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REPORT
OF THE
INDIAN ACT
CONSULTATION MEETING

EDMONTON, ALBERTA
DECEMBER 12 AND 13, 1968

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DEPARTMENT OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

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Thursday, December 12, 1968

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REPORT OF THE INDIAN CONSULTATION MEETING
HELD AT
EDMONTON, ALBERTA
DECEMBER 12 and 13, 1968

CO-CHAIRMAN

Allan Tailfeathers,
Cardston, Alberta.

CO-CHAIRMAN

Mr. William Bull,
c/o Alberta Newstart,
Lac La Biche, Alberta.

BAND SPOKESMEN

BAND

Frog Lake

Slave

Fort Vermilion

Cree

Cold Lake

Kehewin

Paul's

Little Red River

Boyer

Saddle Lake

Whitefish Lake

Wabasca (Bigstone)

SPOKESMEN

Mr. Thomas Quinney,
Frog Lake, Alta.

Chief Harry Colo-Chonkolay,
High Level, Alta.

Mr. Alex Courtereille,
Ft. Vermilion, Alta.

Mr. Ernest Courtereille,
Ft. Vermilion, Alta.

Mrs. Melanie Metchatis,
Beaver Crossing, Alta.

Mr. David John,
Hoselaw, Alta.

Mr. Peter Burnstick,
Box 7,
Duffield, Alta.

Mr. Narcisse Burntail,
Ft. Vermilion, Alta.

Mr. Antoine Bulldog,
General Delivery,
Rocky Lane, Alta.

Mr. Mike Steinhauer,
Foisy, Alta.

Mr. Wm. Laboucan,
Atikameg, Alta.

Chief Sam Young,
Desmarais, Alta.

<u>BAND</u>	<u>SPOKESMEN</u>
Sucker Creek	Chief Xavier Willier, Enilda, Alta.
Sawridge	Chief Walter P. Neesotasis, Slave Lake, Alta.
Driftpile	Mr. Roy Giroux, Driftpile, Alta.
Janvier	Mr. David Janvier, Chard, Alta.
Fort McMurray	Chief Joe Cheechum, Anzac, Alta.
Beaver Lake	Chief Lillian Pruden Lac La Biche, Alta.
Alexis	Chief Moses Kootenay, Box 7, Glenevis, Alta.
Alexander	Mr. Fred Arcand, Sr., Morinville, Alta.
Montana	Chief Sam Currie, Box 373, Ponoka, Alta.
Ermineskin	Mr. N. Mackinaw, Hobbema, Alta.
Stony-Wesley	Mr. L. Wesley, Morley, Alta.
Stony-Chiniquay	Chief Frank Powderface, Morley, Alta.
Sunchild Cree	Chief Louis Sunchild, Rocky Mtn. House, Alta.
Blood	Mr. Fred Gladstone, Cardston, Alta.
Swan River	Chief Victor Twin, Kinuso, Alta.
Sturgeon Lake	Chief Dave Kappo, Calais, Alta.
Duncan's	Mr. John Tustawits, Brownvale, Alta.

<u>BAND</u>	<u>SPOKESMEN</u>
Beaver Band of Horse Lakes	Mrs. Margaret Napasis, Lymburn, Alta.
Heart Lake	Mr. Peter Blood, Imperial Mills, Alta.
Fort McKay	Chief Philip McDonald, Ft. McKay, Alta.
Fort Chipewyan	Mr. Fred Marcel, Ft. Chipewyan, Alta.
Enoch	Mr. Edward Morin, Winterburn, Alta.
Samson	Mr. Arnup Louis, Hobbema, Alta.
Louis Bull	Mr. Simon Threefingers, Hobbema, Alta.
Blackfoot	Mr. Percy Yellowfly, Box 3002, Cluny, Alta.
Stony-Bearspaw	Chief Bill McLean, Morley, Alta.
Sarcee	Chief Dick Big Plume, Box 6, R.R. 3, Sarcee, Calgary, Alta.
O'Chiese	Mr. Sam Strawberry, Rocky Mtn. House, Alta.
Peigan	Chief Maurice McDougall, Brocket, Alta.

OTHER REPRESENTATIVES

The Senate	Hon. J. Glastone
Indian Association of Alberta	Mr. Harold Cardinal, c/o Regional Headquarters, Edmonton, Alberta.
Indian Advisory Council	Mr. Howard Beebe, Cardston, Alta.

Native Friendship Centre

Mrs. Kathleen Thomas,
10218-108th St.,
Edmonton, Alta.

INTERPRETERS

Mr. Philip Soosay,
Hobbema, Alta.

Mr. Jim Omeasoo,
Hobbema, Alta.

Mr. Charles Blackman,
Beaver Crossing, Alta.

CONSULTATION TEAM

Minister without Portfolio

Hon. Robert Andras

Special Assistant

Mr. J. Karam

President - National Indian Brotherhood

Walter Dieter

Department of Indian Affairs and
Northern Development

C. I. Fairholm

Department of Indian Affairs and
Northern Development

G. Poupore

Department of Indian Affairs and
Northern Development

W. Fox

Department of Indian Affairs and
Northern Development

R. Ragan

Department of Indian Affairs and
Northern Development

A. Fraser

Department of Indian Affairs and
Northern Development

G. Bell

Department of Indian Affairs and
Northern Development

S. Roberts

Department of Indian Affairs and
Northern Development

G. Harris

Thursday, December 12, 1968.

Co-Chairman Allan Tailfeathers (Cardston) addressed the meeting. He extended a warm welcome to the Honorable Mr. Andras, Senator Gladstone, Chiefs of Bands, Official Spokesmen, the Press, Television, Radio, and to all guests. He said that the meetings which had taken place among Indians of Alberta during the past few days had brought a realization of their rightful place. He said that these deliberations had resulted in a fundamental decision that prior to the passing of a new Indian Act, the Treaties must be redefined and guaranteed by appropriate legislation. He said that only then could a satisfactory new Indian Act be drafted.

The Co-Chairman called on Senator Gladstone to address the meeting.

Senator Gladstone said that it was a pleasure to address this historic gathering, but that he would not take the allotted 20 minutes. In his remarks he recounted the story of the founding of the Indians of Alberta Association. He paid tribute to the late John Laurie who had helped them form the Association, who had provided secretarial help in recording the minutes faithfully word for word; and who had never interfered with their deliberations. He recalled how they had travelled by every means possible to get together and how they had come to know one another. He pointed out how they had crept towards the capacity which they now had to prepare an excellent brief which could be proudly presented to Ottawa. He referred solemnly to those of that original group who had passed on. Only a few of that group remained but they had worked hard and now the results of those efforts could be seen.

Senator Gladstone stated the Indians were now standing on their own feet. He recorded his delight with the excellent work of the Association and the delegates in the way that they had prepared and presented briefs and resolutions during the past few days together in preparation for this meeting with Government Officials.

Senator Gladstone indicated his pride to be one of them, as one who had been integrated in reverse. He also told of his pride to have been once President of the Association.

Senator Gladstone told of his appointment to the Senate of Canada. He and his wife had retired from hard work on the farm and had wanted to spend their days quietly visiting their children. However, he had received to his amazement a call from the Prime Minister of the day asking him to accept appointment to the Senate. He had naturally been somewhat fearful because he had regarded the Senate as the Holy of Holies, an awesome place. However, he fulfilled the qualifications and had accepted.

The Senator then commented on the useful role of the Senate in the Parliamentary system.

Senator Gladstone then stated that he had been freely accepted at Ottawa, and by Indians and other citizens across the country. He had travelled widely throughout Canada and had tried to represent his people well.

He said that he often had wished that he had been a Member of Parliament. However, he was proud that now there was an Indian member of Parliament and was confident that others would follow.

The Senator went on to say that in his opinion the second century of Canada would be the century of the Indians. The Indians had contributed so much to this country, and were not fully appreciated. He had often wondered why so much labour had been imported from Europe to build the railroads, when Indian labour was abundant. He said that now everybody in Canada knew that the Indians had been neglected for a very long time and felt that it was necessary to catch up on this neglect. He was of the firm opinion that the Indians would be independent economically and in many other ways and would be on their own. Senator Gladstone avowed that the Parliament of Canada was definitely interested in the future of the Indians and would provide them with the means to accomplish this full independence.

The meeting adjourned for a coffee break.

The Co-chairman called on the Honourable Robert Andras, Minister without Portfolio - Mr. Andras addressed the meeting as follows:

Hon. R. Andras: 'Mr. Chairman, Senator Gladstone, Mr. Cardinal, President of the Alberta Indian Association, Delegates and Guests. It's a great pleasure and a great honour for me to be here. I have come to listen and to hear your points of view rather than to make speeches and I'll try therefore to be as brief as possible in my opening comments.

" There is a new Government in Ottawa, there is a new Prime Minister and there are many new Members of Parliament and all the various Parties represented there, and I think for that particular reason these meetings with delegates and spokesmen of Indian people across the country are very well timed. Because in Parliament today there is a much more open-minded view and a much greater willingness to accept the need for change, to right the wrongs of the past and to come up with new policies and new implementations of policies. You know, it was only five months ago that I was assigned to my present post to work with and assist John Chrétien, the Minister of Indian Affairs and Northern Development. My role is particularly associated with consultation with you and your brothers across the country to find out what changes we should make.

" My first meeting was in the Northwest Territories and, as I say only five months ago, and although I am the first to say how very much I still have to learn, how very little I do know, in some ways these five months seem like five years. This is the fourteenth meeting I believe, and the last but one of this series, the final one being scheduled for Manitoba some time next week. This is the tenth that I had been able to attend. Mr. Chrétien and I have tried to spell each other off in these several meetings that have taken place, in some cases we both have gone to the same meeting but at different times and at other times, he's been there and I haven't been there or I've been there and he hasn't because of the other duties we have in Ottawa. At the present time, Mr. Chrétien has asked me particularly to send his regrets in not being able to join you. As you know, there is a fair political battle going on in the House of Commons at the moment and he is not able to get away from there under the circumstances.

"These meetings, these Consultation meetings, have been a good beginning. They have not been perfect, they are far from achieving all of the objectives that all of us would like to see, but I don't join those who say that they are useless or a facade or that they are manoeuvred. I think that they are producing encouraging results today. Your voice and your point of view, as a result of these meetings and other activities, are getting through to the political heads of this country. They are getting through to the officials of government and when I talk about the political heads of the country and officials of government, I am talking about governments at the Federal level and the Provincial level and I think this is extremely important because both governments have important roles to play.

"Also and equally important, I believe that these meetings and related activities are providing a much better knowledge through the press and communications media to the Canadian People, and when together we find the solutions and the new policies for change, I think it is important to recognize that there are probably three main segments of our Society that are going to have to bear their responsibilities to carry them out. Governments have an important role, Federal and Provincial. Indian people are going to have a very important role and the Canadian public is going to have a very important role to play.

"These meetings primarily were programmed to discuss with you the proposed revisions to the Indian Act, an Act which was last revised in 1951. I learned early, in fact the first meeting I attended, that there were many other matters very close to the hearts of the Indian people with, in many cases, higher priorities and of more importance than revisions to the Indian Act. I am referring to your feelings about Treaty rights, hunting rights, land claims, all these sorts of things, so while these meetings have not dealt specifically in all cases, or in most cases, with the proposed revisions to the Act, many, many pieces of information in your views have been recorded and will be passed along.

"In January, it is our hope to meet in Ottawa with the spokesmen from each of the fourteen or fifteen meetings that will have taken place. This meeting will not in any way be a final meeting. The spokesmen who will be meeting with us in Ottawa at that time will not be making commitments on behalf of the Indian people of Canada but they will be furthering the consultation information-flow process to another stage.

"We will have the added benefit of being able to get together with the Indian spokesmen representatives from each region in Canada, from the east and the west, and the mid-west, and the coast and the North to put together the different points of view that may arise because of the difference in geography or the difference in where you live. I think this is an important process, too.

"After that, with regard to any revisions to the Indian Act itself, there will be a second opportunity to consult. It may be in this same form that we are meeting today, some time next year to repeat the whole process. So we hope that through all this there really will have been consultation before we take the important action of passing legislation in the House of Commons at some future date that so seriously affects the way you live. I think this matter of participation by Indian people in the making of the policies that affect them and participation in the administration of those policies once they are defined, is probably one of the most important

single actions that this government must recognize as being necessary and must take.

"I cannot come here to you today or during the course of this meeting with answers to your problems or even to your questions probably. Nor can I as one man, one Minister of the Cabinet, commit this Government on the spot to major changes that you would like to see. But with those limitations, I hope you will accept that I will faithfully convey to the Government and to the Cabinet the points of view, your fears on the one hand, your hopes, your aspirations for your future on the other, to the Cabinet and that when we have gathered the viewpoint of Indian people in all parts of this country together, examined it and studied it, and present it to Cabinet and then hopefully to Parliament, that there will have been a real and genuine attempt to have you involved in the whole process.

"Well, I have spoken longer than I should have. Let me end on this note. So far, by virtue of our desire to make sure we have the point of view of Indian people, what is coming from the Government you can classify as mainly words, perhaps sweet talk at this stage, I am convinced that it will result in action, the kind of action generally that you would want to see. I think very many, many things have happened these past few months, very significant things have happened. I think there are things in motion now for the good of Indian people that will never be stopped and I believe that in the hundreds of years of less than happy circumstances that you as a people have faced, when the history of that is written at some future time, the past few months and the next few months will probably be a very significant period recognized by historians. One of the most important things of all, I believe, in this whole equation is the growth and development of grass roots from the Bands to Regional, to Provincial and to National recognition of Indian organizations through the representatives of the Indian people at the Band level and the development and emergence in those organizations of strong, dedicated, and articulate and capable leadership. For in the long run of history, because governments come and governments go, because politicians come and politicians go, I believe that it is necessary that you, as with other groups in this country, have a united and articulate and dedicated leadership, and above all, that you do stay united together so that you speak with a powerful voice to those other organizations and groups in Canada who have got affect on the way you live and on the way you want to live.

"So, now I'll sit down having spoken too long. I will listen and I will pledge also that I will hear what you have to say."

Co-Chairman Tailfeathers thanked Mr. Andras and introduced Mr. Cardinal:

Mr. Cardinal said that he wished to bring the presentation of the Indians of Alberta before the meeting. He read the presentation as follows:

"Moved by Rueben Bull and seconded by Norman Yellowbird to reject the proposal in the booklet "Choosing A Path", that the matter of our Treaties be submitted to the Indian Claims Commission; and instead, that the Government of Canada

honour and re-instate the Treaty Rights of Indians by:

Re-affirming once and for all time its responsibility for them by including the Treaty Rights under Legal Rights in a section in the Indian Act as follows:

PREAMBLE TO TREATY RESOLUTION

"WHEREAS the promises made to Indians on behalf of Her Majesty before the Treaties were signed, were not accurately set out in the formal Treaty documents:

WHEREAS the Chiefs and head men who signed the Treaties for the Indians could not read but were confident the Treaty contained what was told to them by the Queen's men through interpreters;

WHEREAS the terms and conditions under which Indians gave up their lands are more accurately - but not completely so - explained in the reports of the Commissioners who represented the Crown in the negotiations;

WHEREAS until recently, the precise legal value of Indian Treaties has been obscure and uncertain;

WHEREAS now it has become clear through appeals, that Indian Treaties are of doubtful value, in law, unless they are supported by valid and subsisting legislations;

WHEREAS this condition has been pointedly described in High Courts as a breach of faith which must be remedied at the Executive level, otherwise the mockery of Canadian legal tradition will continue;

AND WHEREAS the Universal Declaration of Human Rights provides that:

"Everyone has a right to an effective remedy by the Competent Tribunals for Acts violating the fundamental rights granted him by the constitution or by law."

NOW THEREFORE:

Delegates representing all Indians in the Province of Alberta attending this conference do hereby resolve and proclaim that to be satisfactory to them, the revised Indian Act must contain under the heading, Legal Rights, a new Section which will make clear for all time Her Majesty's determined resolution to remove all reasonable cause for discontent by providing adequate and permanent safeguards related to the promises contained in our Treaties under the following sub-headings:

1. Hunting, Trapping and Fishing
2. Education
3. Medical Services

4. Land
and Furthermore:
5. Economic Development

RESOLUTIONS

1. HUNTING, TRAPPING AND FISHING

Regardless of any Act of the Parliament of Canada or of the Legislature of the Province, Indians shall have the full and free privilege of hunting, trapping and fishing at all seasons of the year on all unoccupied Crown Lands or other lands to which they may have right of access.

2. EDUCATION

That Indians shall have the right of free and unlimited education in every area and/or level of Education in the country and that they shall have the right of having schools and physical facilities for education in their communities, and where desired by them, representation and/or control of such facilities in their communities or where physical facilities do not exist, representation in educational institutions attended by their children. Further, that all resources deemed necessary by them (Indians) for the successful education of their children will be made available by the Government of Canada.

3. HEALTH AND MEDICAL SERVICES

That Indians have the right to receive, without their payment, all medical services without exceptions, paid by the Government of Canada.

4. LAND

- a) That Indians living on a reserve shall be given one square mile of land (640 acres) for every family of five, or in that proportion for larger or smaller families and where sufficient land does not exist on a reserve that the Government of Canada will through expropriation of land so chosen by reserves, give full and total title of land to such reserves; and where

Indians prefer to live apart from Band reserves, the Government of Canada will provide 160 acres to each Indian with the same status as lands held in a reserve;

AND FURTHERMORE

SUPPLEMENTARY RESOLUTION

5. ECONOMIC DEVELOPMENT

"Because of the spirit of the negotiations and the promises

made when the Treaties were written, the Government of Canada should make available the necessary resources (human, physical and financial), under Indian direction and control, to develop economically, socially and culturally all the reserves in the Province of Alberta."

Mr. Cardinal said that it was necessary that the Minister without Portfolio, Mr. Andras, his colleagues in the Cabinet, and the Government recognize that before a meaningful relationship could be built with the Indians of the Province, Treaty Rights must be honoured and reinstated. He said, this is not a proposal to solve all of the problems that the Communities face, but rather a necessary and needed first step. At the present time, there does not exist, a relationship of trust and confidence between the representatives of the Government and the Indian people. It is necessary at this point, he said, that a beginning be made and the place to begin was where the Government would recognize and honour the commitments that were made when the Treaties were signed with their Forefathers.

He said that it was an understood thing that in a democratic society, one of the underlying concepts of democracy is the freedom of the people, and this concept cannot work unless the majority accept and do not hinder in any way the rights of a minority. He said that the Government has gone a long way in trying to solve the French-Canadian problem and their language rights. With this in mind, he said it did not seem unreasonable that the Indians should ask to have their Rights installed in the Canadian Constitution, so that they can be as secure as possible. He said that this would take time and while this is being done, the Rights, as listed, should be included in the Indian Act. Much more than a reaffirmation of these Rights is necessary.

