a question of the people simply making up their minds and moving themselves.

Co-chairman Mr. Boys expressed his thanks to Mr. Nielsen for his explanation. He said that there had been a tendency of dealing with people in groups rather than as individuals. The Indian Affairs Branch had been guilty of this historically, feeling that there should be some provision made for a group of people rather than treating them as individuals. Perhaps there should be more individual casework done to try to provide training and job opportunities for individuals. He then suggested to the delegates that they would perhaps like to discuss the question of enfranchisement.

Mr. Bob Charlie wanted to know if the Section of the Indian Act dealing with enfranchisement were deleted, would it mean that all the persons already enfranchised would receive back their Indian status.

Mr. Boys said that this would not be the case; there would have to be some specific enabling legislation for people who have been enfranchised to regain Indian status. The elimination of the present provisions in the Act would simply preclude any further enfranchisement.

Mr. Bob Charlie said that he was told that at the age of 21 a person can make a choice whether or not to regain Indian status.

Mr. Fairholm said that this was a suggestion included in Mr. Smith's brief. There was no way under the present Act whereby a person who had been enfranchised can re-elect to come back at any age; a new provision would have to be included in the Act for such purpose.

Mrs. Angela Sidney said she did not think that enfranchised people should come back; they should only help the Indian people when they needed such help.

Co-chairman Frank Sidney thought that it should be left for enfranchised persons to decide whether or not they wanted to regain their Indian status.

Mr. Bob Charlie thought that young people should be allowed to have a choice at the age of 21; it was quite beneficial to be under Indian status due to the fact of free education. Many parents who became enfranchised were too poor to give their children proper education - had they remained under Indian status their children could have got all the education they wanted free.

Mr. Fairholm said that to accomplish that, some change must be made in the present legislation to permit people to regain status. There would probably be a number of questions such as how far back in time should such provision go, who would be entitled to regain status and so on. If a person became, for example, enfranchised in 1900, should he be now allowed to come back with all his children, grandchildren and great-grandchildren?

Mr. Elijah Smith expressed doubt that persons like these were now living; but if they did, they should not regain Indian status - in so far as their children were concerned they had no choice and they should have a chance to regain Indian status if they so wished.

Co-chairman Boys said that the next most important question defined by the brief presented by Mr. Smith was equal educational opportunities for the children. He said that it was already pointed out that children of an enfranchised person who themselves lost Indian status did not have the same educational opportunities as the status Indian children; it was a part of the Department's policy that it would pay all of the costs of education of Indian children right through to the graduation from the University, if they wanted to go all the way in their education.

Mr. Johnny Johns said that it was the problem to be able to get into vocational schools since applicants had to have at least grade 9 or 12, and many Indians didn't have this level of education.

Co-chairman Mr. Boys said that this was true - some courses require grade 9 or 12 for the simple reason that students who had a lower level of education would not be able to understand or manage; however, there were up-grading courses available and many Indian young people who dropped out of the schools earlier and wanted to go back to reach the level required by the vocational course of their choice, attended such schools.

Mr. Bob Charlie said that it was too rough on very young children to be sent to hostels; until that time they were living with their parents and all of a sudden they were taken away; some of the six-year-old children were completely lost and too scared to be able to concentrate on their education. He wondered if some other arrangements for these children, at least the youngest ones, could be made.

Mr. George Jack said that he himself had gone to the Indian Residential School for eight years and he said that he did not like it. He had always had the impression that he was locked in. He had no choice then, but had now thought about this problem and wondered if, for example, young Indian children from outlying areas could be taken into the homes of Indian parents who had older children and these would, in exchange, be sent to the residential school for a year or two - this arrangement would not cost any more because the Indian Affairs Department would still be supplying them with books, clothes and all other necessities. In this way a very young child would be able to get acquainted with the new environment of the city and yet be in a family home which was much friendlier to a child than a hostel.

Co-chairman Mr. Boys said that he thought that the suggestion had a lot of value; there would have to be, of course, the consent and agreement of the parents. The Department had very large numbers of Indian young people in foster homes. These were youngsters who came from areas where there was no high school or no school at all. There were more than 500 of them in Vancouver alone, most were somewhat older. There was no doubt, however, that an institution was no substitute for a good home. Every small child was certainly entitled to the love and affection of his parents which an institution could not give. However, there were some cases where there were no alternatives.

Mr. Elijah Smith said that it was not the Department's fault that some children did not attend schools - they had every opportunity in the Yukon Territory to do so - but it had always been the parents' fault that they were not strict enough in making them go to school. The children drop out of school and then later when they were 16 or 17, they themselves realized the mistake they had made and then they wanted to go back to school.

Mr. Bob Charlie said that Indian children should be encouraged in hostels and residential schools to learn their own native language - he himself cannot now speak the Indian language. He was told that in some residential schools the Indian children were discouraged from speaking their own language. He said that some action in this field was needed - the Indian children should be able to speak their own tongue.

Mr. George Jack gave as an example that a different culture was the Maori problem in New Zealand - the children had some classes taught in English and some in the Maori language and they were able to preserve their culture.

Co-chairman Mr. Boys said that was true - his parents came from New Zealand and he himself had visited that country. He said that in the past, Maoris did not want to be thought of as native people and they abandoned their traditional culture and their language; but when they had established themselves and regained a lot of their self-pride, then they insisted on a programme re-establishing their cultural values and language.

Mr. Bob Charlie said that if the young Indian people were able to talk properly their native languages, they could act as interpreters at courts and other institutions which came into contact with some older Indians who were unable to speak English and where the services of skilled interpreters were required. Classes in Indian art could also be given at schools for some of the Indian children. Such skills could provide them with a full-time job opportunity.

Co-chairman Mr. Boys said that Mr. Charlie had a very good point there. The Department did not want to continue to operate residences or residential schools any more. In most of the schools, wherever they are situated close to provincial or territorial school facilities, the young people were just living in the residence and they attended the provincial schools by bus. There was a recent general policy to provide kindergartens and nursery schools to equip the Indian young children to fit into and compete well in primary grades when they get into provincial schools. The Department looked forward to the day when the education, among other things, will no longer be the responsibility of the federal government in so far as the Indian people were concerned, except that it would continue to pay for their education, to the provinces and territorial governments.

Mr. Bob Charlie said that Indian children in the provincial school would be in the minority - they would not get an opportunity to learn their native language and their culture. He was wondering whether separate schools would be the answer.

Co-chairman Mr. Boys thought that the general Canadian public as a whole should know a great deal more about the Indian people. It would be a very good idea if they taught in the schools generally about the Indian Act.. The average non-Indian just does not know about any of the problems and conditions under which the Indian people live. At the present time there were some courses given at various universities but some more courses about the Indian people should be given much earlier.

Miss Louise Prophet asked why the Indian children had to learn French rather than their own Indian language.

Co-chairman Mr. Boys said that he was unable to answer the question; what was important was that such a point would appear on the record of the meeting -- it was a very important point.

Mrs. Angela Sidney said that the first language of most of the Indian children was English; some of them can understand their Indian language but they do not speak it - when she talked to them in their language, they understood but replied in English.

Mr. Bob Charlie noted that there was a lack of communication between the young and the old generations of the Indian people.

Miss Louise Prophet felt that the old Indian people just cannot understand the young people.

Mr. Elijah Smith remarked that all the young Indian children were now speaking only English. They had no opportunity of talking their Indian language among themselves, and with the old people they do not talk too much anyway.

Co-chairman Mr. Boys asked if there was any further comment on education.

Mr. Johnny Charlie said that it had been pointed out to him that Mr. Boys stated earlier that educational opportunities were equal for whites and Indians. He stated that this wasn't so, mainly from the fact that the home environments were not equal. He pointed out that the poorer home environment of the Indians was bound to have an ill effect upon the Indian student's success in school.

Co-chairman Mr. Boys said he did not intend to imply that the education opportunities were the same but tried to outline the policy of the Department to support any Indian youngster who wanted to go through school. Additionally, he tried to say, that conditions would probably be very much better for the pupils when all parents have been through school themselves and could better understand the problems of the Indian students. He felt the lack of encouragement and guidance in the homes continued to be a problem. There was a lack of opportunity for study in the homes and this, he said, was probably why students were put up in hostels such as Yukon Hall where they could attend to their homework and studies. It would, he added, be more and more difficult for the oldest child in a large family to make his grades if he received no encouragement and guidance in the home.

Mr. Johnny Charlie said the subject referred back to sending students to hostels. He objected to the idea of sending very young children away from their parents. He thought perhaps some way of educating the parents could be established, like making home life better for the children.

Mr. Walter Dieter related how he and his brothers went to different schools - he and other brothers went off the reserve to school while others attended school on the reserve. Those that went to school on the reserve are there yet today while he and the brothers that went to the white school have taken their place in white society without any trouble because they were exposed to that society when they were very young.

Mr. Fairholm thought that Mr. Charlie's mention of environment in the home was most important to the success of students.

Mr. Johnny Charlie brought up the point concerning the application of the Indian Act in the Yukon. He appreciated that other bands across Canada were more advanced but expected it would take the Yukon Indians a while to adjust to the ways of improvement. He felt they were just finding out their problems as it was only since the construction of the Alaska Highway that they had dealings with the white people.

A young lady observer asked the Branch officials if it every occurred to them that there were some delegates who did not know what the Act was or what it contained. She had heard that there was only one copy of the Indian Act before the meeting started.

Mr. Boys acknowledged that there was some lack of understanding of the Act. He thought that that was one reason why the Klondike District Council was started about two years ago and that there was one or two meetings to discuss the contents of the Act and other questions. However, he thought that a certain lack of understanding of the Act was present at all meetings but the discussion of it and the thinking involved was a good way to know what it contained and, possibly, where changes should be made. The consultations so far, he said, had pointed out a very serious lack of communication and a lack of knowledge of what programs or benefits were open to people, policies, the Act itself and the general laws of the country. He added that there just wasn't good communication even between groups of Indian people.

Mr. Fairholm pointed out that Mr. Chrétien said the other day that there would be a further opportunity to discuss changes in legislation. He did not know how or what form discussions would take but he did know there would be another round of consultations. It was pretty well recognized at some of the first meetings that it was a lack of understanding of the present law and also a need for more time to consider changes which had prompted the need for further discussion. How the meetings would be handled was the responsibility of the Minister, he said. There were things, he added, that could be discussed without having a great knowledge of what the Act contains and the things they had dealt with were the matters that would be discussed and considered.

Mr. Johnny Charlie, in speaking about education, thought that the older people were being neglected. He asked what could be done to educate the older people. A better education would help them to make better homes and better living conditions for themselves. The children would benefit also, he said.

Mr. Fairholm asked if he was referring to some form of adult education.

Mr. Johnny Charlie replied yes and asked when education of the Indians was mentioned it seemed like it only referred to the young people.

Mr. Fairholm said he thought advanced education was good for everyone. He thought also that there could be some courses in the Yukon for adults just as well as there are courses available elsewhere. He said there were various ways in which people can further their education.

Mr. Johnny Charlie pointed out that the older people do not realize what opportunity for further education is open to them. He thought there should be some system to publicize the opportunities that might be open to adults. He did not know whether the people did not take courses because they did not want to change or because they did not know what courses they could take.