The Government and its officials must recognize that the Indians are a changing people, and the solutions to their problems must necessarily be flexible. The problems that the Indians have in the Province are divergent and difficult, depending on the custom of their communities and there should be a commitment from the Government that, as time progresses and the Indians are prepared, they be given the opportunity to take on those responsibilities they feel they are capable of taking on.

Mr. Cardinal said that he wished to reaffirm the commitment of his people as Canadian Citizens of this Country; that their interest and future lies in the development and in their development with it. The time has come, he said that what is needed now is not more words, but action and legislation. This action must first occur with the Treaty Rights. He said that he hoped that they would have the chance to meet more and more with the Minister and his Colleagues in their different communities because, for too long the Indians have existed under a monopoly, and it is time that the Government realized that the Indians should have available to them all of the resources that other Canadians have.

Co-Chairman Tailfeathers thanked Mr. Cardinal for his presentation. Mr. Tailfeathers added that during the past few days they had chosen three Spokesmen from each Treaty Group to speak in support of their Submission. He called on Mr. Ralph Steinhauer of the Saddle Lake Reserve to speak on Treaty No. 6.

Mr. Ralph Steinhauer addressed the meeting and said it was his privilege to expand on some of the thoughts that had been going on in the discussions regarding their Treaty Rights, and why they thought they had legitimate demands. Basically, he said that most of the people that had the administration of the Indian Act and the Treaty Rights, do not realize that the interpretation at the beginning and the writing of the Treaties was a misleading factor to the Indian people who were involved. They failed to relate the promises made those days, to the conditions that exist in the present society.

Mr. Steinhauer said that Mr. Cardinal had given a brilliant outline of what the concept of Treaties and Indian Legislation meant to most people, but to the Indian, there lies a deeper thought. The Indian Treaties were written almost 100 years ago - Treaty No. 6 was written in 1876. The terminology of the Treaty is written in the legal terminology of the day. The Rights that were given to them under Treaty No. 6, if they were to be brought to the realistic value of the dollar of today, would be changed quite a bit. He said that the powers-that-be, have the same concept as Kaiser Wilhelm who said in 1930, that a Treaty is just a scrap of paper. The Indians do not take this view. He said the Treaty is a sacred Right to the Indian people who once owned the land it gave to white men, the privilege of coming into the Country, taking and claiming all of the values of the Country, all of the Natural Resources, and then saying to the Indian people that nothing is said in the Treaty at all about certain things. He said the Treaty has not been brought up-to-date. He said that it is not always right to look at everything in a dollars and cents way, but this has to be done if a Treaty is to be implemented in its true concept and true form. He did not think that the demands were too great, when they demand that their Treaty Rights be first recognized before any changes are made in the Indian Act.

When a clear view is taken of the value of the Country to all of the people who live in it, he asked if their demands are excessive. The Indians were a comfortable people when the Treaties were made and were rich in the Indian sense of the word. Exploitation took place, Treaties were made, and the Indians were given 160 acres per family of five, which seemed like a great amount of land in those days, but land is not the whole value; there is a deeper value and the Treaty relegated the Indians to an area of professionalism - Agriculture - but the Indians have proven that they are not only agriculturalists, they can be professional people too, and they still feel they should claim their Rights.

He said the Country has a great wealth, literally billions of Dollars of Natural Resources, and only a pittance is put back into the administration of Treaty Indians. The amount of monies appropriated to Indian Affairs is spent in various ways, but one of the major expenditures is maintaining the bureaucratic set up of the Indian Affairs Branch across the Country, which is expanding every day so that the total number of people in the Branch is almost equal to the total population of the Indian people of Canada. Indian population in 1967 was 233,000 and Branch staff was 3379, of which about half were teachers.

Mr. Steinhauer said that the Indians have the sympathy of a good 50% of the population of Canada, and a good number of the members of

the House of Commons and the sympathy of the Minister.

The Resolution lays out five basic Rights - Hunting, Fishing and Trapping, which to the Indians is an inherited Right, and costs the Government nothing. Education and Medical Services, the Indians are entitled to. When the Treaties were made, they fitted the problems and policies of the day - 100 years ago, but he said, the Country has changed and has grown, and he asked why the Treaties could not grow with the growth of the Country. He advised the Indian Delegates and the Indian people not to be niggardly in their demands as they are not asking beyond their Rights. He said that they were only asking that the Treaties be interpreted in present day terms. He hoped that the Treaties would not be broken and the Rights which they are demanding will not only bring peace in their time, but will bring peace and recognition and cooperation for the next generation to come.

The Co-Chairman thanked Mr. Steinhauer and called on Mr. Norman Yellowbird of the Hobbema Reserve.

Mr. Yellowbird addressed the meeting and said that he would like to make a brief statement on the treaties and the basic rights of the Indian people of Canada which has become of National concern. He said that for almost a century, the Indian people had been controlled by an Act of Parliament, and they were not really aware what their basic rights were.

He said that to date, as natives of this Country, they realized the great injustice that was done to their people. They also realized that the presentations regarding their rights that were made to this meeting are of paramount importance to every individual Indian in Canada. He said that at times, they were told that they should not talk about the past, and that everything would be resolved if they co-operate with the Indian Affairs Department. However, he said that he would like to reiterate of what had been the real concern of his people in the past with regard to their basic rights. He felt perfectly at ease when he said that the Governments of the past had never kept their promises to maintain and respect the treaties they had made with their Forefathers.

What the Indian people are attempting to present to the Dominion Government on basic rights of their people were realistic and facts of life.

He said that to date the Indians had remained apathetic to the situation at hand, and that they have kept with the agreements with the Dominion, which their Forefathers had made almost 100 years ago.

He said that, more recently, the Department of Indian Affairs in Ottawa had tried to catch them blindfolded by sending them their ideas in print in the booklet called "Choosing a Path".

He said that to them, this only meant that the Department of Indian Affairs was re acting the same old game that they had played with the Indian people for almost a Century.

He said that sometimes he was really concerned, and that he could not sleep especially when he repeated the promises made by the Queen

which stated that the Indian peoples' rights in this country would be safeguarded "As long as the sun shone and as long as the rivers were flowing". As to this symbolic meaning, he said that he was really concerned when the winter came because then they do not see very much of the sun and as you are all aware, the rivers are frozen.

He said that at this time he wanted to extend his speech by saying that when he spoke of the Treaties, he was speaking of every citizen in Canada.

He said that when he said this he meant that when the Treaty was signed, it was agreed that it was done on their behalf, once and for all. And of that, he was hoping that when we complete our long deliberation with the Queen's representatives it would be over.

He also hoped that they would be able to shake hands in the same spirits as our Forefathers had when they had signed the Agreements of Treaties on the 18th day of August 1876. He said that on behalf of Treaty No. 6 he wanted it made known that the Indian people would continue to press for their Rights which were not privileges or hand-outs by the Government of Canada.

Co-Chairman Tailfeathers thanked Mr. Yellowbird for his presentation and called on Mr. Peter Burnstick of the Duffield Reserve to speak to the meeting.

Mr. Burnstick addressed the meeting and said that he was speaking on what had happened and what they would like to see happen regarding the basic rights of our Indian Nation in Alberta. He stated that he had been involved in Indian work since 1926, and that he was sincerely interested in the development of his people.

He said that it was a sad thing to say that the Government of Canada was able to assist in developing this Country, but they had failed to look after the development of the Native peoples.

He stated that what got him was that the Indian Affairs Department had failed miserably in assisting the Indian people to progress in their own country. He said that as a Treaty Nation, they had suffered under the controls of the reserve system and the Indian Act.

He noted that in 1876, when their Forefathers were made to sign the Treaties, they were made to believe that in all respects, these promises would be binding "As long as the sun shone and as long as the rivers are flowing". We are maintaining that Treaty No. 6 is binding in areas of concern such as; Health Services, Education, Hunting, Fishing and Trapping.

He said that the "Medicine Chest" in the Treaties meant to our Forefathers that the health of the Treaty Nation would be maintained, and that it does not apply or state that they must pay for hospital or medical services now. He said that to the Indian people this is not a privilege - it is a right, according to Treaties. He said that they felt that this applies to Education and the aboriginal rights of the natives of this country.

He pointed out that when the white man explored this country, he was assisted by the Indians in going through the hardships of developing his own way of livelihood in Canada. He said that in effect, our Forefathers made a major contribution to the discovery and development of this Country.

He said that he would like to see the Treaties honoured, and some day when the Indian people were ready, they themselves will decide whether they want to retain the Treaties or the Indian Act.

He stated that at this stage, they feel that it is a great dishonor for any Government to break any Treaty with any peoples, and that they felt this injustice applied to Canadian Indians.

He said that the white society and the white government may feel that the Indians are crazy to be requesting something that is not consistent with the general policies of the government and the fast moving society in this country.

Presently, he said that they were not concerned about "Choosing a Path" for the Indian Affairs Department in Ottawa, but that they were requesting things that were basically their rights, and at the same time were requesting that the Department grant the Indian people the right to become the masters of their own destiny. He then thanked everyone for listening.

The Co-Chairman, Mr. W. Ham Bull introduced Mr. Howard Beebe of the Blood Reserve who was replacing Chief Jim Shot Both Sides.

Mr. Howard Beebe addressed the meeting and said that he had been selected to speak on Treaty 7. He said that the treaty rights are based on the protection of lands set aside for the use of Indians in this country. He said that in talking about protection of lands, Lieutenant Governor Laird mentioned at the time of the signing of the treaties, that if an Indian breaks the laws of the great mother, the Queen, he would be punished, but if the Indians abide by the laws they would have nothing to be afraid of.

The welfare of the Indians is unlimited and extends as far as the country of Canada can offer. He noted that this had been specified in the treaty.

Lands were set aside for the Indians of Canada under the treaties to be used as their homes. The representative of the Queen, Lieutenant Governor Laird said no one other than an Indian would be permitted to encroach on these lands. Indians cannot be interfered with by anyone else on his reserve lands. Only the Indian has the right to relinquish his land or a portion of it and no land may be encroached by any other Canadian citizen or the government. The Queen still has a representative, the Governor General, in Canada, so the Queen's promises must be kept.

There is no limit to the Indian education. It is as necessary as water on a farm or homestead. The Indian people are gaining in educational strength. He pointed to such persons as Mr. Cardinal who has enough education to explain what the Indian rights are and what he wants in the future for the Indian people. Education is unlimited.

In Treaty 7 the medicine chest is treated in the same manner as

Treaty 6.

The Indians under Treaty 7 have the promise of a medicine chest. The courts have interpreted the provision of the medicine chest as hospitalization because there were no hospitals at the time of the signing of the treaties. He said it was his understanding that the medicine chest had no limit and included hospitalization and did not stop at a bottle of aspirin.

Mr. Beebe said that the Indians had been given lands, welfare, education and the medicine chest by the terms of the treaty with the Queen. He said that the terms still stood and have to be respected.

Mr. Beebe repeated the words of Lieutenant Governor Laird "on your part you must keep the Queen's law and laws must be kept and offenders punished. If they break the laws of this treaty I would be ashamed to face you". The representative of the Queen in 1877 signed the treaties with the headmen. He said that the Indians have kept their word and have stayed within the terms of the treaty.

Mr. Beebe said that the Indians understood that under the terms of the treaty, Indians would not be taxed and would not be forced to carry arms of any sort. However, in the two great wars they had stepped forward and fought for the country they loved. He said that the Indians had also played their part in taxation and were paying the hidden taxes the same as the other people. He said the Indians do not pay land tax because the land is owned by the bands, not by the individuals. He repeated that the Indians had fulfilled their promises.

Mr. Beebe said that after the treaties were understood and accepted the Indians asked for a few little things which he would not go on to mention because of the limited time available. He said there were also other items that the Indians had asked for verbally and were not included in the treaties.

In concluding Mr. Beebe said that the Lieutenant Governor Laird said that treaty promises would be solemnly fulfilled as certainly as the sun shines upon us from heaven. He said that no one could question these simple words and he went on to say that the Indians had stayed within their promises. Mr. Beebe said that he had attended the conference on Human Rights in Ottawa last week and he had noted that the human rights were not offended by the treaties. He said that he hoped that everyone would abide by the treaties as well as abiding by the laws of the country.

Co-Chairman Bull thanked Mr. Beebe for this presentation and called on Mr. Frank Powderface of the Morley Reserve to speak.

Mr. Powderface addressed the meeting and said it was an honour and privilege to speak on the Treaty rights of the Alberta Indians. He said that the treaties, which had been signed by their great-great-grandfathers, were very important to them. He said that for too many years the Indians had been confident in the Federal Government and preachers of different denominations and had let them do the work for them. However, he was now proud to say that the Indians were here to do the work themselves.

Mr. Powderface said that the Indians present had made resolutions

regarding their Treaty rights and they must support these resolutions. He said that there might be different approaches made to the Treaty Indians and some of these might be dangerous to their rights.

He said that the future looks bright in the respect to education and pointed out as examples, Harold Cardinal and the young Indian girl beside him who was taking shorthand.

Mr. Powderface said that the Indians want to be progressive but must proceed at their own rate of speed and must not be forced. If the government does anything the Indian people want to have a say in it before it becomes official. He said that some agreements were made by mouth at the time of the signing of the treaties. The Indians believed that they had made a good agreement with the government and that everything was written down. He said maybe the interpretation was not good. He understood from his mother that when his great-great-grandfather signed the Treaty they were promised things like cattle but they didn't understand. The interpreter might have mooed like a cow to make his interpretation understandable.

The government had promised Treaty rights as long as the sun shines and the rivers flow. He said that with the white people trying to get to the moon now and eventually the sun, the Indians feel that the sun will grow dim and their Treaty right will be no more.

Co-Chairman Bull thanked Mr. Powderface for his remarks and adjourned the meeting for lunch.

The first session was again called to order at 1:45 p.m. by Mr. Allan Tailfeathers.

The Hon. Robert Andras introduced the Member of Parliament for Battle River, Mr. Cliff Downey and Mr. Don Masankowsky, Member of Parliament from Vegreville and stressed the importance of the attendance of Members of Parliament at the consultations since the issues would ultimately be discussed in Parliament.

Mr. Harry Chonklay spoke in Cree to the delegates (translated into English) and said that he could not understand exactly what the previous speaker had said but that he thought he was referring to some meetings that were held in 1964. Since then he had been requesting assistance from officials of the Department in Ottawa. They had been compelled to pay for their medical services. Promises had been made, he pointed out, that the proper authorities were to assist the Indian people since the Indians of that area had made certain agreements for that particular area, but as of the present, nothing had been done. He said they were determined to be heard and would not be satisfied until their request was fulfilled by the proper authorities. Perhaps, he said, assistance could be obtained at the meeting. He reiterated that he was serious in his request even though he came from an isolated area. He said he was glad Treaty Indians were determined to speak for themselves.

Mr. Ed Bellerose, speaking on behalf of Roy Giroux of the Driftpile Band and Mr. John Willier of the Sucker Creek Band with regard to Treaty #8, and the services provided by the Department of Indian Affairs, said he had served in World War II to protect his country and it was with sadness that he recalled the unfulfilled treaties. He said he wished to honour those Chiefs and Indian people who were deceased and spoke of them only because of the important matters that were under consideration. Mr. Bellerose then showed to the delegates the original medal and ribbon given at the signing of Treaty #8 and then handed it back to Chief Roy Giroux of the Driftpile Band to be passed on to all succeeding chiefs in perpetuity.

Mr. Bellerose said the Treaty was originally a settlement offer by the Commissioner on behalf of the Queen to the Indian people but this was later revised as shown in the appendix to the Treaty which read quite differently than the Treaty itself. He said he understood that when a Treaty was made there were always two negotiating parties and that according to his grandfather, Felix Giroux, the Commissioner had said that the Treaty signed on June 21, 1899 was forever valid. The Chiefs, Councillors and people were promised a sum of money each year. Every Indian, other than a Chief or Headman, \$12, and \$5 for each person for each year afterwards. Chiefs were to get \$25 per year and Councillors \$15 per year, but the value of money was not the same then as it would be now. He said many old people and Chiefs had not been able to help themselves and superintendents who received large wages and did not understand the Indian people had caused much of the present resentment the Indian people had for the government today. Paternalism and helping people were two different things. Mr. Bellerose said he had worked with Indian Affairs for three

years and there were many intangible things done by civil servants to Indians that were disgraceful. He said he had to quit because of these things.

With regard to the resolution just presented, he said the Indian asked for the full security of the Treaty once and for all, and according to today's present standard of living.

He said many of the Chiefs did much hard work for their people but received nothing in return and were mentally destroyed when they saw millions of dollars being spent by the Department and they in turn received nothing. If the resolution on the table was passed, then they might be able to carry out their responsibilities and feel that they really belonged to Canada.

Mr. Bellerose wondered if it was the intention of civil servants to dishearten and eliminate the Indian people, since it was their job to protect and help those on the reserve.

The Treaty Commissioner promised that the Treaty would not jeopardize the Indian way of life he said, but this was not borne out when one considered that on the reserve, the Indian had to pay for his own trap lines and for many other things as well. He said the fish were gone from Lesser Slave Lake and Americans were hunting the game. Indians hunted to live, not for sport.

With regard to education, Mr. Bellerose said many Indians had a reasonable education but many didn't because of the paternalistic attitude of the Government. The Treaty, he said, provided for schools where the children lived, but in his case along with many other children at Sucker Creek, he was put in a convent away from the reserve, thereby not fulfilling the obligations of the Treaty. He said it was the manner in which one educated a person, that really mattered. The Department made it possible for Indians to get an education, and the money that was used came from the taxpayers who mined gold and ore and oil, which the white man became rich on. Education was, therefore, not a gift but came from the country itself.

With regard to medical services, a while ago he said such services were adequate but then they were cut off and this was what puzzled many Indian people, since it was against the provisions of the Treaty.

With regard to the land that the Indian people treasured, he said that even the reserves were too small and underdeveloped with the ever increasing population.

As a Community Development Officer, he said it was easy to motivate the Indian people to do the things that they wanted to do, but that in the past, the civil servants who made the policy dictated to the people. He said that they were living in a democracy and that meant he had a right to speak about what he felt was right.

Mr. Bellerose, speaking on economic development, hoped that the

time would come when the younger Indians, who were capable of administering their own affairs and making their own decisions, could do so quickly and not under the present bureaucratic system of the Department of Indian Affairs. The Indian people should have their own flexible development corporations to meet the needs and desires of the people on the reserves.

He wondered if it was the policy of the "the system" to suppress the Indian people under such bureaucratic treatment even though he had served in the war. He knew many Indian people would change their attitudes to the Government if they could believe that such was not the case. He said that Indian people did not hate white people since many of the Indian forefathers had been friends with the white people. Mr. Bellerose said he had met many impolite civil servants, however.