Mr. Fairholm thought perhaps Mr. Dixon Lutz could tell what was happening in his community.

Mr. Dixon Lutz of the Upper Liard band explained the way the adult education program at Upper Liard started. Briefly, he got the local Minister to help set up classes where the older people attend. However, he said, it would take a little time before they could enjoy great success.

Mr. Fairholm knew that adult education classes were held in some community halls, local day schools or council halls. Such classes had been and were being held and it might be good to look into the possibilities of what could be done in the Yukon communities for the people who want something in the way of adult education. They are the ones who must show an interest in it.

Co-chairman Mr. Boys thought, as Mr. Charlie had said earlier, that there had to be the knowledge on the part of the people to know they could get that type of assistance in the first place. The Branch had recognized the problem of keeping people informed and they had a news sheet that went out from Regional Office in Vancouver. Around 12,000 copies go to all of the Indian communities. The newsletter let the Indian people know what programs were available. If any group makes it known that they want a course, the Region tried to arrange it for them by arranging in particular for teachers or instructors. They even arrange to bring people out from remote areas. If it was a long up-grading course, it would probably be put on in the nearest town which would have facilities. There were hundreds of adults attending courses such as navigation, net minding, guiding and camp management and outfitting.

An observer pointed out that the course in guiding and camping at Prince George was a flop because the instructors could not teach theory.

Mr. J.V. Boys said it seemed to him that where there was someone who had successfully performed in some way, he could teach the subject and it should be of some value.

Mr. Johnny Charlie said that with regard to education, the older people said it seemed to be a good idea for the old to learn along with the young in the home. He thought it would be good for the adults as it might create a better sense of belonging. He added that the people must initiate any arrangements on their own because they had relied on the Branch too long.

Mr. Fairholm called on Mr. Dieter to give an account of efforts he made to make the people in Saskatchewan better aware of what service they might get from the Branch, the provincial departments and other federal departments.

Mr. Walter Dieter said it was a matter of hiring Indians to explain to Indians what was going on with regard to government programs and government policies. He had hired six Indians to obtain information from all government departments and then pass the information from prepared kits to the people. The workers went out to the reserves and wrote letters, prepared resolutions and did other things for the Indians. They corrected a lot of things that were happening between Indian Agents and the Indians. After one year, they were thinking of working on the reserve-municipality level by getting reeves to attend band council meetings and getting chiefs and councillors to sit in municipal meetings. They got Indians interested in acting on school boards, also the school boards taking on Indians and giving them the right to vote even before the Act was passed. He said it took a lot of arguing, threatening and talking to get some of the school boards to accept Indian people on the boards. He related how he handled a difficult situation at Abernathy, Saskatchewan. He asked the member what was wrong with an Indian sitting on the school board. The man replied it was because the Indian was not a taxpayer and anyway it was against the law. Mr. Dieter reminded him that there were more Indian students than white students going to the school and the government was making a big contribution on behalf of the Indian students. He said that if the member did not want Indians to sit on the school board, he must be prejudiced. The member then said it was the other members and Mr. Dieter then wanted to meet them. They agreed to let an Indian sit on the board but wouldn't let him vote. However, at Mr. Dieter's insistence they agreed to let him vote even before the Act was passed.

Mr. Dieter said he was successful also in getting eight Indians appointed Justices of the Peace by the Provincial Government. Some reserves, he said, had had no band meetings for 8-10 years so they arranged for elections. They have five house building factories on reserves in Saskatchewan as a result of the hard working men he hired.

Mr. Johnny Charlie realized that the Indians in her provinces were doing quite well. However, he said, the Indian people in the Yukon were just beginning to realize the problems and they'll need time. He said the young people should be encouraged to take part as it all leads to their education.

Mr. Walter Dieter thought the Indians of the Yukon were in a unique position due to the land claim coming to them. He said they have young people who are fairly well educated and who are going to be able to grow with the country. Something in the line of motivation and guidance for the people could be done right now. He said four or five people could be trained to work with other Indians effectively. The four or five individuals might not possess great educational capabilities, he said, but they would have the

ability to feel for people in their hearts as well as to be able to explain situations and what was happening for their people.

Mr. Johnny Charlie mentioned how Indians moved from one community to another. He mentioned the development of a dam on the Yukon River and how it affected the fishing activities of the Indian. The non-Indians then wonder why the Indians resent them afterwards.

Co-chairman J.V. Boys said that as there appeared to be no further discussion on education, he would read question No. 24 (Do you agree that the Section on liquor in the Act should be repealed). He said there was some discussion among the delegates about liquor and that it seemed to generally be agreed that there should be no separate laws for Indians.

Mr. Johnny Charlie said the law seemed ridiculous to him. The people were given the right to drink in a public bar but on the way home they were picked up and charged for being intoxicated off the reserve. He asked if the white people were not also at fault for selling liquor in the first place, particularly as they made a law to keep liquor off reserves.

An observer mentioned that they have no reserves.

Mr. Fairholm asked if people were still being charged under the Indian Act. It was his understanding that they were.

Co-chairman Mr. Boys presumed that there was a territorial law that applied to non-Indian people.

Mr. Nielsen said the Territorial Liquor Ordinance was up for revision at the next session of the Territorial Council. In the meantime, there was an appeal pending to the Supreme Court of Canada on the very point. A Northwest Territories Judicial decision had ruled one way and the Yukon had it another way. He expected a combination of the Supreme Court decision and the treatment which the Territorial Council gave to the revision of the liquor ordinance would clarify the situation once and for all.