He stated that economic and social development and education was important and that Indians had to be given the opportunity to make their own mistakes. He pleaded with his white colleagues to give back to the Indian people their rights and mentioned the establishment of a native society in Edmonton to develop a better understanding with white organizations and services such as court work.

He asked that the white community help and guide the Indian people, but the paternalistic bureaucracy did not need to exist any longer. There were many white people who entered the civil service with good intentions, but they did not last very long and were often called "Indian Lovers." Such things made the Indian people bitter towards Government policy but it had to be brought out into the open, especially when one had to deal with the monster that controlled one's life. He suggested that the Eskimo people would get the same treatment soon and that this kind of mental starvation in one's own country was unjust.

Mr. Bellerose asked that the Minister understand the Indian people and with his sympathy speak on their behalf to Parliament and the government of the Indian people's feelings. He said they would co-operate, so that the government could provide better services to the Indian people.

Mr. Pat Mercredi, speaking on behalf of his Chief, Fred Marcel of the Fort Chipewyan Band and Mr. Ernest Courteorille (Denego) of the Cree Band, said that the Treaty Indians from the North had similar problems as other Indians across Canada, but in addition, had very poor reserves as well. He stated that today the Northern Indians were aware that the Government had broken the Treaties and cited as an example the Cree Indians who were without reserve land in the North. These Indian people had been fighting for the last 20 years, to get their promised reserves, but their voices had not been heard. He suggested this meant that the Government and Parliament did not recognize the Treaties. Mr. Mercredi then showed the delegates the original copy of Treaty #8 that his forefathers had signed with the Government. He said that his feelings were expressed in the resolution presented to the delegates by Mr. Harold Cardinal of the Alberta Indian Association. He asked the Minister to take into consideration what had been said with his whole heart and to take these important matters to Parliament. He stressed that he had bitterness in his heart

and if he had to fight for his Treaty rights as did his forefathers, he would do so, but not with violence. In this modern age there was no excuse whatsoever with all our modern technology to twist words around so that the Indian people could be broken down. "Take heed my white brothers, in the words of the red man, today in this modern age we are speaking on equal terms now." He mentioned it was not now like the past when his forefathers couldn't speak English. "We, the aboriginal people are the true Canadians, and you should take us into consideration in your heart. Don't take us as stereotypes when we're not." In conclusion, Mr. Mercredi said, "We Indians speak the truth-- and I hope that you will in your terms."

Mr. Adam Soloway of the Blackfoot Band and the third speaker on Treaty #7 said it was his duty to speak and elaborate upon the Treaty to his fellow redmen across Canada. He mentioned that the Indians felt that the particulars of the Treaties were being neglected. The citizens of Canada included the original people. He said they had signed the Treaty in 1877 with the Queen.

He said that he had seen a telegram ordering the administration to burn files which contained information and documents on the treaties and sales of land. The Indian people would ask the Government to reconsider the Treaties since those who marked the Treaties with an "X" did not know how to sign their names. The children had been educated in political affairs, "educated, standing alongside the government to speak terms, to come through with the Treaties that we are under." The redman was disarmed in the Treaties, he said, and they were a proud people and nation, and they complied with the Treaties, but the Government had not negotiated with the Indian people. "The Treaties are completely demolished--just a Treaty in remembrance." The Indian people fought in two wars to protect their country but the Indian was disarmed by virtue of the Treaties. The only true citizens in North America were the redmen.

He said he was chosen as a spokesman to elaborate on the Treaties, but as far as he knew they had not been followed up. The old headchiefs of the five southern tribes had been escorted from the U.S. border by the Mounted Police to sign the Treaty #7. (Blackfoot Crossing) The rest of the Indians in Canada of all the various language groups had their Treaties, and he would not go against the motion by Rueben Bull and seconded by Norman Yellowbird,

"to reject the proposal in the booklet, Choosing A Path, that the matter of our Treaties be submitted to the Indian Affairs Claims Commission; and instead that the Government of Canada honour and re-instate the Treaty rights of Indians by:

Re-affirming once and for all time its responsibility for them by including the Treaty rights under Legal Rights in a section in the Indian Act as follows. . ."

Mr. Walter Dieter, President of the National Indian Brotherhood presented a brief account on the background of the Brotherhood. He said that in February of 1968 a number of leaders from across Canada

of Indian ancestry were called to a conference sponsored by the Indian-Eskimo Association of Canada. There were Indian leaders in attendance from every province of Canada, and out of that meeting, discussions resulted in what ought to be done with respect to the Indian question, the Metis question, and the Eskimo question. He stated that under the terms of the Treaties that spoke of registered or status Indians, they found that they had to deal directly with those who had control of the Indian's destiny. From the conference, a resolution was passed to set up a national organization and he was appointed to study the possibility of setting it up for the whole of Canada, and to draft a proposed constitution from suggestions of the various provincial organizations by correspondence. There were three other meetings and he was then elected to head the new organization at that time.

The December 1968 meeting was the founding meeting of the Brotherhood and Indian leaders came from 9 provinces and 1 territory. Here Indian people really talked of issues that concerned them and there was a feeling of agreement among all present. The organization now, he said, was at the stage of assisting provincial organizations to get started and to operate in their own provinces. He stressed that the National body did not wish to interfere with the provincial organizations but to assist them where possible.

Mr. Dieter said he had lived in the white world for 25 years, had taken advantage of all the white man's services, and had met many different people of different nationalities under differing circumstances and was not a racist. But he said he viewed the rights and promises made by the Government in the Treaties with concern. The Government had asked the Indian people to be responsible and pay for services but from what he had learned from the Indian people he had met, many of these things had already been paid for. The Indian people at Duck Lake, Saskatchewan gave 120,000 square miles of land for a "medicine chest" (or government services) so when an Indian refused to pay for his medical services it was understandable, since he did not want to pay twice.

In one of the Treaties it was stated the Indian people would be taught the "cunning" of the white man but nothing was stated about ages or degrees or the amount of "cunning" to teach. There should be free education for such things he suggested. With regard to equal opportunities and employment, Mr. Dieter said in 1958 there were only four qualified Indian teachers, therefore, leaving the Indian people out of the employment picture.

Mr. Dieter said he was enthused about the young Indian leadership in Canada, and of those young people who were working with the Indian people today breaking down the generation gap. But he suggested that there was still inequality today since medical services and medical expenses had to be made available to those suffering. He said he didn't believe in another national bureaucracy but he wanted to make possible all the services the white man enjoyed, available for the Indian people of Canada.

Co-Chairman Tailfeathers then paraphrased a quotation from the President of the United States: "There is no Indian problem, there

is no Metis problem, there is no Eskimo problem, there is only a Canadian problem."

The meeting then adjourned for coffee.

Co-Chairman Allan Tailfeathers called the Meeting to order.

Mr. Andras advised that the meeting had been joined by the following Members of Parliament: Jack Horner, Member for Crowfoot, Harry Moore, Member for Wetaskiwin and Don Masankowsky, who was introduced earlier in the day.

Co-Chairman Allan Tailfeathers turned the Chair over to Co-Chairman William Bull.

Co-Chairman William Bull advised that the next item on the Agenda was the open discussion on the Treaty Resolutions which were presented earlier by Mr. Cardinal. He requested the delegates before speaking each time, to give his name and the Band he represented. He added that this open discussion was to involve all of the delegates and the Government personnel.

Mr. Harold Cardinal: "Mr. Chairman - I think the Minister and those that were here heard the eloquence with which the concern of our people was expressed by the different speakers from the different Treaty Groups. I would hope that for the Minister and his colleagues in the House that are here, that they take these into serious consideration. I am concerned with the reports that have appeared in the Paper these last few days, where the Sportsmen Association, Sportsman's group are preparing a strong lobby across the country, with Government leaders and Members of Parliament. Let it be clear, as it should have been this morning, that our Rights are not negotiable, and should not be subjected to a strong lobbying system, or groups or organizations for their self interest that might want to take them away from us. Your Government and Members of Parliament should recognize that they are dealing with Rights and not privileges, and I would hope this particular issue, Mr. Minister, that your Government will recognize and accede to our requests, maybe not even requests, our demands that our Rights be reinstated and honoured.

It is time now that we stopped getting pie-in-the-sky promises from politicians. Unless you give us back our Rights and make it possible for us to be part of this Society, a great new structure - to enable us to do this, you will have no right, you will have no ground to talk to us about Canadian Citizenship, or being part of the Canadian scene. Our forefathers, when they made these Treaties - these were the conditions that they agreed to. This was the price we paid for these so-called privileges, that we are getting today. These are our rights. These are the first ones that must be observed. How can you expect us to believe you, when you come with promises of what you are going to do for our people, with promises of economical development, and the concern of the Canadian Government and of Parliament, when you cannot even keep the promises for the rights that we have as Treaty Indians. Let it be recognized by all concerned that we will not accept anything less than our rights.

In order for meaningful consultations to continue, whether it is today or the second series, we need now the assurance - not only an assurance but a commitment from the Government of this Country, that it will give us these rights, and give us the necessary legislation, that will guarantee their validity in court."

Mr. Howard Beebe advised that he had a copy of a Treaty Book called "The Morris Treaty", individually purchased, on which he spoke this morning and to which he wished to refer at this time including the words of Lieutenant Governor Laird, to which his people agreed. He believed that the book must be recognized because this was the agreement made with the Government of Canada. He added that as long as there was a representative of the Queen, the words must be recognized as indicated in the book. He requested the delegation to remember the words of the representative, Lieutenant Governor Laird "every promise will be solemnly fulfilled, as certain as the sun will shine from the Heavens..." which to him meant that the Indian people will be recognized as part of Canada forever.

Mr. W. P. Twin requested the delegates to consider their resolution on mineral rights which he believed to be important to all bands throughout Canada. He advised that his band was concerned over the Department's solid control over the leasing of their mineral rights, mainly natural gas and petroleum, within the reserves, which was the band's assets and property. He believed that the bands could handle their own leasing and dealings with industry, within the band and council without reference to the Department. On behalf of the Lessor Slave Lake Indian Agency Bands, he submitted the following resolution:

"Whereas, the minerals underlying our reserves belong to their Indians in possession of those reserves;
And whereas: the Department of Indian Affairs currently posts for sale to the Petroleum Industry, from time to time, the Rights we own:

BE IT RESOLVED THAT: that this body demand control from the disposition of those Rights and Benefits. Thereof: with accordingly dispose our lease interests independently of Indian Affairs."

Honourable R. Andras inquired whether it would be of assistance to the discussion, if one of the departmental officials indicated the current practice and the legality for it. Mr. Chairman agreed to this.

Mr. C. Fairholm advised that Mr. Gordon Poupore could do so. He noted that it is based on Section 57 of the Indian Act and the regulation made under that Section. Mr. Poupore advised that Section 57 (c) of the Indian Act states "The Governor in Council may make regulation providing for the disposal of surrendered mines and minerals, underlying lands in a reserve....". He added that the regulation made under this Section deals with the procedures for disposal of such rights. The reason for these procedures and regulations relates back to Section 53 of the Act, which provides that the Minister has authority to dispose of surrendered lands in accordance with the Act and the terms of the surrender. The surrender of mineral resources for the purposes of this Act, Section 53, is considered as a disposal of a land or real property asset. They cannot be disposed of until there has been a formal surrender by the band for whose use and benefit the reserve has been set apart. In the absence of a surrender, there can be no sale, lease, or other disposal of the mineral resources under the surface, just as there can be no disposal of any interest on the surface. The band concerned has the right, and must exercise

this right - to make their surrender subject to any condition, which they feel is necessary to protect their interest. The Minister's power to dispose of these rights is governed by the conditions imposed in the surrender documents.

In answer to a question from Mr. Beebe, Mr. Poupore noted that real property is defined as land and anything fixed to the land, as opposed to moveable property which is personal property - something which can be taken up and/or moved around such as a car. A home, which is on a foundation, attached to the land is real property.

Mr. Andras inquired whether the posting for sale referred to in the resolution was after permission was granted.

Mr. G. Poupore advised posting was done only after a surrender had been obtained. The mineral, gas, oil or exploration rights were advertised to the highest bidder.

Mr. W. P. Twin advised that the resolution was a last minute proposal as unfortunately, he could not bring it up before or before his people. He noted, however, it had been considered by his legal advisor. He said that the Department had been handling their affairs, bargaining for them, and selling their lands but it was necessary for the Indians to read the papers to find out that the reserve was for sale with the mineral rights. The only way to change it would be fire against fire, gun against gun, whiteman against whiteman and if necessary, he would bring his legal advisor to the meeting. He noted that the matter involved considerable money and requested the assembly to approve the resolution.

Co-Chairman William Bull inquired whether this matter could be brought up when the Indian Act was considered.

Mr. W. P. Twin agreed but noted that it was a serious problem and inquired why the Department did not answer it now. He thought that the questioning of the Department officials indicated that they knew it was a very serious matter.

Mr. Poupore noted that the Minister had requested clarification of Section 57. He believed that the resolution reflected the opinion of the majority of the Indian people with whom he had discussed the matter - they seek authority to deal with their own lands. He added that the Indian Act as it now reads, makes this impossible. He believed that the resolution was a request to the Government to make it possible for the Band to deal with its own resources. He noted that he was not challenging the request.

Chief Twin agreed that the resolution was such a request.

Mr. Andras believed that the resolution was in order to place before the meeting to go forward. He added that in fairness to Mr. Poupore, he was merely explaining what the situation was as of now - and the resolution was suggesting what should be done. Mr. Cardinal

said he believed that Mr. Poupore, in his explanation, forgot one very important phrase of the current Act...."The Minister or a person appointed by him..." He believed that by appointing the Chief and Council, the Minister, by using that phrase, could give the necessary powers without amending the Act.

Chief Twin added that the power should not be compulsory but flexible.

Mr. Cardinal inquired whether a band had the authority to revoke the surrender once it had been given.

Mr. Poupore noted that this point was not specifically spelt out in the Act, and was therefore questionable. However, he added, that some bands had revoked surrenders by band council resolution, and the land restored to the condition it was in before the surrender was made.

Mr. Twin requested the band be given the authority indicated in the resolution.

Mr. Thomas Quinney (translation) noted that he had little to say but would go by what was promised to their forefathers, and referred to the late Queen's representative who negotiated with the Indian. He requested spruce trees to build houses with and other things within the land, such as fish and game. He indicated that he had not come to buy them, they now appeared to be the whiteman's who would, in the future become rich. Canada had many riches, including mineral rights, and petroleum rights, for which up to now, he had not been compensated and would like to receive compensation for them.

The Chairman inquired whether a vote should be taken on the motion.

Mr. Roy Giroux noted that there were few oil companies involved in the Lesser Slave Lake Agency, but whenever anything in the form of a lease was presented the Bands hear it first from the Department. He inquired why the oil companies could not approach the Band Council first. He advised that sometimes the companies were drilling on the reserve before the Band was aware of the reason. He believed this was one of the reasons for the Resolution.

Mr. W. P. Twin inquired whether the Department was willing to approve the resolution or not. He advised that he would be able to bring a legal advisor to the meeting if required. He noted that the resolution involved millions of dollars and that was what was used to fight with today and not the bow and arrow. He believed that the resolution had the department worried.

Honourable Robert Andras - "The Chairman has asked me to make a comment. I am quite sympathetic to the resolution you are proposing and the intent behind it. Nobody here, including myself as a Minister and a Cabinet Member, has the authority to approve this on behalf of the government. You certainly, as delegates, I think would be wise to deal with the

resolution and if you are so inclined to pass it so that your point of view would then be formally recorded from this meeting and presented, along with every other recommendations you have made, in due course to the government. The fact of the matter is this kind of change - this kind of policy change - would require ratification either by the Cabinet in total or in fact I think there is an implication here that it may require an amendment to the Act itself which would require parliamentary approval. Whether I would like to or not, I couldn't change that. Generally speaking, it is probably for the protection of the Indian people that no one person can just by a stroke of the finger make those kind of very important changes. It's up to the delegates here to decide whether they wish this resolution passed or not from the point of view of the meeting."

Mr. Andras agreed with Mr. Twin that the point was an important one.

Mr. W. P. Twin noted that everybody had a copy of the resolution and they were asking for approval. He noted that it would not be compulsory but flexible so that it applied only to the Indian bands that wanted it.

Mr. Harry Chonkolay - (Translation Summary) The speaker was not too satisfied with the remarks that were made in reference to the resolution. He, together with his fellow tribesman were very much in disagreement with the present administration. He was referring to the officials of the Indian Affairs Branch and to the proper governments in the way they have treated the Indians. It appeared to him that Mr. Ragan had his own department, of which he is the head, and was more concerned with the white people than the Indians.

Mr. Harold Cardinal moved the adoption of the resolution so that a vote could be taken and formally recorded.

Mrs. Margaret Napisis seconded the motion.

Mr. W. P. Twin reiterated that the proposal would be flexible and not compulsory. He suggested that if some Bands did not want it, it was no reason for them to block the motion for those that did.

Co-Chairman William Bull believed that the resolution should be reworded to indicate the flexibility suggested. At the request of the delegates, he re-read the resolution.

Mr. Harold Cardinal did not believe that rewording was necessary. He thought that the word control would give the necessary flexibility and those councils who so desired could request the department to handle these resources.

Co-Chairman William Bull questioned that the resolution did indicate flexibility.

Mr. W. P. Twin noted that the resolution was based on legal advice. He added that he had been fighting for this control for the last

two years.

Mr. Peter Burnstick said that the comments expressed indicated what the department had been doing to the Indian people. He noted that there was a piece of his reserve which the Band believed was theirs, yet the Provincial Government had made a park of it. He added that although requested to do so by the Band Council, the Department had not been able to clarify ownership and the band had no result. He suggested the following:

"that a new section be added to the Indian Act to read:

Any section of the Indian Act where the Minister has discretion or direction the government council is exercised to any man which an Indian or band of Indians feels incredible there shall be an appeal of that decision to a judge of the Supreme Court of the Province where the Indian or the Band of Indians is located."

Co-Chairman Bull indicated that there was a motion on the floor. He inquired whether a vote should be taken.

Mr. Harold Cardinal wished to have it recorded that in his opinion the Chief of the Slave Lake Band was saying was that where the Band Council demands control over these rights that they be given or a wording that would allow the Band Council to have control over these if they so desire.

Mr. R. Giroux inquired whether the Association could study the resolution, bring it forward later and not have a vote on it at this time.

Co-Chairman Bull believed there had been sufficient discussion on this. He suggested the meeting return to the original discussion on Treaty rights.

Mr. Mike Steinhauer - "Mr. Chairman, Honourable Minister, Honourable Senator, I am spokesman for the Saddle Lake Band, Mike Steinhauer.

" I sat here this morning and this afternoon, listening to the remarks that were made by the speakers on the Treaty Resolutions as presented today from our Association Chief, Harold Cardinal, presented to the Minister who is present here with us. I will not take up too much of your time but there are a few points that I wish to bring up concerning these Resolutions. I am in total accord in what has been said. Because it is very hard for me to put into words such things that some of the speakers have spoken today, but in my humble way, I must ask you to be patient and bear with me.

" Our concern, right today, right now, is held back where I'm from. In the past, we have exercised our rights as we knew it as passed down to us from our forefathers, as being born to this right, that our medical services would never be encumbered by any means of form by any government of Canada, whether it be Federal or Provincial, and now today,

if I go to a hospital, I am asked for my card of indigency or if I am covered by any form of insurance that will take care of any expenses that I will incur by requesting these services. Now this indigency as described in the dictionary is about the lowest thing that you can call a person. Do you as government officials want to class us as indigent when this great country at one time belonged to us and still does in a sense. We are not asking you to give us back the whole country as stated here earlier; we are asking you to give us our rights the way we understood them. Treaty 6 reads: "that a medicine chest shall be kept in the house of each Indian Agent for the use and the benefit of the Indians at the direction of such Agent." It was fully explained what this meaning was at that time and we take this as a symbolic meaning. The Government of Canada has built a great big medicine chest here in Edmonton and we are denied of this chest, namely, the Camsell Hospital. We are told that this was not going to be primarily for the Indians in time to come, that we are going to be subject to the same rules and regulations as applied to our white brothers. Now we have conformed pretty well to all of your rules, regulations, laws and by-laws. We are only asking you here that you conform with the Treaties that the White Men have made with the Indians. We are not asking you to have hospitals on every respective reserve. We are even begrudged the aspirins that are held in store for us on some reserves. We are asked to be sick on certain days. Where I'm from, if I'm sick on Thursday, it's just too bad, I'll just have to wait until the following week on Wednesday to receive any medical attention.

"So this, my Honourable friend, is a breach of promise that we feel right now and we feel it terribly. If I'm capable of making a few dollars, I am also capable of paying for my own expenses I am told. How can an Indian get ahead just when he is starting to know the meaning of economic development, you slap all kinds of expenses on him. Is this your way of furthering our cause. If it is, I can't see it your way. Further to this when the Treaties were made, there was an escort to the Queen's representative, escorts of Police. I have often heard my grandfather say 'these police are also your protectors'. Now today, we are experiencing this breach of promise also. They are our prosecutors and when we ask for their protection on the reserve, we are denied. You see, they tell us you can hire your own policing. How can we, when we have no formal training for one thing, but this I am not going to go into. My contention here is that policing was promised and this is another form of a breach of a promise that was broken, that is being broken every day. I demand, we have been in consultations with the Federal Police, namely the R.C.M.P., to take over the policing of our reserves. Oh, they tell us it is a very hard thing to do, this is an Indian Reserve, rightfully this is your problem.

"The Indian problem today is not our problem, it is the white man's problem for he has created this problem by his broken promises day after day, by not wording the original contracts of our surrenders properly. If our forefathers' wishes and verbal agreements with the Queen's representative in those days had been worded the way they were expressed by our forefathers, we would not be sitting around here today arguing about our Treaty rights because we know that our forefathers had the foresight, they may not have attended schools, but they had foresight. It was not given to them.

"Education. Sure, the Indian can go to school, but when he goes to school he's got to be forced. The moment I start making money I have to pay for my Education. It has been illustrated quite good at this assembly by my friend Harold Cardinal that education is not a gift, it is our right. These are some of the rights that we are losing and before we lose them all, let us talk over this table sensibly and take our requests with more consideration than you have shown, your opinion and your mind to the requests that were made through the Treaties of our forefathers. I wish to thank you for listening."

Co-Chairman Bull advised that the Minister would be present on Friday so that the discussion on the Claims Commission could be tabled until then since the meeting was running out of time.

Honourable R. Andras advised that more Members of Parliament had joined the meeting. Mr. Paul Yewchuck, Member for Athabasca, Mr. Allen B. Sulatycky, Member for Rocky Mountain.

Co-Chairman Bull inquired if there was anymore discussion on the resolution.

Mr. R. Giroux suggested it be left to the Indian Association of Alberta to discuss and return.

Co-Chairman Bull noted that if there was no more discussion, the meeting could adjourn. He noted that there could be an evening discussion with the Minister and some of the delegates at 8:00 p.m.

Honourable R. Andras in answer to a question advised that anybody could come. He noted that insofar as he was concerned he was available to carry on any way the delegates wishes to do so after 8:00 p.m.

Co-Chairman Bull in answer to a question of Mr. Giroux advised that minutes were being taken of this meeting.

Mr. Howard Beebe advised that speeches had been made by nine different speakers on the matter of the Treaties. He inquired as to what the Minister's feelings were on this subject after hearing their remarks.

Honourable R. Andras "As I said in my opening remarks and as I commented a few minutes ago, all the recommendations that come from this consultation meeting and the other consultation meetings that have taken place and will take place in the future will be forwarded as faithfully and as accurately as is in my ability and it will be backed up, of course, by the exact transcript taken down on the tapes which will be studied when all the meetings are finished.

"Your views on treaty rights specifically pertain to Treaties 6, 7 and 8. At every consultation meeting that I have attended, and this is the tenth now, the question of honouring the Treaties has come in generally the same terms as you have expressed here. In some cases, it is Treaty No. 3 in Northwestern Ontario or others. I do believe and I certainly shall convey to my colleagues in Ottawa your views that Treaty Rights are sacred

to you, that they must be dealt with, that they must be studied, that they must be revised and brought into modern day technology, modern day thinking and that the Government of Canada has got to sit down with the Indian people and reach a conclusion to honour these Treaty Rights. In specific terms, with regard to Treaties 6, 7 and 8 that affect you people here particularly, the other Treaties in other parts of the country, affect other Indian people there, but the general feeling of dealing with Indian Treaties as was originally intended. In some cases you will agree with me that this needs interpretation and must be, I think, an act of this Government if you are going to have the justice from the beginning of trust, from the beginning of proper communication that I'm sure you and I know the Government wants.

"I wish that I could say right here as one person that by a stroke of the pen with my signature certain things would be done or would not be done. That is not within my power. I think you fully understand that. This is consultation to get your points of view, to convey it to the government and much of what you have tabled here in the presentation by Mr. Cardinal and the resolution moved by Mr. Bull, seconded by Mr. Yellowbird, are matters that could only be dealt with by the Parliament of Canada, particularly, since you have requested, demanded that the treaty rights be included, be given a legal status, under an Act of Parliament, either within as a section of the Indian Act, when that is revised, or as independent legislation. For that reason then, my recommendations would have to go first to the Cabinet of the country and than having been hopefully received by the Cabinet would have to go to Parliament for debate for discussion and hopefully for passage there. It is only that way that you would achieve the objectives that you have requested in this resolution that is to give your Treaties the status of parliamentary legislation, or even, as Mr. Cardinal suggested, to have them embodied in a new Canadian constitution.

So, I will keep your views as you have expressed them here, supported for accuracy by the tapes that have been recording everything that has been said here and present it to the Cabinet and hopefully when all the deliberations and consultations are over, your views along with views of the Indian people at every other consultation meeting will make these kinds of changes that you are looking for."

Mr. Howard Beebe requested that the new revisions be based within the Treaty rights and not contrary to them. The people want to live by the laws but if the Act was contrary to the Treaties the Indian people would be hurt and could not live by these contrary acts.

Co-Chairman Bull declared the meeting adjourned.

Friday, December 13, 1968

Co-chairman Mr. A. Tailfeather called the meeting to order. He noted that during the closed meetings held prior to the opening session of the consultation meeting, the delegates had reviewed the Act and proposed various changes. He requested Mr. Steinhauer to present these recommendations.

Mike Steinhauer advised that the report to be presented referred to the sections of the Act which the delegates believed should be amended or deleted. He noted that if no reference was made to a particular section, it could be assumed that the delegates believed it should remain in the Act as it currently existed. He further noted that the amendments were suggested basically because the delegates believed the Act to be too binding or the Government had too much power and insufficient power was delegated to the native people. He added that the report he was about to give had not yet been typed so that he would be going from the minutes and to a small degree from memory. He suggested the delegates follow the report by the use of the minutes. In addition to the proposed changes to the Act, he noted that the delegates were in favour of having copies of the draft bill sent to each delegate and to every council before being presented to Parliament. He advised that the minutes contained all of the various suggestions and proposals. Although the minutes had been agreed to by the delegates, he suggested that they be re-read to ensure that there were no errors or omissions.

A general discussion on the resolutions was held. It was believed that a copy of the minutes and a copy of the resolutions, as prepared by a committee of the delegates, should be attached to the minutes of this meeting as appendices. (These documents are attached as Appendices)

Mr. Fairholm at the request of the Chair, advised that years ago there were certain lands held in trust by church groups or individuals for the use and benefit of Indian people. These were classified as special reserves and Section 36 of the Act included for this purpose. He noted that to the best of his knowledge, such reserves were located entirely in Eastern Canada and there were none in Western Canada.

Mr. Poupore in answer to a question, noted that the Departmental officials present would be unable to indicate whether, in any particular transaction relative to acquiring more land for a reserve, the mineral rights were also obtained without checking the records. He advised that it is possible to purchase land with or without mineral rights and therefore precisely what was obtained in any given transaction would be indicated in the documents involved. He added that if the individual band councils wrote to Ottawa and requested this information, it would certainly be made available.

Mr. Harold Cardinal noted that whether the mineral rights were acquired would depend on whether the original owner included them in the transaction. He believed that the Indians were the original owners.

Mr. Poupore, in answer to a question of Mr. Cardinal, advised that lands obtained by a band as an addition or extension to the reserve would be transferred to the Government of Canada, an Order-in-Council would be passed

adding the land to the reserve and which would become part of the reserve without further action on the band's part and subject to the Act. Such land does not become a special reserve as indicated in Section 36.

The meeting reverted to a discussion and presentation of the proposed amendments to the Act.

Co-Chairman Tailfeathers declared the meeting adjourned for lunch.

Co-Chairman Tailfeathers announced that after conferring with Co-Chairman Bull, they had decided to close the discussions on the Indian Act at this time, and that a Committee composed of Mike Steinhauer, Fred Gladstone and himself, would immediately adjourn to another room to go over the Minutes of their decisions on the Act. He asked Co-Chairman Bull to preside over the Meeting in his absence.

Co-Chairman Bull took the Chair and announced that the Meeting should now elect representatives to meet with those from the other Consultations in Ottawa in January, to carry further the deliberations on the revision of the Indian Act.

He said that he was aware that each Consultation group had been invited to send only one delegate to the Ottawa Meeting and that therefore, this would only permit one delegate from Alberta. He was not in favour of this as he thought it would be unfair to Alberta. He therefore suggested that there should be six delegates from Alberta, two from each of the Northern, Central and Southern Regions.

Mr. Harold Cardinal said that he thought it necessary for them to have a delegation of six to go to Ottawa for the drafting of the Indian Act. He said that as far as he knew, there would be five representatives from the province of British Columbia. It was important to send delegates from the North, the Central and the South to bring out more clearly the character of the Province and the views of the different peoples in the Indian Communities in various regions. He also stated that it would not be fair to Alberta to have only one delegate at the Ottawa Conference since the other Provinces would have more. It was essential he said, that there be six to have a meaningful effect at the National level in Ottawa, and to assure that Treaty Rights were properly heard.

Mr. Sam Currie of Montana spoke through an interpreter and said that he fully agreed with Mr. Cardinal. In the past, one delegate had been selected to go to Ottawa, and the people had never heard the outcome of the deliberations. He said that in view of that fact that the situation was becoming ever more difficult for the Indians, delegations should be selected in whom the people had full confidence.

Mr. Currie said that elected representatives should speak up for the people who sent them and should report back the good news of what had been accomplished. He said that it was very important for the delegates to present their case very clearly in black and white. He said that Indians had important business to conduct every day, and that was why they wanted a better education for their children.

Mr. Currie expressed his pleasure in having The Honourable Minister present and wished him a good trip back to Ottawa, and asked him to speak up for the Indians of Alberta.

Mr. Adam Solway, Chief of the Blackfoot Band, moved that the meeting send six delegates to the Ottawa consultation in January. The Motion was seconded by Mr. John Willier and carried unanimously.

The Co-Chairman suggested that representatives from Treaties 6,7, and 8 should elect two delegates from each Treaty Group to go to Ottawa.

The Meeting adjourned to in Camera Sessions of the three Treaty Groups to elect the necessary delegates.

The Meeting reconvened and the Chairman said that he would like to name the delegates that had been appointed:

For Treaty No. 8, Ed Bellerose and Harold Cardinal
For Treaty No. 7, Freddy Gladstone and Clement Dore
For Treaty No. 6, William Bull (and as an alternate,
Fred Cardinal) and Sam Currie
for the southern area of Treaty No. 6
(and as an alternate Arnup Louis)

He said that at that time Dave Crowchild wanted to make an announcement. Mr. Crowchild said that they would like to show a film after the session in that room. He said it was a picture of the Indians, Early Canadian Speaks and another one World Tour by old Chief Walking Buffalo going around the world. He said the film would be put on between 5 and 5:30 p.m.

The president, Mr. Cardinal said that he thought that they should pass a formal motion from the delegation that the people that had been named from the different treaty groups, would represent the Alberta delegation to the drafting of the Indian Act in Ottawa. He suggested that the different treaty groups elect alternates in case the representatives were unable to attend. He said the groups might get together after the session to select their alternates.

Co-chairman, Mr. Bull said that there was a motion on the floor to accept the delegates as they are and asked for a seconder to that motion. Mr. Adam Soloway seconded the motion and on a vote the motion was carried.

Mr. Harold Cardinal said that he would like to make a few comments at this point. He said that they had spent the last six days in serious deliberations on matters that were extremely important to their people. For the next portion of the discussions he called for a formal vote to end the consultation meeting and to open the floor for open discussion so that the different delegates could bring up their local problems, if they had any, with the Minister. He said that he would also like to get a motion to thank the Minister without Portfolio, Robert Andras, for spending his time and sitting with them and listening very carefully to what they had to say. He said he would like to express his own gratitude to the federal delegation from Ottawa representing the Department of Indian Affairs and also to thank the regional staff of Indian Affairs for the work that they had done in making the meeting possible and successful. Their people over the last six days had spoken with one voice. They had set their priorities and had agreed on these priorities. This unity amongst their people would continue, he said and grow stronger. The Federal Government would have to recognize that when they bring their resolutions, they would have to be different for different parts of the province and that this should not be interpreted as disunity among their people. He said that they had hoped that this meeting would clarify to those who may have

had fears that they were a disunited people. He said they were not. They were of one purpose, one mind and had one interest - the Welfare of their people on the reserves.

Mr. H. Cardinal said that he hoped that this consultation meeting would be a first step towards building a better relationship between the Federal Government and their peoples. They had outlined very clearly to the Minister what they saw as the necessary first step for this type of relationship to take place and he thanked the Minister for being with them, and asked him to convey their appreciation to his colleagues in the Federal government for the opportunity presented to their delegates from all reserves in Alberta to present alternatives and positive ideas for the future of their people.

Mr. H. Cardinal continued by saying that they would like to see a neutral chairman for the informal discussions that would take place. The suggestion for this was Ernest Tootoosis from Saskatchewan so that all people would feel free to participate in the discussions.

Co-Chairman Bull said that at that time they had come to the conclusion of their consultation meeting and there was a motion on the floor to nominate someone who was neutral - Ernest Tootoosis. He asked for a seconder for the motion. Mr. Cardinal asked for a motion to adjourn the formal consultation meeting and a motion to formally thank the Minister for his presence at the meeting. Once this had been passed, they could get the chairman for the informal discussions.

Mr. Simon Threefingers moved, seconded by Mr. John Bulldog to formally close the consultation meeting and the motion was carried.

Mr. H. Cardinal moved a vote of thanks to the Minister, which was seconded and carried.

Co-chairman Bull said they had a motion on the floor to elect a neutral chairman, moved by Clement Dore and seconded by Simon Threefingers. The motion was carried. Mr. Cardinal said that Ernest Tootoosis would be the chairman for the open discussion.

Mr. H. Cardinal said he had an announcement that he was happy to make at that point. The case of Swimmer from North Battleford on the Medical Chest case had been won at Battleford. The Crown would be appealing but so far they had won the first case and as far as they were concerned, this meant that they had gone a long way to protect their treaty rights.

Mr. Ernest Tootoosis took the chair and said that he was honoured to act as chairman for the open discussion. He said that he was handicapped as he did not remember their names although he had seen them many times. He had been in the council for eight years and would try to be neutral. He opened the floor for discussion.

Mr. Bellrose said that yesterday they had heard him state the problems that they faced right from the early part of their treaties and he thought that this was the first time that it had ever been discussed anywhere in Canada. This was the relationship of Indian Affairs people. They play the role and some of these people had not seen it because the intangible paternalistic and superiority that caused the Indians to feel infirm and unable to communicate with them. He said that communications were vital if they were to understand one another. He said that he had spent three years in this department and there were very few people he could have

communicated with. This was a shame as these people were supposed to be servicing the Indians and are running their lives to have this attitude that has been so long in Canada. He said that he hoped that the people here and now would express their opinions to the Minister. These things have to be known. They had to be fair and honest about their feelings, and no one would retaliate on them for speaking out.

Mr. Stephen Fox said that first of all, he would make a poor orchestra leader because he did not like to hear music when music comes in his direction in a dictatorial way it was not music to him. He said that he knows a lot of people that work for Indian Affairs and had known these people ever since he could remember. As Mr. Bellrose had said, communications were real bad. He said that a person couldn't sit at his desk and administer a program when he didn't know the people he was working with. He said he might be bawled out by the people he works with when he got home but when you work with people you have to come right down to the basic problems. Otherwise you are only working on the surface and when you are working on the surface, you don't know the facts. He said he would like to see a better communications system set up between Indian Affairs and the people. A party organization that runs for political groups, they go right to the farmer and say, if you are going to vote for me this is what I am going to do for you and if I don't do it for you, you come up and hit me and maybe I'll wake up again and do it for you. He said that they didn't want to break their treaties but they wanted to be able to stand along side the officials and say let's sit down and talk over our problems and if they couldn't communicate, they couldn't bargain. He said they were of equal status and he thought it was about time that Canada recognized them as the national emblem of this country. People say that the Indians are the North American people. He said he was not playing this role in order to have the Minister sympathize with him but if they could get recognitions as every other Canadian, this is what he would like to see. He repeated that there should be a better communication system between Indian Affairs and their people, then they would not have to sit all night at the table trying to bargain.

Mr. Bellrose said that he would like to react to that statement. He said it was not time for being polite. There is poverty existing in the reserves; there are people who are ill treated. It was the people out there in the back of the woods where he came from. He had seen people who were unfit to be in the service. He said that this was what he meant about the lack of communications and the lack of understanding.