Mr. Fairholm said two separate cases were decided two different ways. The Peters case in the Yukon went one way and the Drybones case in the Northwest Territories went another way, which the appeal court held to be contrary to the Canadian Bill of Rights concerning Section 94 b of the Act. It would probably be clarified but it would be true to say that at the present time Indians were subject to different penalties when it came to being intoxicated.

Co-chairman Boys mentioned that in British Columbia several years ago the Attorney General instructed the police, magistrates and liquor vendors that they should disregard provisions of the Indian Act and treat Indians the same way as anybody else. Also, if any charges had to be laid, they should be brought in accordance with the provincial government liquor Act. That had been the procedure in British Columbia for the past two or three years.

Mr. E. Nielsen said that such was not the case in the Yukon. He said he was informed that the great resentment of Indians arises from the action of the police who even enter private dwellings to make arrests for being drunk in their own home. He thought the Branch might cooperate with the Department of Justice to obtain some similar procedure as that which exists in British Columbia.

Co-chairman Boys said the present position under the Act is that individual bands can more or less opt out of the provisions of the Indian Act relating to the use of liquor on a reserve and a number have done that. It sets up an impossible situation for the police and for those who sell liquor because they do not know what the situation is for anyone who buys liquor and that was why the Attorney General issued his instructions. The easiest solution seemed to be to delete all sections in the Act that deal with liquor if the Indian people feel that this should be done.

Miss Edna Rose, an observer, asked why there could not be a law to stop white people from selling liquor to Indians illegally (bootlegging). She says she complains to the police but they will do nothing about it.

Mr. Johnny Charlie agreed generally with what Miss Rose said. He was not familiar with liquor laws pertaining to Indians but it seemed to him that there was a certain amount of prejudice. He heard of complaints where Indians seemed to be singled out and treated differently than other people.

Mr. Fairholm said under the Indian Act no Indian could be intoxicated anywhere and no one under most liquor laws could be intoxicated in a public place. He agreed that where Indians are identifiable there may have been a tendency to pick on an Indian but he thought it was much less so at present. It may very well be better if everyone was subject to the same law.

Mr. Johnny Charlie asked Mr. Fairholm if he stated that there was a law which does not allow Indians to be drunk anywhere at any time. When Mr. Fairholm replied yes, Mr. Charlie asked who was then breaking the law when the white people allow the Indians to drink in bars but then arrest them when they get drunk.

Mr. Fairholm said that the bars could sell the liquor to the Indians but the Indian people were not supposed to drink so much that they got drunk.

Mr. E. Nielsen said the provisions of the Indian Act make it an offence for Indians to be drunk. The Province, and in this case the Territories, have passed laws which they are entitled to do under a section of the Indian Act, making it legal for Indian people to drink. It was done in the Yukon a few years ago. He thought it would be of interest to the group to consider that among the rather many far reaching changes to be considered by the Territorial Council next month when the liquor ordinance comes up for revision, is a provision for reducing the drinking age from 21 to 18. Another one would not make it an offence to be drunk - simply drunk in a public place - but rest the offence rather on creating a nuisance.

Mr. Fairholm thought that the differences then would be even greater than now if the Indian Act did not change.

Mr. E. Nielsen thought that Mr. Percy Henry was trying to get the same point across when he spoke yesterday. He said it was a very real problem in Dawson City.

An observer asked how an intoxicated Indian was supposed to get home without getting arrested for being drunk after he leaves a bar.

Co-chairman Boys said the threat of arrest applied to everybody, theoretically.

Mr. Edwin Hager said that old age and family allowance cheques were spent in the bars and when the Indians come out they are arrested without having a chance of going home. He asked if the law should permit that.

Mr. E. Nielsen then said he was aware of the problem which was very real to the people. The problem was, he said, that the next morning when they were before the magistrate, many did not know why they were there, could not understand what was being said to them, could not read and it was just a matter of mechanical routine before they were either fined or put in jail for an offence they did not fully understand.

Mr. Elijah Smith compared the liquor situation to two greedy people -- the white man was greedy for money so he sells liquor and the Indian was greedy for drinking so he drinks. (Someone else added - then the white man was greedy again so he fines them.)

A very young observer asked why it was that Indians were not supposed to get drunk.

Co-chairman Boys replied that nobody was supposed to get drunk.

The same young observer noted, however, that the white people get drunk. He was incensed at the idea that Indians were not supposed to get drunk while it was all right for the white people to do so. He thought that the practice made second class persons of the Indians, while in his mind, everybody was equal.

Co-chairman Boys said Parliament, in its wisdom some years ago, passed a set of laws that applied only to Indian people. That was what was being discussed, should there be a separate law for Indian people?

The same observer as above felt that there should be only one law for the whole human race.

Mr. Fairholm agreed with him and said that was his personal opinion too.

The same observer again expressed displeasure at being apparently put into a lower class - he said it was stupid.

Another observer said the reason why so many Indians were picked up was that not many of them had cars. White people, he said, get drunk, come out of the bar and drive away in their cars. The police have no chance to see them staggering. Without cars, the Indians give themselves away by actions that cannot go undetected.

Mr. Archibald, an observer, said some laws were abused in enforcement by bad officers. As a result, he knew of areas where Indians have become angry to the point where police dare not enter the reserves. It ruined relationships between the two groups where discrimination results. A newspaper report one time mentioned that 7 men and 4 Indians were picked up last night -- "7 men and 4 Indians".

Mr. Johnny Charlie thought that most people considered the liquor section to be very poor and needed to be changed or taken out. He said the law that applies to the white man should apply also to Indians.

Mr. Boys thought Mr. Charlie's views seemed to be the views of the meeting.

Mr. Fairholm said he did not want to influence the group by mentioning what other groups said until they, the group, reached its own conclusions.

Mr. Boys said that it appeared to him that they had already reached their conclusions. He told the group in connection with earlier discussions that the British Columbia police were not to arrest anyone just merely for being drunk but only when they were a nuisance. He added that the same instructions were given in Saskatchewan.

Mr. E. Nielsen said that that was why he mentioned some representation by the Branch might be made to officials in the Department of Justice to see if some similar instruction for the Yukon could be brought about.

Mr. Fairholm said the Branch could make sure that the views of the group in the Yukon Territory that had been expressed reached the Department of Justice.

Co-chairman Boys noted that there were some related questions raised by Mr. Henry yesterday. One question he asked was why were Indians refused bail when they have money with which to pay bail.

Mr. Percy Henry confirmed that it was quite difficult to get out on bail unless you had somebody to talk for you. He said you're put in jail and you tell the R.C.M.P. that you have to go to work. The police reply that that was too bad but the person had to stay until the start of the following week whether or not it was a long week end. Many lose their jobs this way. The police gave them two weeks to pay heavy fines and they picked them up on pay day again.

Mr. E. Nielsen said Mr. Percy's problems had many ramifications. He said it was not a difficult matter to get out on bail but there were so many Indians who did not know they had the right to make a phone call for counsel. There were Justices of the Peace in the larger areas and naturally it was harder to get their services in isolated areas. He could not really understand why Indians did not use this means to get out, particularly as bail is usually granted on a person's own recognizance without payment of money.

Mr. Walter Dieter said he had had many arguments with officials in Regina over the same thing. Finally, he took matters up with the Attorney General's office and the city then had to act. After that, he said, they received good service for bail and legal matters in Regina regardless of the time of day.

Mr. E. Nielsen felt that Mr. Henry's problem and others like it were arguments in support of the submissions made at the meeting that there was merit in the suggestion that counsel be provided for the Indian people to provide counsel not only in matters where capital crimes were involved but counsel for Indian people whether it be full time or a retained basis. He was sure there were many, many people in the Yukon Territory who had records that could be halved or quartered had they had counsel - or even no record at all.

Mr. Boys said he assumed that there was no legal aid society in the Yukon.

Mr. E. Nielsen replied 'no' because the Bar Association was too small, they appoint only in serious offences.

Mr. Archibald (an observer) asked if it was not the duty of the arresting officer to inform a person of his legal rights, even to the point of making the telephone call.

Mr. Fairholm thought that the police did not have to say what one's rights were. They only have to warn you that what you say could be used against you.

Mr. E. Nielsen agreed and added that there was no legal requirement for this in Canada.

Mr. Archibald, an observer, wondered whether the law officers could not do it out of common courtesy.

Mr. Nielsen said a phone call to get legal aid in Whitehorse would be relatively easy because there was no counsel in the Yukon other than in Whitehorse. If someone was charged, say in Old Crow, the trial was called, held and sentence passed long before the weather would even permit an airplane to land. It was a matter of more fundamental policy between the Branch and the Department of Justice than simply providing counsel. There had to be some means of permitting time for the Indian people to obtain advice in situations of that nature. One could repeat it by citing Ross River, Watson Lake, where there are telephones but it was still over 300 miles away from a lawyer.

Mr. Johnny Charlie asked Mr. Nielsen if it was true that R.C.M.P. officers were paid a bonus in accordance with the arrests they made.

Mr. Nielsen replied that it was not true. He added that it was more serious when murder or a capital crime was involved in a community like Old Crow. Often an accused person convicted himself on the statement that was obtained before he could get advice.

Mr. Archibald, an observer, asked that in a case like Old Crow, would an R.C.M.P. officer have Justice of the Peace powers. If so, would it not be possible to give the Agent certain counsel powers. If there was some person empowered to carry out a trial, there should be someone empowered to carry out the defence.

Co-chairman Boys said he did not think the R.C.M.P. ever made a member of the force a Justice of the Peace if there was anybody else in the community who could possibly assume the responsibility.

Mr. Archibald, an observer, asked if it would be possible, especially in isolated communities, to give some people legal training so there would be somebody to act as counsel.

Mr. Boys didn't know whether there were any semi-professional lawyers.

Mr. Fairholm thought that one of the basic problems was that all the lawyers were in Whitehorse.

Mr. Nielsen said it was a very dangerous proposition. You could compare it, he said, with an orderly trying to perform a heart operation - you could do more harm than good.

Mr. Archibald thought that such training could be restricted to certain kinds of cases as opposed to the more serious cases.

Mr. Nielsen noted that the Branch supplies medical services, nursing services and other professional services to the Indians and he could see no difference in supplying legal services to the Indian people.

Mr. Boys mentioned that they only provide legal service in capital cases. There may be a difference in the Yukon but as far as the Province was concerned, legal aid was confined to capital cases and, in fact, in British Columbia there was an agreement now which provided that the same legal aid service would be available to Indians as to anybody else. There was no special provision by the Department any more.

Mr. Fairholm said Indians in Ontario have legal aid services the same as anybody else. He understood that that had not yet happened in the Yukon and that the Department of Justice was the responsible legal resource for the Yukon.

Mr. Nielsen said the Department of Justice paid the bill but whether or not a person got an appointment depended upon the court.

Mr. Fairholm asked if it was the court that actually decided on legal aid.

Mr. Nielsen replied 'yes'.

Mr. Johnny Charlie said that Indian people should be given rights similar to the rights of other citizens. He noted that there was no separate law for other nationalities.

Mr. Elijah Smith said there were laws that favour the Chinese. He said he knew of one restaurant which was operated by a Chinese person for over twenty years. The place was very dirty, he said, but no one objected. A white person bought the business and the next day it was closed on the grounds that it was too dirty. He added that there were other examples of the law favouring Chinese people. He then asked if the law could walk into an Indian house and search the place without a search warrant.