Mr. John Willier said that when their forefathers took the treaty 20 or 30 reserves surrendered the lakes on which the Indians had made a living. Today the provincial government had taken all these rights and Indian Affairs was sitting back and should have the power to fight for these rights. Furthermore, the people from forestry come in when their lands are burned but don't give them compensation for timber. The Indians receive nothing for the valuable timber that is burnt.

A member of the audience, Mr. Fred Cardinal said that he would like to comment on a number of things. He said that he would not dwell too much on the past but it is common knowledge that these rights are their rights and they would like to have them. He said that they could not hold the government responsible for taking away their rights and he said that he felt that they were a lucky nation to have a department of their own if they did not have the narrow-minded, dogmatic civil servants like they had that were pushing them down with one hand and picking them up with the other. He said that he got mad when he had to fight for his rights. He said that these rights were theirs. He asked who twisted the rights around and said it was the people there that did this. He said that the Indians want to fit into society and to show that they can be a part of the society so that some day they can say that the result of what they have done will be one nation - a Canadian nation. He said that the Indians would like to do what they wanted to do for a change. He said that if they were provided with the services and the opportunity to do this then they would prove that they could do it. They would prove to the nation that they were part of the nation. He said that not so long ago they had a meeting at Gleichen and had two representatives from the Department of Indian Affairs ask what could be done with the school. He said that the officials had the nerve to ask them this when they had been negotiating before that with another company to take over the school. He asked if this was right and questioned if this was how trust was earned from the people. He said the Indians wanted to work with the officials but they wanted to have the trust of the officials so they could work with them.

Mr. Cardinal said that he realized that he could not change the department and if they got rid of the employees there now they might get people who were worse and just as crooked as they were. He said that the Indians had to be crooked in order to combat a thing like that. He said that it was the officials who were making the Indians what they were today, and said there was so much bitterness and this was caused by officials.

The Chairman called for time.

Mr. Cardinal said that he would like to finish what he had to say. He asked how they went about solving their problems and said that it was referred to as an Indian problem but asked if it was an Indian problem. He said that if they were given the resources and the opportunity they could solve their own problems. He said that they would not be sitting there if these things were straightened out. They would have been a part of the society. He said that they wanted to regain the pride that they had before. They always wanted to be proud to be Indians. He said that it was sometimes hard to accept the white people as they are and call them brothers. He said he would like to call another person his brother although he was not a blood brother but was nevertheless another human being.

Mr. Thomas Quinney (translation) said that he did not have much to say but wanted to thank all of the people there and thank the Minister for his presence and all of the Chiefs and Indian leaders. He said he wanted to wish Merry Christmas to the Minister and all the people present and a Happy New Year.

Mr. Arnup Louis addressed the meeting and asked if it would be possible that when Indian Affairs are setting up policies, for the chiefs or some members of the Council to sit in at these kind of meetings. He said that this would assist communications and they would be able to communicate back to their people and would know what policies are being set up to run their business. They would not then be blindfolded. Chief Harry Chonkolay (translation) said that he could not quite understand what the people at the meeting were driving at. He said that if they wanted to do away with Indian Affairs they would be breaking the treaties. He said that the Indian agents do not own the reserve. He said that the Indians own them.

The chairman said that he had asked Minister Chrétien in North Battleford when he was there this winter at the Indian Women's Conference and he said all they had to do was write him a personal letter telling him the facts and the names of the personnel. He said that these people should not be in that level of office if they are not satisfactory to the Indians.

Mr. Sam Curry of the Montana Band said that his good friend misunderstood. He said that there were two groups on the reserve, some who were financially well fixed and others who had money problems. He said that he hoped that the Minister will assist them when he goes back to Ottawa. He said that they had held a meeting back home earlier regarding a curtailment of hospital and medical services. He said that he was pleased to hear the announcement made just recently about the case at Battleford. He said that they were here to assist even though they did not have some of the problems others had. He said that the vote had helped them to a certain extent. He said that he would like to thank the Minister and all the other people in attendance.

Chief Scotty Willier addressed the meeting. He said that he had come here to listen to the important meeting and he had spent the last five days in listening every day to the discussions on the treaty rights and also the problems throughout Alberta. He said that he thought Mr. Andras would be taking a car load of problems when he goes back to Ottawa and he thought that he would dump the problems in the right place where they would be heard and respected. He said that he was deeply and fully agreed how the resolutions were made. He said that no one should interfere with the treaty rights. He said that they could go out from this room and look at the sun and the sun will still be moving and the rivers will be flowing and the grass will be growing every year. He said that the Indians must uphold their promises. He said that he agreed with these resolutions and that the promises that were made in the early days. He said that these were signed in 1899, 21st day of June after the agreement was made. He said that these are the promises which the Indians have kept and obeyed, - hunting rights, trapping, fishing and education, medical services, lands and economic development. He said that he was deeply thankful that Mr. Andras was here and his officials from Ottawa. He said that many reserves in Canada especially those in the north had no money to develop farming, no machinery and no experience and he asked the Minister that money be given to each reserve to use for farming and raising cattle. He said that he was pleased that the younger people are becoming well educated as they are the ones that would replace the old people in office. He said that he had been in office for 16 years and had learned as he had gone along. He said that he had no complaints against the Indian Affairs. He said that his band was acting under Section 68 of the Indian Act and the council has more authority than the superintendent. He said that if the council operated properly,

there should be no problems. There are not sufficient band funds on many reserves and the Department's help is needed on each reserve to help development in the north country.

A Speaker from the floor addressed the meeting. He said that he had been listening to all of their problems but most of the words he had intended to say had been spoken by others. He said that he was the little person responsible for the book they were talking about - Treaty No. 8. He said it was a million dollar book. He said that he had presented the book to their lawyer and Mr. Harry Cardinal and he was afraid he had lost it as he lost his baggage for a few days. He said that he was badly shaken up and on the verge of hysterics because the book was worth a million dollars to them.

Chief Harry Chonkolay (translation) said that the Indians should not go two ways but should go together as one and better results would be obtained. He referred to the need for obtaining the signatures to the resolution of all of the Chiefs and leaders.

Mr. N. Yellowbird, Hobbema, said that he would like to direct a question to the Minister and he said that he was the president of the Indian Catholic League, the Hobbema local, and said that they were much concerned about the young people's education and knowledge. He asked what was going to become of their residential school. He said that they have a high school which was established in Hobbema but apparently it is not functioning now. He asked if there could be a central area where a high school could be set up for their young people, where the number of pupils warranted it.

Hon. R. Andras said the whole question of education has been undergoing considerable change these last few years. "Generally speaking I think that the trend, the direction which it is taking is to have fewer of the residential schools and more consolidated schools where Indian children and non-Indian children go together. In the case of your own situation, I am not familiar with the specific problem and I do not know the local problem but your suggestion certainly seems to have merit and particularly when you add the qualification that where you mean the number of pupils warrants consideration of a consolidated school, high school, or otherwise. As a policy approach, this seems to me to be sound and it seems to be worthy of examination. But I personally would have to have a great deal more of the specific facts about your own situation together with an answer could or could it not be done, and if it could be done, when". He added that he appreciated what was being said and thought it made a lot of sense.

Mr. Frank Cardinal (translation) said that he had only been at the meeting for two days while most of the others have been sitting there for many days. He said he appreciated being there at the meeting. In 1946 he said he was a delegate from the north to Ottawa along with Gladstone from the south, and there they fought for the Indians. He said that they had achieved something and that now the old people were getting more assistance and they had obtained a better deal for their people with respect to education. He said that he realized now that it had been a good investment. He said he liked to see the young people getting up and being leaders. This made him feel very good. He said that he usually tried to get along with everyone but before he was the chief they had an Indian Superintendent who was really strict. After he got to be chief he chased him twice around a wagon and was going to hit him but the Superintendent was too fast for him. After a while

he had gone back and shaken his hand and when I went to Ottawa he had put in a good word for him. He said that he believed that the Indian association was a really good organization the way it was now organized. He said he liked to see the young leaders, with better education than the old people, replacing the older ones. He said that they were better educated and understood the Indian Act.

Mrs. Melanie Metchatis said that she would like to say a few words about the way her people felt, and she hoped that the Minister would go back with an understanding of the problems in the various areas. She said that she would like to back up the other people as it was a fact that a lot of times the public was told that the Indians were just spending their money on relief and misusing it. She said that she felt that the money that was going to the Indian Affairs officials was in no better place and really was being used for relief and the Indian Affairs officials were doing nothing and were really on relief. These things had been said about the Indian people for a long time and even in her own area there was a staff of about 100. She said that the staff was never seen on the reserves, the only man that they see once a month was the man who comes to give them relief, so the officials were in no better position than the Indians. The officials were living on relief like they were. She said that this was another thing that should be made known to the public. The officials were spending money for nothing and for doing nothing. She said that everyone had come down to the meeting to see how they could manage to have better living on their reserves.

Mrs. Metchatis said that her concern was for the younger people as they were the ones that would be taking over soon. They had the education but they could not find work and there were no jobs available for them. She said that she would like to see a lot of the younger people get into the Branch where they could go back and work for the people instead of having people in the Branch that were supposed to be going into the field and doing what they were supposed to be doing. She believed there were about 20 men to each of the departments and she did not like the system which was being used. She said, however, that a lot of men in the Indian Affairs Department are really good men and the Indians can communicate with some of them but the way some of them act, they think they are the Minister themselves. She said that if the officials like the work they should get into the reserves instead of sitting in the offices. She said that a lot of the time they did not know what the officials were planning to do until they read it in the papers or until equipment is brought on to the reserves and wells are started to be drilled.

Mr. Rueben Bull said that there were ladies in the room and asked the delegates not to let their feelings run away with them. He asked the delegates to remember that there were ladies in the conference.

The chairman said that Mr. Antoine Bulldog would be the last speaker in the open discussion. Mr. Bulldog of Boyer River said that all delegates understood that the delegates had come here to discuss their rights with the Minister - fishing and trapping which they have lack of in his area. He said that if the Minister wanted to go up to his area he would take him around and would take any officials around that wanted to go. He said that their children did not get enough clothing and he had about 20 on his reserve without enough clothing. He said they did not like the schools in the city and will drop out. With respect to medical care, he said it was lacking. He said that there are buildings on the reserve which could be used for nurses and medical supplies. He said that there was a lack of that too. He said that children from his reserve had died before they arrived at the hospital and women had died as well. He said that they had lots of land to work on and he was a farmer himself but need grants. He said that he had bought the Department off for \$10,000 worth of machinery. He said that now his people had nothing. He said that he had spent all the money he had had to buy the machinery and now he has no money and no grants and no funds. He said that he did not have a bank account but he had a hidden treasure and did not have to go to a bank. He said that he had nothing to dig out from the ground now so he could continue no more. He said that he had been waiting for economic development for a long long time and he was still waiting today. He said that he had over 2000 acres on his reserve which was all cultivated land at one time. He said he used to cut with his own power binder, 700 acres in one fall for his people but the Department would do no more.

He said the Department of Fisheries and Wildlife had taken his trapline away from him while he was farming and when he asked for it back he was told it was for the white man. He said he had a big trapline in a big area and he used to take his children up there to trap but since he did not trap for two or three years he was refused permission to have his trapline back. He said that he was willing to pay the \$10.00 if he could get back the trapline but they would not give it to him. He said that was one of the reasons he was here today. He said that he had not spoken much but he had studied the Indian Act for years. He said that the Minister might think that he was a well educated man but he was not. He had only gone to grade 3, but he had learned farm mechanics and could tear a motor apart and put it back together. He said he was also trained as a carpenter and was a finishing carpenter. He said he also had the trade of agriculture and no white man can tell him what to do. He said that he was still learning and there is no end to education. He said that fishing, hunting and trapping were native to him and as long as he had matches in his pocket, an axe, ammunition and a gun he would survive but the white man would not. He said that their rights could not be taken away and they would survive anyway. He said that he hoped that they could get help on his reserve some day. He said that at the time of the march of his neighbors, the Slave Band, they had come

into his shack with the officials and he was still living in the same little shack and was still waiting. He said that after he was elected for 12 years he gave his people all the buildings they wanted. In one year he got 11 buildings, power, roads and when he was re-elected his people had everything. He said he had 12 children in a 12' x 14' shack.

The Chairman, Mr. Tootoosis, said that he would like to say a few words being at the meeting as an observer. He said that the meeting had been conducted very nicely and as the elders had said he could see that it was time for the younger people to take over the fight for their rights but he said that they are the last link to their treaties. He had heard the treaty promises from his grandfather who was at the time of the treaties a young boy, a young man. He was 97 when he died in 1936 and he himself was 17 years old then. He said they should continue relating the treaty promises to the younger people and help themselves stand together and fight for them. He said that they were almost at the same level as the white man today and the white man had woken up to the natives in Canada. He said that even the farmers, who used to know the Indians only when it was harvest time, are awake. Now they are asking why the Indians are getting together, why form organizations and what are their rights. He said that back home in Saskatchewan they have been asked to white people groups and organizations and clubs as they wanted to know more about them. He asked the Indians not to fail in their organizations and asked them all to stand together and he knew that they would succeed. He thanked the delegates for listening to him and asked the Minister to give the closing remarks of the deliberations.

Mr. Andras " Ladies and gentlemen, delegates and observers, a few minutes ago you passed a motion thanking me for attending the meeting. I think it would be more appropriate perhaps if I thanked you for the honour and privilege of being here and listening to your viewpoints and your problems, your hopes and your suggestions for solutions to these problems. I think the meeting has been one of the best of the many that I have attended since July. It shows throughout the two days that I have been here the great deal of work that has gone into the preparation and for those people who obviously put in so much effort in preparing to meet with us I want to extend my congratulations and also my gratitude because the more preparation that is put in to the briefs and to the information that you give me or Mr. Chrétien or those who have come to these consultations to learn, the easier our job is. This is the first series of consultations and there will be another. As I mentioned in my opening remarks, we hope to meet with your representatives in Ottawa early in the new year - late January, February, around that time and the date will only be delayed by virtue of the amount of work that must go into the preparation for that meeting.

"To those who were elected to represent you in Ottawa, my congratulations too. You know some of them well and I'm sure that you have selected people who will speak on your behalf, represent your point of view faithfully to us and to your fellow Indian people from coast to coast. The Chairman, co-chairman and our neutral chairman for this last discussion have done an excellent job and I think the meetings have been conducted on a high plain. Granted as Mr. Cardinal said, there have been times when emotions have shown and I understand why your emotions show. I understand fully why your emotions show and I won't go further to comment on that.

"You have impressed on me at this meeting and made it a highlight of the meeting your feelings about treaty rights and you have put this down in black and white and I shall take that brief with me to Ottawa and I assure you that it will be the subject matter of major interest and consideration. We talked about many other things that I could probably, if I attempted to summarize everything proposed to me today, we would have to have another 2 day meeting and I would be talking far too long. There is one other matter though that was raised this afternoon by almost everybody in one form or another and particularly by Mr. Louis when he talked about communications, when he talked about consultations, when he talked about his desire that when policies are made effective to the Indian people, Indian people should be present. Indian people's points of views should be heard and they should be the major influence in the determination of what those policies should be. You say, sir, in your remarks that you were pertaining to at the band level, I say that it should go further than that. I should say that you should be participating in the policy-making process of programs and plans that affects your lives at all levels, not just at the band level but at the provincial level and at the federal level.

"I think history has shown us, whether it's the history of Indian people in Canada or the history of any nation, that probably one of the most serious ways in which a group of people begin to feel alienated and feel that they are not part of the surrounding society in which they live can be summed up in one weakness, or one mistake and that is lack of communication. Today I don't think anybody anywhere is going to stand by idly while one group of people take it upon themselves to tell another group of people what is best for them, what they should do and to try to run their lives in intimate and infinite detail. It just isn't going to work any more.

"I believe that age is over. I think the change is starting. I think there are forces of change in motion now which will never be stopped. I think the growth of your leadership, which is emerging here in Alberta and in almost every part of this country amongst the Indian people, and to some of your older delegates amongst us, have said it's coming and building from the young - the young who have been gaining education and who speak their mind courageously, accurately and articulately. And to me perhaps more than any Government action

Friday, December 7, 1968

MR. PRESIDENT: HAROLD CARDINAL

MR. CHAIRMAN: ALLAN TAILFEATHERS
(BLOOD INDIAN RESERVE)

MR. CO-CHAIRMAN: BILL DION

Mr. Chairman opened the Session by remarking that the first thing to consider was the "Basic Rights" and to make sure that these were in writing. He went on to say that the Treaties have been deteriorated. He said that it might be a good idea to break into groups, appoint a Chairman of each and then the discussion could be carried on in their own language. It was decided to ask Mr. President, who had not yet arrived, what his opinion was.

Mr. President was asked this question when he did arrive minutes later, and he said that it would be discussed later. He began by saying that Monday should be the day to start cases.

A question was asked as to who was eligible to vote.

Mr. Chairman answered by saying that all delegates should have a vote, and that this too would be discussed.

Mr. Chairman announced that attending the Convention was Mr. Hugh Conn, retired from the Department of Indian Affairs, who was here in an advisory capacity, and who would address the Session later, and also that Professor Lysyk, an expert resource person from British Columbia would be coming in for two days, through the "Indian Eskimo, Alberta Division," and would also address the Session.

Mr. Chairman said that one topic on the Agenda would be "Discussion Groups" and that there would be people concerned with these questions and other special points.

A question was raised as to - if the Government directs what to talk about. Mr. Chairman answered by saying that they did, but only as a guide line.

Mr. President said that primarily, he wanted to discuss the status of Treaties and Rights, and that the final Agenda had to be decided by the attending Spokesmen. He continued by saying that the Indian must know how these rights stand or there will be no difference to the way it has been for over 100 years. An Agenda must be set up and discussed, and these questions resolved, if there was time. The Regional Indian Advisory Council have indicated this would be decided here. Mr. President then referred to the Book "Choosing a Path", by saying that Indians should claim their rights. In the book it says that they cannot.

Mr. Chairman asked for a Motion to break up into groups. It was mentioned that it might be better to keep it all together, but MR. PRESIDENT said to

policy, administration, and anything else, this really is the greatest hope for the future for your people. You, sir, said to me that I will go back with a mind full of problems and I agree very well and while emotion often carries us into error, I can assure you that I will go back not only with a mind full of your problems but a heart full of your problems as well. I look forward to seeing your delegates in Ottawa in January - February. I look forward to the next series of consultations with you and I think the second round will be much improved over the first because we will all, I think need this meeting as I have seen happen at each of the consultation meetings for the greater realization that something important, something perhaps hopeful is here, present amongst us. We have a greater responsibility as governments, federal and provincial; we have a greater responsibility as Canadian people, non-Indian, and you have a great responsibility as Indians so that we work together to solve what people have rightly said is not an Indian problem but a Canadian problem.