Mr. Boys replied that they apparently could under the terms of the present liquor laws.

Mr. Elijah Smith cited a case where an Indian challenged the police in respect to a search of his house. The R.C.M.P. said they needed no permit and Mr. Smith wanted to know whether they did or not.

Mr. Fairholm said there was a provision in the Indian Act to the effect that before a police officer could search a home on the reserve, Section 101(4), a search warrant was required. Some provinces have a blanket warrant but he did not know what it covered. He thought the Indians in the Yukon would have the same right as anyone else.

Mr. E. Nielsen said a peace officer does not need a search warrant if he suspects offences are or have been committed in the dwelling which he wants to search. He indicated that searching without a warrant might be practiced where the officers know they could expect no criticism as opposed to a home where they know they would be criticized or reprimanded.

An observer said that the police tried to search a respectable Indian house in Dawson City and when they were asked if they had a search warrant, they answered 'no' and they had to leave without making the search.

Mr. Fairholm thought that an Indian person in his own home should have the same right as anyone else.

Mr. Nielsen said rights were one thing and treatment was quite another.

The meeting adjourned.

October 23, 1968.

Co-chairman Boys said that he had pointed out the previous day that grants were available for administration purposes even if a Band had no finances. He suggested the delegates discuss Circular #4 with the Superintendent. What was planned must qualify under the conditions laid down in the Grants to Bands Program, as set out in Circular #4.

Mr. Elijah Smith said he would apply immediately for such a grant in order to fulfill some of the Resolutions passed by their Council which have to do with:

1. Operation and maintenance of a community hall.
2. The engaging of a truant officer.
3. Help to carry out administrative duties and responsibilities.
4. Help to develop a recreation program for our young people to hire a recreation leader to supervise the program.
5. A grant to provide loans to individuals.

Co-chairman Boys drew attention again to the conditions set out in Circular #4. There was no provision for a grant to provide loans to individuals. Each Band should discuss the matter of Grants with the Superintendent.

Mr. Boys then brought the meeting's attention to question 28 - the election of Band Councils.

Mr. Fairholm pointed out that at present Councils elected according to Band tradition were recognized, whether they choose an hereditary Chief for life or elect a Chief and Councillors according to the method described in the Indian Act. Another way would be as suggested in question 31 to choose from one list of officers with the Chief being declared the one who gets the most votes.

Mr. Alec Smith said that in Whitehorse they said "You're the Chief" to him and that was it.

Mr. Fairholm asked what way would be most satisfactory for the future. Delegates pointed out that in some cases such as Old Crow, etc., the two year period of office was in order. Others stated that the method of choosing Chief and Council was somewhat haphazard and the term of office not clear.

The meeting pointed out that there was a need for more young people to carry out these responsibilities as Councillors because of their youth, education and energy.

Mr. Percy Henry said they had an old Chief for many years and now he was the Chief with three young councillors. They need a community hall but where is the money? The young people are getting out of hand with nothing to do but drink. The representative from Mayo needed to move back to town. They participate in the integrated school and the community hall but they had no place of their own. Mr. Henry continued by saying that Indians could not vote in Dawson City because they did not have property qualifications.

At this point Mr. Walter Dieter said that the Indian people invited the white man into this country and now the Indians cannot take their place because they do not have land and cannot qualify.

Mr. Nielsen pointed out that only two municipalities existed in the Yukon. In other communities, municipal government does not exist, but rather the formation of Municipal Associations had been found to be an effective means of forming a nucleus of local municipal government. The associations did not have authority to collect taxes. They were advisory bodies on questions of local improvements and education. They raised funds but all other funds belonged to the Territorial Government and were disbursed at its discretion. He stated that there were Indian members on these advisory bodies, except at Old Crow.

Mr. Fairholm raised the question of whether in the Yukon the Indians wanted to be a part of the total community or to be separate. He pointed out that such services as water and sewage should be of general concern and should be the same for everybody.

Mr. Nielsen stated that in many cases Indians are on the edge of towns in the Yukon and thus are segregated.

Mr. Johnny Johns said that Indians in Whitehorse used to have nice houses and then they were arbitrarily pushed to the edge of town.

Mr. Elijah Smith then described the situation of the Indian village at Whitehorse. The Indians had been moved without consultation to the edge of town. There was one well and a water shortage. Water must be transported in a 1500 gallon tank which must serve 300 people. The water was distributed from this tank in buckets. They were kicked out of Whitehorse because there was no land available. There were only 2 telephones in the village and no fire protection despite the fact that two large propane tanks to serve Whitehorse had been erected immediately adjacent to the Indian village. He suggested that the Territorial Government could put up a little money to help the Indians.

Co-chairman Boys then raised the question of whether the voting age for Chief and Councillors should be lowered to eighteen years. He also raised the question of whether the age for Chiefs and Councillors should be lowered to 18 years.

Mr. Fairholm stated that for a person under 21 years of age it was not possible to enter into binding agreements because the age of majority and full responsibility under the law was 21 years. He said that perhaps the voting age could be lowered to 18 years but that those standing for office might have to be 21 years or older.

Mr. Nielsen stated that Mr. Fairholm's view was probably correct. If nationally the age of majority was lowered then people of eighteen years of age could hold municipal office.

Mr. Fairholm referred the delegates to page 23 of the notes with a summary of voting ages in the various provinces and territories.

Mr. Nielsen pointed out that for those holding office it would be necessary to have their majority in order to enter into contractual agreements. He said that perhaps it would be necessary for only the Chief to be over 21 years of age and that his signature could stand on any contractual agreement. He said that the Canadian Bar Association was studying the question of voting age and of the age for holding public office.