"So I go back to Ottawa pledging myself to you to faithfully and accurately present the points of view that you have impressed upon me. There's a tremendous, tremendous amount that I take back with me. It will require as you will appreciate a great deal of study and a great deal of sober and serious thought and consideration. It will require that we put your ideas together with the ideas of your brothers across the country to see where there is consensus and agreement. I hope too when we do with you propose new policies in the broadest sense of the word that we will need flexibility to recognize, as you have said today, and as others have said in other parts of the country that in many ways your problems in Alberta, even in the north of Alberta as compared to the south of Alberta, have differences. So let us above all be flexible, mature, common sensed and when we do encounter difficulties even if we are wise in our decisions of the next month and year we will make mistakes. Then I think we sit down together again and we talk and we negotiate and we listen to each other and we have the odd argument - maybe the odd fight but we listen to each other and as the gentleman down here said, we listen as equals - not, you know, the great white father nonsense but as equals and we negotiate as equals, and it is our job in government to make sure the necessary resources are available so that this equality does exist. Well, ladies and gentlemen, my mind is full, my heart is full of what you have told me, and it has been a good meeting and so I think I'll close by saying to all of you again, thank you for the courtesy that you have extended to me in the large meetings and in the private meetings that we have had during these last two or three days. I'll end by saying to all of you I wish you the very merriest of Christmases, a happy prosperous New Year and I hope it isn't too long before we realize for all of us the aspirations and hopes that are in your hearts."

Chief Moses Kootenay had been at consultation meeting in the past few days and had commented on everything. He said that the President, Harold Cardinal had been working so hard at the meeting in the province of Alberta and it must be difficult for him to take phone calls and be at the meetings too. He said that Mr. Cardinal had asked and had obtained a minister from Ottawa to have them here. He said that Mr. Cardinal deserved a great deal of credit and he thanked him on behalf of his band.

Mr. Andras asked if he could make the final motion and moved that the meeting adjourn.

try to break up into groups and then later they could get together and discuss everything in the open. They were invited to join any group. It was mentioned that all could speak English, so a separate group for each was unnecessary.

MOTION: A Motion was made by MR. PERCY YELLOWFLY to stay all in one group.

MOTION WAS SECONDED BY: MR. N. SMITH

FOR - 30

AGAINST - 12

A suggestion was made that Mr. Hugh Conn outline the Basic Indian Rights, since he was an Expert on Treaties.

MR. CONN SPEAKS:

Mr. Conn thanked Mr. Chairman and the Ladies & Gentlemen, and said that it was a pleasure for him to be here in his new capacity as Consultant to the Indian people, and he would deal mainly with Treaties, but also on other questions dealing with advice of the administration of the Indian Act, in which field, including Wild Life, and Fisheries, he has had some 28 years experience. He referred to the Indian Act, and suggested that Treaty Rights should be put into that Act, and that the discussion of the Treaties should be confined to the legal aspects and to the way by which they could be incorporated into the new Indian Act. He went on to say that the only reference to Treaties made in the present Act was Section 87, which Section provided that all laws of general application to Indians, applied, excepting where in conflict with Treaties in existence. He went on to speak about a meeting where The Honourable W.E. Harris, then the Superintendent General of Indian Affairs, with representatives from across Canada, and recalled that when this question was discussed, Mr. Jim Gladstone, now Senator Gladstone, and Mr. John Laurie, how this would affect Treaty Rights.

Mr. Harris had replied that the objectives of this Section was two-fold. It was first a matter of administrative convenience, and efficiency for by making the laws of general application applicable to Indians, the Government had done away with the necessity for a 10 foot shelf of By-Laws on every Indian Reserve in Canada, and secondly, he said that it was to put Treaty Rights in the Act for the first time. Mr. Conn went on to say that he would like to go on record by saying that Mr. Harris was a man of honour and that when the Minister gave this answer, he himself was confident that this was what was to be accomplished. However, in the final analysis the Appeal Courts, particularly the Supreme Court are the final interpreters of any Act passed by the Parliament of Canada, and although they cannot change an Act or render a verdict contrary to an Act of Parliament of Canada, they can indicate what they think of the Act. In that respect, the Supreme Court of Canada in ruling on appeals from decisions of Provincial Courts, have found that Indian Treaties are of doubtful value in law, unless supported by competent Legislation. In this regard, the Supreme Court of Canada has found further that the Laws which are referred to in Section 87, of the Indian Act are Provincial Laws, and it was not the intent of Parliament that Federal Laws should be effected by Section 87, or by the Indian Treaties. He went on to say that in examining that situation in the light of the Game & Fisheries Laws,

in effect in this Province now, we must understand that the Game Act (big game & small game), also upland birds, are under Provincial Legislation, that the Fisheries Act of Canada provided the sole legal basis for the enforcement related to Fisheries. This is a Federal Act. As is the Migratory Birds Convention Act, which ratified a Treaty of Convention between U.S & Great Britain in 1916. Consequently the Province has no jurisdiction over this. Indians Hunting and the Game Act does not apply while you are on unoccupied Crown Lands or other land to which Indians have right of access. First your own Reserves and second, private lands with consent of owner. This is an important consideration. The Fisheries Act and Regulations are Federal Legislation, and because of this they apply to Indians even on their own reserve. There are certain ways in which a Government of a Province goes beyond the Federal, such as enactments and these regulations apply to non-Indians, but because they are Provincial, they do not apply to Indians.

Migratory Birds is exclusively a Federal Field and for that reason regulations apply to Indians everywhere in Canada and to the same extent that it does to the white man or visiting alien. Indian exemptions from Provincial laws stem from the Acts by which the Natural Resources were being transferred from the Dominion to the Province. A provision was put into this Act, that Indians would have the right of hunting, fishing and trapping on all unoccupied Crown Lands. A similar provision related to this part of your Treaty Rights is needed in the new Indian Act. Ways and means should be discussed. The present state of affairs has gone on too long, said Mr. Conn, referring to a statement made by Mr. Justice Johnson of the Appeal Court of the Northwest Territories, confirmed by the Supreme Court of Canada. Mr. Conn remarked that the main problem was procedures which are to be adopted, and suggested that each member read the book "Choosing a Path" carefully. For instance, he disagrees with the statement "under consultations that discussion of the new Act would be after the Bill had been presented to Parliament. It should be Before the Bill has been presented.

Mr. Conn asked that if someone could bring to his attention, any mention of Section 87 in the book "Choosing a Path". Did they see anything about Indian Rights? The reason he took this position with regard to Indian Treaties being, by Act of Parliament, based on the Supreme Court of New Brunswick, Chief Justice McNair, who, when he found Willy J. Simon guilty of fishing with a net on his own reserve, pointed out the conflict between the Fisheries Act and the Indian Act, and the problem resolving the conflict rested at the Executive level (Parliament of Canada).

MR. CHAIRMAN thanked Mr. Conn for his address.

MEETING WAS ADJOURNED TO RECONVENE AT 1:30 p.m.

Before the delegates left the Session Room, Mr. President MOVED THAT:

The Department of Indian Affairs and Northern Development provide a Translating System to interpret for the eight days, for those who cannot understand English, and for any other services required.

IT WAS SECONDED BY: CLEMENT DOORE

1:30 p.m.

Mr. Conn had the floor saying - Each one of you as Indians in Canada have certain rights which I do not have because I am not an Indian.

A Speaker from the floor made remarks in answer that the Indian does not enjoy these rights. Society as a whole sometimes lends an ear of sympathy but my question is to define Treaty No. 6 on Medicare and the right to get into Hospitals and see the Doctor of our choice. The Federal Government is supposed to look after this. He continued by quoting the Regulation: "A Medicine Chest shall be kept in the house etc..."

Mr. Conn answered that he had not completed answering the first question which was about Human Rights, and then he would discuss Indian Rights, re - Section 67. He went on to say that it was completely a matter of interpretation. The first words - Quote: "Subject to the terms of any Treaty, etc. He continued with - "It was thought that all laws would be subject to the terms of a Treaty, and that Mr. Harris was sure that the law would be interpreted that the Treaty would be the thing, but the Courts in Canada have not done so.

The question was raised by Mr. McDougall and he said "When you refer to the terms of any Treaty, you are mixing Provincial Laws with Federal Law. He went on to speak of the Liquor Rights.

Mr. Conn answered that he was not mixing Provincial Laws with Federal Laws. The Liquor Laws are not a good illustration. They are Provincial in Canada. The Liquor restrictions in the old Indian Act were removed to come into effect when proclaimed by a Province.

MR. PRESIDENT SPOKE:

There are a few points that should be brought out. There is a lot of things that have to be done in four days, before meeting with the Government Officials. I recommend that we get down to business. He suggested following an Agenda. He said that Three Treaty Groups should get together and then we can use Mr. Conn's services much better. This way, we will get further. He continued by saying that there are five basic rights:

1. Hunting 2. Fishing 3. Education
4. Health 5. Land

Use these as an area base. The number of things we want to discuss can be done after these Treaty Groups get together. It is necessary to discuss this this way. The Indian Act is supposed to be in existence because we have out Treaty. We must establish a firm footing in these. It will be on recommendation of these rights that we get what we want. We should discuss these basic rights and if there is something else, possible we can get to them later.

Mr. Chairman said that an Agenda should be discussed.

1. Treaty Rights (1-5) 2. Economic Development 3. Land Claims Commission
4. Indian Advisory Council

Today we should start on the Treaty Rights. The different Treaty Groups should break up. MR. PRESIDENT SPOKE IN CREE - an outline of what had just been said.

MOTION: To break into Treaty Groups. SECONDED: Mr. JOHN TUSTAWITS - FOR 34
Against - 9

A Speaker from the floor said that the Treaties were different. They were not the same as their Grandfather's had. References was made by Mr. Bill Steiner by reading from the Treaty.

MR. PRESIDENT SPOKE: For those of you who believe Treaty had not changed. Education Rights - because we are poor. We get Health Rights because we are poor. These are not Rights. Indians are being forced to pay for Health services. We must get the Government to get us these rights. They are not rights now, not on the word they call 'Indigence'.

Mr. Conn said he was asked for an interpretation of the Treaty. He said he could say what he thought but could not interpret. He could only pass on what the Appeal Courts of Canada have said. He said he did not want to dwell on the past. No matter what was in this Act or any other Act of Legislation of the Province, Indians shall have the Rights. The Government would have to come right out in front and say that they want to change the Treaty.

There was a question from the floor: "Wouldn't a denial of a Treaty be a part of the Claims Commission duty?"

This was answered by Mr. Conn who said he was not too sure. He had not seen the Claims Commission Bill. They would have to say No. - We have not lived up to the Treaty regarding negotiation bids. Then Mr. Conn said "What is the figure - the amount in dollars, for what this is worth?"

There was a question from the floor: "With regard to experienced denials of Treaty promises, these were originally promises to help with Education. This denial has come about. Do you think we could get back the promise through the Claims Commission?"

Mr. Conn answered by saying, according to the two previous Claims Commission Bills, the answer is No. They would recommend a cash award, as previously mentioned. Referring to the book - "Choosing a Path", - the part about Claims Commissions, they refer to a pay-off or compensation.

ADJOURNMENT TO DEFER TO TREATY GROUPS

2:30 UNTIL 3:30

CONVENED - 4:15 p.m.

MR. PRESIDENT asked all Spokesmen if they could meet to talk about the Indian Association of Alberta while there was an opportunity, since they are all together, and to talk about what the Association should be doing for the Indian. He went on to say that there were a lot of problems but unless we talk and find out what they are, we cannot deal with them. We should discuss Indian Association plans or changes.

Mr. Chairman asked if they would like to start at 1:00 tomorrow.

FOR - 26 AGAINST - 5

Mr. Chairman called for Spokesman for Treaty No. 6.

M. Steinhauer, Saddle Lake

Mr. Steinhauer said that they briefly touched on the Agenda dealing with Health Services, Hunting, Fishing, and Education. We came to an Agreement by the three motions. There was no time to discuss Lands & Policies of Reserves.

These Motions are as follows:

(1) MOTION BY: MR. CARDINAL

Health Services - (Mr. Steinhauer read from the Treaty) Quote
"Medicine Chest, recognized to all Treaty
Indians etc...."-to stay as is.

MOTION SECONDED BY: FRED ARCAND

(2) MOTION BY: N. McKINNA

Hunting & Fishing - The regulation of 1876 to stay as is. He
quoted from 1961 Treaty - Quote:
"I want you to pursue Hunting & Fishing &
Trapping throughout the Country, as you
have heretofore done".

MOTION WAS SECONDED BY: SOLOMAN NEST

(3) MOTION BY: NORMAN YELLOWBIRD - Education

As in 1963 Indian Act. Section 113, Paragraph 1.

SECONDED BY: N. MAKINAW

Spokesman for Treaty No. 7

Mr. Wilf. Fox - Morley

Mr. Fox said that Treaties should be considered first. This should be written into the Act so that all could have a clear understanding of Treaty No. 7

and others will go along with other Treaties, such as Education, Health, Hunting & Fishing. He said this was not done in the form of a Motion. They would like to review the Indian Act Section by Section.

Spokesman for Treaty No. 8

Mr. President - Harold Cardinal - Slave Lake

Mr. Cardinal said there was no Motion. They felt that Treaty Rights must be honoured and steps taken to ensure legal strength. With regard to Medical Services, he said that nothing was contained in the Treaty Commissioners Report on Page 4. He said there should be supplies of medicine with certain persons in charge, to be used as needed. He went on by saying that it was impossible for the Government to service everyone, but to assure the Indian that they would be ready to avail themselves for anyone who needed it.

With regard to Education, he went on, the Commission Report, Page 4 & Page 10, Articles of the Treaty, assured that there was no need of special stipulation as circumstances would permit, and not interfering with Religion. With regard to Land, there was contained in the Articles a specific promise. Her Majesty "The Queen" agrees to lay aside such reserves not to exceed one square mile for each family of five, and such as may live apart, 160 acres to each Indian. Lands, where required, according to the population each family of five - one square mile and off the Reserve, 160 acres. The group agreed to follow other Treaty Groups.

MR. PRESIDENT asked if it would be possible to get these spokesmen to write down these points and draw up a Brief. He said that Mr. Conn would help them if they needed it.

It was suggested from the floor that this should be discussed further before drawing up Briefs as many people had not as yet given an opinion. This will be discussed at tomorrow's session.

MOTION BY: E. BELLROSE - To carry on a group discussion for the purpose of the people who would still like to speak.

SECONDED BY: ANTOINE BULLDOG

FOR - 24 AGAINST - 7

MOTION BY: Mr. President HAROLD CARDINAL - That we carry on until 5:00 p.m.

SECONDED BY: NORMAN YELLOWBIRD

Mr. President spoke: He said a lot of the Spokesmen may have something to say about what ideas they wish to contribute. I suggest we have a round table discussion to get these ideas.

There was a question from the floor regarding Treaty Rights.

MR. PRESIDENT ANSWERED IN "CREE".

Mr. Chairman called for the next Speaker.

Spokesman - Simon Threefingers - Hobbema

Speaking on Treaty Rights, Mr. Threefingers said it was very hard to really outline what we should bring up at this meeting. He said - referring to Treaty No. 6, & Mr. Steinhauer, who had already discussed it. He went on to say that he goes along with the outline with regard to Treaty Rights and said that it was very hard for a younger person to say what he thinks about what has taken place in the past. He said with the help of the delegates, he would rather sit back and get more ideas, and learn more about the Treaty.

Spokesman - Arnup Louis - Hobbema

Mr. Louis said he was appointed Spokesman for the Samson Band at Hobbema. He said we should be more careful and not ask for too much. We should cooperate more and blame ourselves once in awhile for some of the problems. We must get our heads together.

Spokesman - Mr. Yellowbird - Indian Catholic League

Mr. Yellowbird said that sometimes we help the Government break our Treaty Rights. We should cooperate and work to restore our Rights.

Spokesman - Marlon Buckrell - Montana Band - Hobbema

Mr. Buckrell said that the official spokesman was absent and all he wanted to say was that with regard to Treaty Rights we should cooperate more.

Spokesman - No name give (or heard)

This spokesman suggested with regard to Treaty No. 6 that some people want High Schools on the Reserves.

Spokesman - Fred Gladstone - Blood Reserve

Mr. Gladstone said, with regard to Treaties, maybe we should set up a Committee to study all Acts in Canada, to serve across Canada and to use as a format. One cause to base our problems. Policies can be set up, Education, Health, Welfare, etc., set up locally, and still have our Treaties across Canada.

Spokesman - John Fisher - Duncan Reserve

Mr. Fisher said we should go by the book but not altogether. We will cooperate with other Reserves.

Spokesman - Walter Twin - Sawridge Band

Speaking about Treaty No. 8, we will back up the spokesman.

Spokesman - Sammy Young - Wabasca - Bigstone

All Indians should understand the Treaty Rights, on or off the Reserves.

Spokesman - Fred Arcand - Alexander Band

Mr. Arcand says there is not enough cooperation. He wants to listen and learn.

Spokesman - John Willier, Sucker Creek Band.

More topics should be added to help us in the future.

Spokesman - Melanie Metchatis - Cold Lake

She said that she knows that people are afraid of changes being discussed. They leave it to a few people to do it for them. I feel our Chief is not fully aware of this. We want to cooperate with other Bands. She went on to say that the Session should not break so long for coffee, etc.

Spokesman - Allan Tailfeathers - Mr. Chairman

The Spokesman spoke about changes in the Indian Act, and said they were all concerned about the Treaties. All people should have a chance to speak.

Spokesman - Peter Burnstick - Duffield

Mr. Burnstick spoke in his own language, and then said with regard to the Indian Act, that it was very hard to get people to come to the meetings to learn about it. He then read from the Treaty.

Spokesman - Thomas Quinney - Frog Lake

Mr. Quinney spoke in his own language.

Spokesman - David John - Kehewin

Speaking about Treaty No. 6, he said it was well covered by Mr. Steinhauer. He suggested leaving alone Treaties No's 7 and 8. Too much time is taken up. He added a little humour to the session by saying "Keep the ducks on the Reserve or they will be charge with trespassing".

Spokesman - Victor Twin - Swan River

Mr. Twin spoke with regard to having Traplines mentioned in their Treaties.

Spokesman - M. Steinhauer - Saddle Lake

Mr. Steinhauer made mention to refer back to what was said before with regard to Treaty No. 8.

Spokesman - Mrs. Thomas - Winterburn

Mrs. Thomas said that people have problems and they do not know what their rights are. She said that they try at the Centre to help them, but we really don't know what they wish.

Spokesman - Mrs. Pruden - Beaver Lake

Mrs. Pruden's voice could not be heard.