Co-chairman Mr. Boys noted that the meeting had been discussing the matter of elections and voting age. He added that a number of the delegates felt the age should be reduced to 18 years. It had been suggested that this was the age for service in the armed forces and, therefore, should also be the voting age. He inquired whether there were any further points to be raised in this respect, with regard to the powers of Band Councils or considering the fact that about one hour remained for the meeting, whether there were general matters to be raised.

Mr. Elijah Smith inquired as to where the Yukon Indian stood in respect to land ownership and title. He entered the following prepared statement:--

We, the Indians of the Yukon, object to the treatment of being treated like squatters in our own country. We accepted the white man in this country, fed him, looked after him when he was sick, showed him the way of the North, helped him to find the gold; helped him build and respect him in his own rights. For this we have received very little in return. We feel the people of the North owe us a great deal and we would like the Government of Canada to see that we get a fair settlement for the use of the land. There was no treaty signed in this Country and they tell me the land still belongs to the Indians. There were no battles fought between the white and the Indians for this land.

He added that he believed the delegates could state what they had in mind in this respect. He noted that if it was up to him he would take the land back. He was of the opinion that if the Indians had some of the land, they would not require the government's money to run their communities. Leasing would give them relief. He also believed that the matter of mineral rights should be looked into. He thought that some of the money obtained from mining royalties and taxes could be given to the Indian. He noted that the dead people have more land than the live ones. He added that they were pushed around and moved from area to area.

Mr. Fairholm said that it was a known fact that the situation in the Yukon was not the same as in other parts of the country. He also believed these matters should be settled as there were now no clear rights to the land in the Yukon in the names of the Indians or held in trust for them.

Mr. Elijah Smith noted that in various places land was delineated as being for the use of the Indian but if the settlement grew such as at Whitehorse or if a non-Indian wished to use it, he obtained a lease and the Indians had no real claim to it. He also noted that in Whitehorse the Indian area was now virtually surrounded by industrial land, sewers and swamp. He added that when the town wanted to move the propane bottles storage from the settled part of Whitehorse, they moved them beside the Indian village. In answer to a question from Mr. Fairholm, he noted that both Indian and non-Indians may buy land from the government and obtain title to it.

Mr. Fairholm mentioned that certain Indians in British Columbia had petitioned the Supreme Court for an Order to the effect that the aboriginal rights had never been lawfully surrendered. He noted that it was unlikely that a decision would be made for some time and it may or may not have some bearing on the situation in the Yukon. He added that in other parts of Canada, these rights were given up by the treaties in exchange for certain rights and other matters.

Mr. Eric Nielsen was of the opinion that the British Columbia case may not be too helpful as the land was transferred to the Provincial Government whereas in the Yukon it was still held primarily by the Federal Government.

Mr. Fairholm agreed with Mr. Nielsen but thought perhaps the basic principle could be the same.

Mr. Walter Dieter noted that at a dollar per acre each Indian would have approximately \$150,000. He thought that if the settlement included a general fund then the Indians would have sufficient to operate their own communities and organizations with the aid of professional help as consultants. He believed this amount would be considerably less than the revenue currently being received from the Yukon. A just claim would have to be figured out.

Mr. Fairholm noted that there may be several ways to answer the problems, one of which may be the Indian Claims Commission. He believed, however, that the Indians should very carefully consider all possible alternatives in coming to an agreement with the government.

Mr. Johnny Johns noted that in Carcross the church delineated lands for the Indians many years ago and it was generally understood then that they were for Indian use. However, he advised that today these lands were being leased to non-Indians or used by the government and the Indians were left with no place to call their own. He also added that he purchased land from the government years ago and a few years ago received a letter from Ottawa referring to them as leased lands. He advised that it took some time but with the use of his receipts for the original payments he proved that the land was bought, not leased, and he eventually got title to it.

Mr. Fairholm was of the opinion that one of the immediate problems was to find a way to acquire the land on which the people were currently living so that no one could move them off and they would know it was their own.

A non-delegate was of the opinion that something should be done about the problem now to prevent the Indians from being herded about like cattle. He believed that if something wasn't done, it would be like the United States.

Co-chairman Frank Sidney inquired whether what was now being discussed was the same matter referred to in Bill 130.

Mr. Fairholm indicated that Bill 130 was about the Claims Commission which had been mentioned.

Co-chairman Frank Sidney advised that he understood that the Indian had never been paid for the land in the Yukon. He added that he could see that the whites took over; that the Indian people were pushed out; that the whites had taken the timber, rocks and gravel; and that any good land was occupied by the whites, but he noted he could not understand the meaning of the Bill, what it meant or how to proceed. He said that the Indian people required clarification.

Mr. Fairholm suggested that perhaps the newly formed Native Brotherhood could assist in this respect and present the views of the people.

Mr. Nielsen thought that the Yukon Indian people and the Brotherhood in particular would be interested in knowing whether any funds would be available from the Branch in order to obtain professional guidance and counsel in presenting the claim.

Mr. Fairholm noted that the Bill previously presented to Parliament provided for the Commission to give assistance to the Indian people for the preparation and presentation of their claims which was not limited to legal counsel. He added that he did not know what any future Bills might provide. In answer to a question of Mr. Smith he noted that the Bill to establish an Indian Claims Commission was before Parliament when the election was called in 1965 and therefore it was dropped and had not yet been re-introduced. He believed that reference was made to such a Claims Commission in the Throne Speech this year.

Mr. Walter Dieter noted that the claim in Florida took nineteen years to complete.

Mr. Fairholm noted that the Haida-Tlingit claim started in 1935. He added that there were other practical problems including obtaining some title to lands on which their houses were presently standing or were to be built.

Mr. Nielsen in answer to a question from Mr. Fairholm advised that the Federal Government had control of the lands in the Yukon for the most part, although there were some territorial lands. He added that the lands set aside had been done by Order-in-Council and any application to subdivide these would have to be made to the Surveyor General. He inquired whether or not, if the Indians did not want to wait and chance the possibility of the legislation going through, because the Bill had been prepared since 1961, if there was any assistance available now, would they wish to take the matter to the Exchequer Court.

Mr. Fairholm believed that this would have to be answered by someone in the government. He added that there was nothing in the current funds in this respect.

Chairman Boys was of the opinion a formal request would have to be made. He noted that there had been assistance in the past for cases that may affect a large group of people and to establish a valuable precedent.

Mr. Walter Dieter advised that the national organization was working on the problem and had some funds from a private source. He added that at the meeting in December, to which the president and vice-president would be invited, one of the matters to be discussed would be the matter of the Claims Commission.

Mr. Fairholm noted that he understood that the Indian people of the Northern Territories were going to make an application to have the lots on which their houses stood put into their name.

Mr. Dieter suggested that the people be careful in making any such application in case it affects the final settlement or would be considered as the final settlement by virtue of some phrase or other.

Mr. Nielsen agreed and noted further that with or without any such clause it may legally be construed in that way.

Mr. Fairholm suggested that the application and other papers involved be made very clear that it was made without prejudice to further claims.

Mr. Dixon Lutz in answer to a question from Mr. Fairholm advised that they had not yet had the problem at Liard River.

Mr. Elijah Smith indicated that the bigger problem of this type was at Whitehorse.

Mr. Lutz noted that if the Indian had no right to the land, why or how did the white men have such rights.

Mr. Elijah Smith inquired if the Band hired a lawyer for them, could they turn the lawyer's bill over to the government to be paid.

Mr. Fairholm pointed out that the last claims legislation contained a provision for providing assistance to those bands without funds and the application for assistance was to be made to the commission which made the decision. He added that the funds of course would have to be made available by Parliament for the purpose.

Co-chairman Boys noted in answer to a question that until the Bill was passed, there would be no source of funds.

Mr. Walter Dieter asked whether it would be possible for the Branch to put a freeze on the moving of any Indian communities until such time as a fair and just settlement was made.

Co-chairman Boys believed that the Branch, on behalf of the Indians, could oppose any changes but it was debatable whether they would be any more successful than the Indians. It would probably be dependent upon the authority they were opposing.

Mr. Nielsen noted that it was the Branch who moved the people in Whitehorse. He added that at Carmacks they moved the Indians from an integrated location to an isolated location for what may have been sound reasons at the time but the results had been very bad. He added that such moves were quite common.

Mr. Johnny Johns noted that this type of move created problems for the older people as there was no bus system; many had no cars and a long walk was involved.

Mr. Nielsen added that in some cases it created a situation where the Indians had to pay for the transmission of hydro, in others there was no telephone service at all for perhaps two to three miles. He believed that separation of this type created some serious problems.

Mr. Boys the co-chairman said he believed that he could promise that there would be no removal or relocation of the Indian people by the Branch in the Yukon, without the consent or expressed wish of the people concerned with the move. He noted that the Bill only establishes a commission to hear the claims and make some decision on how the claims should be met. He noted that it was previously mentioned that a representative of each of the meetings would attend a meeting in the new year to further discuss the possible changes to the Indian Act. He asked who that representative should be. In answer to a question from a non-delegate, he advised that the representative was to be chosen directly by the delegates present at the meeting.

Mrs. Angela Sidney nominated Mr. Elijah Smith, seconded by Mr. Dixon Lutz (Upper Liard).

Co-chairman Frank Sidney nominated Mr. C. Abel; seconded by Mr. Elijah Smith.

Mr. Sidney then declined the nomination on the grounds that he was unable to get away.

Mr. Elijah Smith moved that nominations be closed, seconded by Mrs. Angela Sidney.

Co-chairman Boys requested Mr. Dieter and Miss Edna Rose of the Brotherhood to be a committee in respect to the vote.

The committee reported and Mr. Boys announced that the chosen delegate was Mr. Elijah Smith, with Mr. Charlie Abel (Old Crow) as the alternate in the event that Mr. Smith could not attend.

Mr. Elijah Smith thanked the delegates for the honour.

Co-chairman Boys thanked all the delegates for their attendance and contribution and also all those who contributed from the floor. He also thanked Mr. Frank Sidney for his assistance as co-chairman.

Co-chairman Frank Sidney thanked all who were present at the meeting and also those who participated from the audience. He also extended his thanks to the Branch staff. He believed that many good points were raised and was glad to meet with representatives from every corner of the Yukon. He expressed his hope of seeing them all again at some future meeting.

Co-chairman Boys asked if there were any further comments. He noted that the meeting was not called to make changes in the Act now but to have the delegates explain and put in the record some of the changes that they would like to see in the Act. He was of the opinion that two major points were raised; one that there was a long history of injustice to the people of the Yukon and he extended his hope that these would be remedied before too long; and secondly was the matter of communication which may be difficult to overcome, although meetings of this type were helpful. He added that he had had an interesting meeting with the young people whom he hoped could act as an inter-preter for both the Branch and its policies and on behalf of the older people. He requested that they give consideration to the participation of the younger people in their local communities. In parting he wished all well and hoped for better things in the future.

Mr. Elijah Smith announced that there would be a meeting at 2:30 p.m. for all delegates and young people at Skookum Jim Hall.

The meeting adjourned.