Spokesman - Chief Roy Giroux - Drift Pile Reserve

With regard to Treaty No. 8, Chief Giroux said, we had all heard Harold Cardinal and the other people from Lessor Slave Lake. We all have the same problems. There is one we have on our Reserve. They took the medicine away and we have to go to the Hospital in High Prairie. We do not understand why they have someone there to help us when there is no medicine. It is not necessary to have the place at all.

Spokesman - Eddy Belrose - Drift Pile

Mr. Belrose spoke about Treaties, saying, he has a copy of Appendix to Treaty No. 8, written by Hern 1899, June 19-21, and said he would like to talk about this for about an hour. Mr. Belrose says he has travelled all over Canada, and learned that people have many problems. Lac La Biche is the worst in his opinion. We must stand up for our rights, but people do not even attend the meetings, and are afraid to discuss things. He thinks that groups are the best. He went on to say that this is a serious matter. The rights are ours, and we should not be afraid to speak about it. This has been lacking for years. He gave a quote of Commissioner Laird at this point and added he would like to have further opportunity to speak about Treaties.

Spokesman - Maurice McDougall (Chief) Brockett - Peigan Band.

He says he does not have so many problems, as when he calls a meeting, most people come, and the Indian Act is discussed. He says that the Department has not been abusive. He said he was selected as Spokesman to represent the Band, and added that if the Indian Act is not discussed, he does not feel too much interest. He said he would like to be a spokesman to represent trouble areas. He went on to say that if the Indian Act is discussed, Treaties will come in naturally to follow.

Spokesman - A. Bulldog - Fort Vermillion

Mr. Bulldog says he has studied the Indian Act for many years. He has tried to bring it before the School Board so that it could be studied in Schools. They do not agree to this.

Spokesman - David Crowchild - Sarcee

Mr. Crowchild said that he was the original spokesman for the Band, but said he felt we should be very careful and watch for mistakes we could make.

He had a proposal for Sarcee Treaty made easy for people to understand. He says there needs to be a change in Section 88. It has been used against us when we went to the Bank. They refused us money because they are unable to seize our property. He went on to say that some people do not even look at the Indian Act.

Spokesman - Louis Sunchild - Rocky Mountain House

He said he was very glad to be here and was listening and learning.

Mr. President: Our Association did not prepare any brief. We will participate in discussion with representatives from different Reserves and recommendations will be supported by the Association. I would hope that by tomorrow that a Committee will work to prepare a brief, regarding Indian Rights. There are many things to talk about. We should look at it Section by Section. There are many sections left out in the Questionnaire "Choosing a Path". We should speed up the meeting so we are prepared to meet with the Federal delegation from Ottawa. Whatever comes out of this meeting it will have the support of the Association. We have to talk to each other regarding differences of certain ideas. One idea is not acceptable to another, and each must have his opinion. We are going to have to work out a flexible proposal.

Spokesman - Adam Solway - Chief Blackfoot Band

Mr. Solway said that while being seated among you all, he felt dumb not to speak on behalf of the speaker. The Indian Act as laid out, didn't make these problems we are faced with. It seems to me that the Act is not followed by people who want it. They forget the Chief and Councils of each band. It looks like a Reserve is just a "jug". The people who once owned the Dominion of Canada and North America today are jugged in Reservations. They should charge administration on their behalf. We belong to a Treaty that will be forgotten. The Government does not abide by the Treaty. They tell us to amend the Act. The revision I hope we can amend or revise is some of the promises made to us. To me, a Reserve is mentioned and interpreted by these Treaties. It was a piece of land invested by Her Majesty for the use of the Band. I conclude that we should work together. We should at least ask for two or three years extension to revise this Act.

MR. CHAIRMAN MADE A MOTION TO ADJOURN:

MOTION TO ADJOURN: NARCISSE MAKINAW

SECONDED BY: MRS. PRUDEN

CARRIED.

NOTE: Mention was made for the Indians to have more money during the Convention time. It was decided to discuss this tomorrow.

1:45 p.m.

Mr. Chairman opened the Session, and suggested that they again break up into Treaty Groups.

Mr. Arnup Louis spoke about the Indians obtaining the same amount of money for the first four days of the Convention as they do the last four days. He said that \$15.00 a day is not enough. He said that this should be done by Resolution as it would stand up better.

Speaker from the floor made comments about the money. He wanted to know why there was a difference for the last four days.

MR. PRESIDENT SPOKE: He said that it was \$15.00 for the first four days, and \$25.00 for the last four days, and if the feeling was that it was not enough, that it should be made in the form of a Motion requiring additional assistance. He said that he did not want to bring this up by himself, and wanted it to pass through the floor.

Mr. Burnstick spoke that he was unconcerned about the people coming to the Convention, and he was glad that he could come to take his place. He asked for copies of the Minutes of this Meeting so that the news could be passed on.

MR. PRESIDENT spoke further on the money question. He said that there were expenses paid for the Spokesmen being paid by the Department. Anyone else who came was invited but must make arrangements to pay for his own expenses. He mentioned the two Interpreters, who were being paid the same way. He said that they were from Hobbema. He went on to say that it had been asked that they have a translating system, and said that it was not up yet. There are two Chairmen here, and their expenses are the same as the Spokesmen. He went on to say that this was agreed that these facilities should be made available here.

MR. PRESIDENT THEN RELATED THE SAME MESSAGE IN "CREE".

MR. CHAIRMAN said that the question was to make a Motion to give additional assistance for the first four days, for facilities and services.

MOTION: NARCISSE MAKINAW

To have additional assistance for the first four days.

SECONDED BY: PERCY YELLOWFLY

FOR - 30 AGAINST - 0

Speaker from the floor asked for a clearer understanding on the money problem.

MR. PRESIDENT SPOKE: He said that the money has been decided by the Indian Affairs people. He went on to say that it was important for you to figure out how much should be allotted for the Province of Alberta for consultation Meetings.

MR. CHAIRMAN SPOKE: He said that Mr. Blackman was interpreting for the Chipewyan.

MEETING WAS ADJOURNED TO BREAK UP INTO GROUPS

TO RETURN AT 4:00 p.m.

4:00 p.m.

MR. CHAIRMAN CALLED THE MEETING TO ORDER.

Mr. Chairman announced that there would be an Indian Association Meeting held in the Session Room this evening at 7:00 p.m. He went on to say that a Resolutions Committee should be formed, consisting of two or three members of each Treaty group. He asked for a Motion.

Mr. Mike Steinhauer spoke for Treaty No. 6.

Mr. Steinhauer spoke about the land question, and said that it was decided that certain recommendations be made to the General Assembly with regard to this, and the rightful ownership of the land.

MOTION: NORMAN YELLOWBIRD

That a recommendation be made to the General Assembly asking for clarification as to the ownership of the land.

SECONDED BY: N. MAKINAW

It was further recommended to put forth for approval Paragraph 4 - Page 2 of the book "Choosing a Path". It was said that - in her Majesty's name, the land was not jointly owned by the Indians, and the Government could take over the land any time.

Mr. Steven Fox - Treaty No. 7

Mr. Fox said they didn't work on the Treaty since they knew a Committee was being selected, so they worked on the Indian Act.

MR. PRESIDENT SPOKE and said that the feeling was very strong that discussion should now start. He went on to say that there were two people appointed to the Resolution Committee.

Eddy Bellrose and Walter Twin.

He said that this Committee should start working immediately to draw briefs

and submit them to this group meeting before being presented anywhere else.

MR. CHAIRMAN said that the Resolutions Committee M. Steinhauer, Melanie Machalus and Mrs. Thomas question the validity of the two people appointed.

MR. CHAIRMAN answered that they are serving on the Treaty Rights Committee because they are both representing their band as Spokesmen and it was felt that it was right that I (Mr. Chairman) should not be considered. He said that he recommended that Mr. Bell take his place. We recommend that he be paid. The feeling is that the Resolutions Committee should be paid. He then asked how the group felt about this.

Mr. Burnstick asked the question that if someone was unable to attend, would the person replacing him get paid.

MR. CHAIRMAN answered that it was explained that Mr. Bell was taking his place (Mr. Chairman's) on the Resolutions Committee. He then asked for a Motion.

MOTION: M. STEINHAUER

That people serving on the Resolutions Committee
be paid the same rate as the official Spokesmen"

SECONDED BY: JOHN TUSTAWITS

Melanie Metchatis asked about absent members being replaced.

MR. CHAIRMAN answered that someone would have to be appointed for the four days.

Mr. M. Steinhauer asked if Norman Yellowbird was an official Spokesman so then, if this was the case, he would have to be excluded from the Resolutions Committee.

MR. PRESIDENT SPOKE - He said that each one would have to find their own alternate, if they are away.

A speaker asked for clarification of the Resolutions Committee.

MR. PRESIDENT answered and suggested that the different groups get straightened out so we can get started.

MR. CHAIRMAN said that Norman Yellowbird will accept one of the positions on the Committee.

MOTION: MR. MAKINAW

To form a Resolutions Committee comprised of two or
three people from each Treaty Group.

SECONDED BY: FRED ARCAND

FOR - 22 AGAINST - 0

MR. CHAIRMAN asked that each Spokesman from their groups identify their delegates.

For Treaty No. 6 - Mr. Bull, Norman Yellowbird, Mrs. Metchatis.

Alternate: Solomon Nest

For Treaty No. 7 - Mike Divine, Clemente Doore

It was suggested to use the McDougall Room of the Chateau Lacombe.

MOTION: Eddy Bellrose

To use Mr. Hugh Conn to be available where needed.

SECONDED BY: CLEMENT DOORE

FOR - 26 AGAINST - 0

Speaker from the floor asked if they only worked on items clarified by the Assembly.

MR. CHAIRMAN answered that he had pointed out the four things to discuss. They are Hunting, Fishing, Education and Land.

MR. CHAIRMAN asked if the group would go along with the policing on the Reserve, and was this a local problem?

MR. PRESIDENT answered by saying that this should be worked out by the Committee.

MR. CHAIRMAN announced that the Committee may go to their discussion.

MR. CHAIRMAN spoke and said, - Let us start on the Act. We must go through the Act Section by Section. I think that this will mean two or three night sessions as we have to have something for the Spokesmen to present to the Indian Affairs people when they come in. Would this be fine?

A speaker from the floor said that too much valuable time was being wasted during coffee breaks, etc.

MR. CHAIRMAN agreed.

There was a question from the floor as to whether they could obtain a lawyer to sit in the session. He went on to say that this would seem to be the last chance to fight for our Treaty Rights.

MR. PRESIDENT asked who would be paying for the Lawyer.

The Speaker replied, that they would pay for it themselves.

MOTION: May we bring a Lawyer into the session room to act on our behalf.

MOTION BY: VICTOR MACHALUS

SECONDED BY: THOMAS QUINNEY

FOR - 34 AGAINST - 0

MR. CHAIRMAN asked if it would be all right if someone came in to take pictures.

MOTION BY: MR. PRESIDENT - HAROLD CARDINAL

That we let Morris Le'Hirronnelle take pictures.

SECONDED BY: WILLIAM BULL

FOR - 24 AGAINST - 0

MR. CHAIRMAN announced that the pictures would be made available to anyone.

A speaker from the floor suggested that a draft bill be sent to the Spokesmen before being sent to Parliament.

MOTION BY: M. STEINHAUER

That copies be sent of Draft Bill to each Spokesmen and Council before being presented to Parliament.

SECONDED BY: SAMMY YOUNG.

CARRIED.

A Speaker from the floor asked that in case things are not finalized in the allotted time, could we ask for an extension of time.

MR. CHAIRMAN answered that the meeting should start on the 11th of December and we should make making use of the time we have now.

Mr. Burnstick spoke about the Indian Act, and said that we actually need an extension of time of three years.

MR. CHAIRMAN asked that questions begin with No. 1 in the Indian Act.

No. 1 - All in favor FOR - 18 AGAINST - 0

No. 2 - A speaker said this should read "Tribe" instead of "Band"
FOR - 16 AGAINST - 0

MOTION: NARCISSE MAKINAW

To deal with the Indian Act itself

SECONDED BY: MR. MCDOUGALL

FOR - 26

AGAINST - 2

A Speaker from the floor said that there was a discussion about Interpreters and they are not here. He said that Hobbema was originally scheduled to pay for picked interpreters.

MR. PRESIDENT spoke and said that the Interpreters were supposed to be here for eight days. He said that Mr. Kelly had made arrangements for these services. He asked that the criticism be directed in the form of a Motion.

MR. PRESIDENT suggested interpreters for the Cree be Mr. Burnstick, but Mr. Burnstick said he would only want to do it for the day, as then he would like to be able to carry on as Spokesman, for which reasons he came. Mr. Bull agreed to interpret.

With regard to No. 2, a question was raised - did the group want an interpretation for the last proceedings.

Mr. Bull interpreted.

No. 2 (a) Commenting on No. 1 of No. 3 (a) a Speaker read from the Act. The speaker was Mr. Steinhauer. He asked the question - should we also have some say in the Legal Title and we should be co-holders to protect ourselves if the Government should decide to move us off.

MR. BULL INTERPRETED IN CREE.

MR. CHAIRMAN asked who was all in favor.

Mr. McDougall spoke and said that he had been on the Advisory Council for three years, also he had been on the Provincial and National Council. He questioned Section 2 (a) - 1, 2 and 3. The Title of Land is in the name of the Queen, rather than title in the name of the Tribes or Bands. He said he presented this, and was answered that the reason land is placed in the title of the Queen was that in the future, the general population will be younger ones, and if the young outnumber the old, sale of land will be difficult. He said that further on in the part about allotments and franchise, it could be better understood.

It was decided to be discussed later, when this point was reached.

(b) Mr. Bull spoke about Section 48, Sub-Section 16, where a child does not have to be legally adopted. He said that it only applies to this Section.

THIS WAS INTERPRETED BY MR. BULL.

MR. CHAIRMAN agreed that it may be different.

Mr. McDougall spoke again to say that there are two different meanings - Legally adopted by a Treaty Indian from a Band or come from the Treaty Tribe, other than adopted parents, the child will be a Treaty Indian. The second way - Parents who want to adopt children from Foster Homes or white parents, but will not receive the Treaty. At 21 this child must leave the Reservation or a permit to live 6 months at a time, can be obtained.

MR. CHAIRMAN remarked that this had to do with Estates. He said that the child still has a right to the estate.

(c) A Speaker suggested that the word "band" be changed to "Tribe" and that this should be done as we go. Section 73 does not apply. A Speaker suggested that we table this until we can get to Section 73.

MR. CHAIRMAN agreed.

(d) Melanie Metchatis spoke that her group did not like the system they are using. She said that there were many good people, but the system was wrong.

A Speaker suggested that the word "Department" should be removed, as the word itself was useless.

Mr. Fred Gladstone spoke about Section 2, and said it is mostly definitions or interpretations. He said we should refer to this section otherwise time was being wasted.

MR. CHAIRMAN asked if there were any questions on No. 2.

MOTION: made by MR. MAKINAW

To adjourn at 5:30

SECONDED BY: JOHN TUSTAWITS

FOR - 22 AGAINST - 14

MR. BULL INTERPRETED A QUESTION ON SECTION NO. 2

MR. CHAIRMAN asked if the Title should be left as The Indian Act. There was a suggestion from the floor that Canadian Natives be used in the Title. To be called Canadian Native People Act.

MR. CHAIRMAN MOVED TO ADJOURN UNTIL 9:00 a.m. December 9, 1968.

Monday, December 9, 1968.

CHAIRMAN: MR. A. TAILFEATHERS

CO-CHAIRMAN: MR. W. BULL

Mr. Tailfeathers called the meeting to order at 9:30 a.m.

Since the other co-chairman had to go home, another co-chairman had to be elected. Nominations were called for.

Mr. William Bull was nominated by Mr. Maurice McDougall.

It was seconded by Mr. Narcisse Makinaw.

Peter Burnstick moved nominations cease. This was seconded by Mrs. Matchatis. All were in favour. Then carried.

William Bull will be informed when he comes into the meeting that he is the new Co-Chairman.

It was asked by the Chairman if there were any more questions on Section 2. Mr. Willier had a suggestion to make but it was decided to wait until Mr. H. Cardinal came in since it had to do with him.

SECTION 3

The Chairman read through Section 3. He asked if there were any questions or comments.

It was asked that this be interpreted in Cree.

The Chairman asked for volunteers. Mr. Maurice McDougall interpreted in English.

It was moved that Section 3 sub-section 2 of the Act be amended so the Minister can delegate signing authority to officials down to the agency level; and if he sees fit to Band Councils.

Yesterday it was moved that when the Act was approved that Band Councils should see the draft before it was presented to Parliament.

The National Indian Advisory Council made a resolution moving that spokesmen have opportunities to see material passed at this meeting before passing it onto Parliament and also that Band Councils see it.

Mr. Fred Gladstone felt that the Band Councils should be involved just as much as the Minister. He felt that the Minister should retain certain powers and if he sees fit, he should involve Band Councils and in some cases the decisions should be with the consent of the Band Councils.

Mr. Maurice McDougall felt that it was flexible to deal with all tribes in this way. Some agencies have an agent, some agencies have self-government. Where an agency requires an Indian Superintendent it was felt that the power

should come down to the agency level. Where agencies have self-government authority should come down to Band Councils or Band Managers. It is flexible to deal with tribes right across the Province. If you put it strictly to Band Councils where agencies are not handling administration and self-government then you are going to have a discretion to make as to where the authority should go. The proposed write ups as far as the Advisory Councils are concerned - trying to set up flexibility go with it - deal with the Indians in Alberta. What the Advisory Council is proposing is not for you to adopt or turn down. They are only giving you a proposed idea so you can take it from there if you like it or if you do not like it.

Sub-section 2 was written in the right way except that the words "Band Councils" should be inserted to read: - The Minister may authorize the Deputy Minister of Indian Affairs and Northern Development or the chief officer in charge or Band Council.....

4. APPLICATION OF THE ACT

Mr. Mike Steinhauer gave an interpretation in Cree. It was then read through in English.

It was pointed out that this does not cover Eskimos - just Indians.

It was asked if there were any questions or comments.

It was asked to define this act. The definition was given as follows: This section means that the Minister or Governor in Council can go ahead and say that a reserve will be enfranchised except for Sections 37-41 - they are entitled to land - to say to any Indian or individual in Canada that he is not longer under treaty just enfranchised without consent of Band Councils or people involved. It was then interpreted in Cree.

It was suggested by Mr. Mike Steinhauer that the Band Councils or tribes should have a say whether they are going to be enfranchised or not to be living on the reserve by the Minister himself. Section 4 paragraph 2 should not be applied to the Governor in Council without the consent of the Band Councils - goes along with what was suggested - it should be up to the Band Councils or members of a reserve.

SECTION 5

Section 5 was read through.

Mr. Victor Matchatis asked if the government or Minister has the final say. A motion was made-before putting the new Act in force it should go to the people in Canada, Band Councils.

This was then interpreted in Cree.

SECTION 6

It was suggested that each Band maintain a Band list. Any people not living on the reserve but who are entitled to be treaty will be on a general list

in Ottawa. This was then interpreted in Cree.

SECTION 7

Section 7 was read through. Then interpreted in Cree.

Mike Steinhauer said it should not be left to the Minister to add or delete names from the register.

Fred Gladstone suggested that sub-section 1 be taken right out.

Mike Steinhauer said that Indians should be notified before any action is taken. The Indian registrar should indicate his intentions before he goes ahead and adds or deletes names to or from the list.

Mr. Gladstone spelled out that the Minister should consult with Band and people involved.

Mr. M. McDougall said that every month the report is read to the Council. If any member of the Band wishes to object he can do so.

Mr. Patrick Mercredi said the Band Council should be consulted of whether they should make a decision of any Indian.

Mr. Peter Burnstick said the onus should be placed on Band Councils to decide who they want added or deleted.

Maurice McDougall said Section 8 should be read through, then Section 7 could be more readily understood.

Section 8 was read through. The meaning was then explained.

Mr. Fred Gladstone suggested that the words "may not" be added in after "the registrar". This would then read: "The Registrar may not at any time" etc. This was then interpreted in Cree.

Mr. Steinhauer brought up the question of - if this went through as suggested would the register have to have the Councils approval even if children being born of treaty parents before they are added to the list.

Mr. Harry Chonkolay made a suggestion in Cree that a bylaw be made by the Band Councils that they have the final say because they own the reserve, and that the onus be placed on the Band Councils.

It was then suggested that the words "Band Councils" be placed at the front and the registrar at the end. This would then read: (as suggested by Mr. Willier) "The Band Councils may at any time add to or delete from a Band List or a General List the name of any person who, in accordance with the provisions of this Act, is entitled or not entitled, as the case may be, to have his name included in that list by the Registrar."

Mr. Blackman, in Cree, suggested we should go into more detail on each section.

Mr. Tailfeathers suggested that we list the number of the section and if there are any comments or questions to be brought up, this can be done at this time.

SECTION 8

Mr. Gladstone said that we should either make a decision or by-pass Section 7. Mr. Gladstone said that he would like to withdraw his suggestion and go along with the other suggestions, that the Band Councils may add at any time or delete from the list sent to the registrar.

Mr. Steinhauer said that the Council might have certain feelings about a member of the Band and therefore he can delete his name if he does not care for the person or add his name if he does care for him. He suggested that this point be considered before accepting Mr. Williers suggestion.

Mr. Maurice McDougall said that case like this can never happen. With the referring to the adding or deleting, they are referring to children. He further stated that no grown person could be kicked out by the Band Council.

Mr. Tailfeathers informed that group to break for coffee. This was done at 10:30 a.m.

11:00 a.m. - DECEMBER 9, 1968

MR. CHAIRMAN called the meeting to order.

There was a suggestion from the floor to start the meeting with regards to our Treaty Rights. Mr. Chairman stated that there is a Resolutions Committee working on the Treaty Rights, and that we would only be wasting our time if we should also work on this, but rather we should start with the Indian Act.

MR. CHAIRMAN spoke about Sections 5 to 17 with the exception of Section 7. He said the word 'Registrar' be replaced to 'Band Council'.

All were in favor of having the word changed to 'Band Council'.....and have the list sent to the Registrar.

Section 18 re: Reserves was discussed.

MR. MCDUGALL spoke about Section 18, and said it should read (2) "the Minister may with the consent of Band Council...(Tribe, if Band should be changed)

MR. MCDUGALL said that this has been done away with.

MR. MIKE STEINHAUER spoke on lands, and said that this topic is being dealt with by the Resolutions Committee and we should leave it up to them.

Speaking on Sections 32 & 33, Mr. Steinhauer said that the Saddle Lake Reserve has done away with the permit system. We don't need permits to sell our cattle or livestock.

MR. ARNUP LOUIS said to leave these two Sections as they are.

The group felt the same.

With regard to Section 34, Roads & Bridges, Mr. Fred Gladstone said that this Section should be removed entirely from the Indian Act.

MOTION BY MR. MAURICE MCDUGALL

To remove Section 34 to 41 deleted from the Indian Act and replaced by a Section that states that any dealings of this nature be negotiated by the Band as a whole.

SECONDED BY: MR. JOHN TUSTAWITS

MOTION CARRIED

MOTION BY VICTOR MATCHATIS

That we carry on with the meeting at seven o'clock this evening, at the McDougall Room on the third floor.

SECONDED BY: MIKE STEINHAUER

CARRIED

With regard to Section 42, Descent of Property, Mr. Fred Gladstone said he was in favour of leaving it as is.

MOTION BY FRED GLADSTONE

To keep Sections 42 & 43 as they are.

SECONDED BY: MRS. NORA MATCHATIS

MOTION WAS DEFEATED

SECTION 42

MOTION: By Morris McDougall, seconded by Mr. Steinhauer: to delete Section 42 and all its contents.
MOTION CARRIED.

SECTION 43

MOTION: By Morris McDougall, seconded by Simon Threefingers: that sub-paragraph be added to Section 43 to state that the Tribal Council be permitted to claim back such land only if there is no will. Legal heir should be an off-spring of the deceased or recognized member of the respective band.
MOTION CARRIED.

Mr. Blackman brought up the subject of subdivision of Reserve lands. He went on to some extent on this subject, until he was ruled out of order.

MOTION: By Fred Gladstone, seconded by John Testawsis:
that the first sentence of Section 43 be amended because it has to do with Section 42. Amendment: "Minister may with the consent of Tribal Council..."
MOTION CARRIED.

MOTION BY: MIKE STEINHAUER

To table Section 44 until such time as we can have a lawyer to give us legal advice on the Section.

SECONDED BY: MRS. MELANIE MATCHATIS

CARRIED

MOTION BY: MR. NARCISSE MAKINAW

To keep Sections 45 to 52 as they are in the Indian Act.

SECONDED BY: MR. ANTOINE BULLDOG

MOTION DEFEATED

Mr. Fred Gladstone suggested to have the amount raised from \$2,000.00 to \$5,000.00 in Section 48 91)

MOTION BY MIKE STEINHAUER:

To have all the Sections 45 to 52 dealing with Wills to be tabled for legal clarification.

SECONDED BY: MR. ARNUP LOUIS

MOTION CARRIED

Section 53 - re: Management of Reserves & Surrendered Lands.

MIKE STEINHAUER said that this is being worked out by the Resolutions Committee as to waiting until this evening's meeting to hear from them.

With regard to Section 64, re: Management of Indian Money. It was suggested that it be changed to read "With the consent of the Band, the Band Council may authorize expenditure and direct capital monies of the Band.

ARNUP LOUIS MOVED TO ADJOURN ----- SECONDED BY MR. VICTOR MATCHATIS.

Minutes of Meeting of Delegates
by themselves, December 10, 1968

Mr. Chairman called the meeting to order. He said that there was a lot of territory to cover and we must get started. This is the last day before the Government Officials arrive. He said that he had not seen the Agenda but a Resolution was going to be presented. He added that one or two speakers from each Treaty Group would be required to speak. He then asked that each Treaty Group delegate these people to speak, and asked if all were in favour of this.

Mr. Bull spoke regarding Section 64. He said that this was discussed at length and we will now just go over it and maybe we can mention only the ones we are concerned about. He announced that Mr. Hugh Conn was again with us and asked if there were any questions anyone wanted answered by him.

Mr. Conn speaks: The thought I had was that this is not in connection with Surrendered Lands, said Mr. Conn, as much as unallotted surrendered lands. Most of this is land that has been surrendered for lease, but are not as yet leased. He asked if these buildings should be allowed to fall into disrepair, because they are surrendered. He agreed that once the land was leased, the Leasee should assume the cost of maintenance, if there was a high enough lease to take care of it. He used as an example - a Reserve road going through surrendered lands, and the people living behind these lands. He suggested that the words "unless surrendered land..etc.", be added.

A Speaker from the floor said that Section 34 deleted. The Department of Highways have maintained the main roads and bridges.

Section 64(b) a speaker from the floor said - we still have the onus of the responsibility and suggested to delete 64(b).

Mr. Bull asked for further comments.

Mr. Steinhauer spoke and asked if the Assembly would consider amending Section 64(h) which says that a prospective applicant must show twice the amount of the loan he wishes to obtain. It hinders those people who have sufficient land funds for applying for such loans. He said that he believes that this Section 64(h) was a hindrance and should be deleted, or changed.

Mr. Conn explained that this Section was very plain. You can borrow up to one-half of the total value. Certainly you can't sell it. Other than this, Mr. Conn said that he didn't think any further explanation was necessary. He said that banking has changed since that time, and the Department Officials should be questioned about it.

A Speaker from the floor said that he thought that Section 64(h) should be flexible, and should be re-worded.

Mr. Burnstick asked for further explanation of Section 64(h) (ii).

Mr. Conn answered that there is a system which is not completely covered by the present Act, and which has been adopted in Ontario by Bands. They guarantee Loans made by the Bank. He said that the re-payment of Band loans across Canada has a bad record. He said that someone coming from Ottawa tomorrow, would probably talk about this.

A Speaker from the floor spoke about the management of Indian monies - Sections 61, 62, 63 and 64, were used as examples to clarify. He suggested that "Loans not exceeding one-half of the total value, etc." be struck out.

A Speaker said that in Section 69, loans were spelt out there.

Mr. Conn suggested saying that "the total value," - rather than to strike it out altogether. He went on to say, you would have to put in the words "to make loans to members of the Band" and add "on security of" etc...

A Speaker from the floor asked that Section 64(d) be explained.

Mr. Conn explained that it meant that this would then become a Reserve.

A Speaker from the floor said that we cannot make a deal to buy. The Social Credit Government says no.

Mr. Conn said that it is the Federal Government's will which must prevail, and suggested that the officials be asked this question when they arrive from Ottawa.

Mr. Bull mentioned that as he understood it, the Resolutions on Treaties Rights would take care of it.

MOTION BY: M. Steinhauer

Sub-Section (b) would be changed by adding the word "leased" before "surrendered lands."

(h) Change by adding the word "loans" after "make" and take out "loans not exceeding one-half of the total value of" and add "in security of" and the last line of Section 64(h) (ii), delete the words "and take security therefore"

SECONDED BY: Steven Fox

IN FAVOUR - 24

AGAINST - 0

MOTION CARRIED

Section 65: A Speaker from the floor said that on their Reserve they had to care for any fires they might have, and we have no background to fight this, as the officials have the say.

A Speaker from Boyer River said that when fires go on the Reservations, the Department of Lands & Forests pay.

Mr. Burnstick stated a case where his Reservation had to pay thousands.

Another Speaker from the floor suggested to change the wording in the Act as he said it was Crown Land and that they are responsible.

Mr. Gladstone said that we are mainly concerned with the Indian money and how it is spent. The Minister should not have the right to spend it. Each Council should fight their problems with the officials.

A Speaker from the floor said that a Farmer may be sued if the fire started on his land and goes onto the Reservation.

Mr. Conn made mention that in Section 64 it says "with the consent of the Council of the Band etc..." and also in Section 66, it says "with the consent of the Council of the Band etc..." Section 65 says "The Minister may pay from Capital monies"...

Mr. Conn wondered why it was not necessary in this Section 65 to have the same wording. This he said, should be presented to the Department.

Mr. Conn went on to say that where there were no band funds, the Provincial Indian Affairs Department is in agreement with the Province, whereby they pay for fire costs on an Indian Reserve.

MOTION BY: Steven Fox

That Section 65 should read "With the consent of the Council of the Band, the minister may pay from capital monies".

SECONDED BY: Arnup Louis

FOR - 25

AGAINST - 0

MOTION CARRIED

A Speaker from the floor said that up North, these things were looked after for them, by the Department of Forestry.

Mr. Conn remarked that this was true, but at the end of the season, they collected from Ottawa for any fires actually started on the Reserve.

Mr. Bull read Section 66.

A Speaker from the floor suggested we add "with the consent of the Band Council" at the beginning as in (1) and that (3) should read the same.

Mr. Conn suggested to do away with Sub-Section (1) and leave the first paragraph as it was, then add the word "including" Put (1) where (2) is, and take out the first line. "the Minister may, etc..." (3) would become (2) and take out "the Minister may, etc..."

Mr. Conn said that this would extend to all matters dealt with in Section 66. The objection was that the Minister can use funds without the consent of the Band Council.

MOTION BY: Steven Fox

To do away with Sub-Section (1) and leave the first paragraph as it was, then add the word "including". Put (1) where (2) is, and take out the first line. "the Minister may, etc..." (3) would then become (2) and then take out "the Minister may, etc..." and to extend to all matters dealt with in this Section 66.

SECONDED BY: Narcisse Makinaw

CARRIED

Mr. Bull asked for a discussion on Section 66 (a)

A Speaker from the floor said that the Government did not have the right to take monies, They take money but they will give money to the wife and children.

Mr. Bull remarked that this was only protection. They can come back on us and get our Treaty money. Mr. Bull asked for the general feeling on this point. If there is no discussion we shall have a Motion.

MOTION BY: Victor Twin

To leave this Section 66(a) as is.

SECONDED BY: Narcisse Makinaw

FOR - 21 AGAINST - 0

CARRIED

A Speaker from the floor suggested they review Section 20 "trespass on Reserves".

Mr. Bull asked if the group wished this to be explained.

It was stated by a Speaker from the floor that Sections 18 to 31 had been tabled, and that there was copies from the resolutions Committee.

THERE WAS A TEN MINUTE COFFEE BREAK

Mr. Bull asked that the meeting be called to order.

A Speaker from the floor suggested that they go on with Section 67. "The Management of the Indian Monies", then on to Section 30 while Mr. Hugh Conn was in attendance.

Mr. President Spoke and said that Mr. Conn's presence would be needed shortly, and he would appreciate it if they could get on with this quickly. Mr. Conn was asked to explain Section 67, and he did so, adding that he agreed with this Section.

MOTION BY: Nora Matchatus

That this Section 67 remain the same.

SECONDED BY: John Tustawits

FOR - 24 AGAINST - 0

CARRIED

A TRANSLATION WAS MADE FOR THE UNDERSTANDING OF THE CREE

A question was asked from the floor - "Did the Provincial Welfare have any jurisdiction on the Reserve?"

Mr. Conn answered that the Province's Welfare law applies on Reserves, subject to the terms of the Treaty (Section 87). The officers would have authority if they needed it. They however, should be invited. The course of diplomacy indicates permission to go on the Reserve as necessary, should be pre-arranged.

Mr. Bull asked for comments on Section 68.

A Speaker from the floor said that this should be discussed at each Band level to assess the time when they are ready to control their affairs. Some have done so with their eyes closed. It should be explained what Section 68 entails in the broad sense.

Mr. Conn speaks: There are a great number of Indian Bands operating under this Section, managing in whole or in part, their Revenue funds. All that is required that the band in question, draw up a Budget. This Budget must be in line with Revenues and audited every year. Once a Band Council has provided this and proved their ability, they can go only once a year.

A Spokesman from the floor from Lesser Slave Lake said that there is \$15,000.00 Revenue. He wanted to know if a Band could get money from the Council - make a Resolution to do this.

A Speaker from the floor said the Federal Government should give a Grant. "Grants to Bands".

Mr. Conn Spoke: He told of another system which has worked. Arrangements were made with the Department to assume all but a few of the costs. When you have budgeted to spend all your money on good improvements, the Government would assume some of the responsibility.

Mr. Bull said that it appeared that all were satisfied and asked for a Motion.

A Speaker from the floor said that some of the bands want to administer their own affairs. He said he had learned this is good for the Bands. However, we do not have to adopt this Section at all if we do not want it.

Mr. Jacob Louis from the Samson Band spoke. He said there was nothing wrong with this. We are supposed to be independent, but this must be proven. He said that a year ago, all must have heard about his leadership, but he said, this means nothing, - since we must all work together. He said that this Section was good. He went on to say that he had to borrow money in order to run his business better, so that band members would not criticise their leaders so much. My Band would operate under this Section. He said that we must do things for ourselves. He went on to say that if anyone had any grounds, to take them to the Court.

A Speaker from the floor said that his Band has a record of everything. They have two headings. One for Capital and one for Revenue. They account to the Band Council.

Mr. Burnstick said that each Band Council should run their own affairs. We need support sometimes. We have to keep track how they use money on the Reserve.

A Speaker from the floor suggested that this point be taken to a higher authority.

Mr. Bull asked if all were satisfied.

Mrs. Nora Matehatus asked if they could go back to the old way if they wanted to.

Mr. Conn answered that the Government could force this - of if you wanted to, they would certainly go along with the request.

A Speaker from the floor said there should be something else added to the effect that Capital Funds could be turned into Revenue Funds on a repayable basis. He said that he had asked the Department to borrow money. He was told that it was not in the Act.

A Speaker from the floor asked about people who could not read or write making cheques.

It was answered that the Secretary signs the cheques and they also have a co-Signer.

Mr. Bull requested that the Resolutions Committee go to Room 612.

Mr. Allan Tailfeathers explained all the ways you can use your capital.

1. Distribute per capita up to 60% of Capital funds.
2. Construct & maintain fences.
3. Purchase land, livestock & machinery.
4. Permanent improvements (with affirmation from the Minister).
5. To meet expenses, houses, etc.

Band Loans must have double security.

A Speaker from the floor mentioned that it was money used by the Band under Section 68.

A Speaker from the floor said that Section 62 was all the definitions of Capital and Revenue monies. He said that there should be a sub-section added.

A Speaker from the floor asked how one would go about applying. We can send a Resolution to the Department which could be accepted or refused.

Mr. Chairman said that it must say "for use other than set down in Section 64". If they feel it will not be misused, they will approve it. It must always be on a repayable basis.

Mr. McDougall agreed with this.

A Speaker from the floor mentioned their lease account.

Mr. McDougall said that Section 63 should be requested for use, and went on to say there should be an additional clause to Section 68. He said if the administration should assist individuals in loans and were repaid, this money, instead of going to Ottawa, the administration should be permitted to bank and use this money again. When they repay this before the year is up, you must forward to Ottawa.

Mr. Chairman said that you ask for money under Section 68 for expenditures and deposit.

Mr. McDougall said the Band Council agrees to loan to individuals for different reasons and there should be a clause "permission to use this money as such".

A Speaker from the floor said that on short-term loans this would be fine, but not on long-term ones.

Mr. McDougall spoke that in the case of a shortage during the year, you might need a supplementary amount.

MOTION BY: Maurice McDougall

When a Band is Budgeted under Section 68 and gives money to individuals, it goes back into the fund, instead of to Ottawa.

SECONDED BY: Mr. Wesley

FOR - 24 AGAINST - 8

CARRIED

Mr. Gladstone spoke that the reason was that most of them set their budget on a proposed income. If they used their own bank, they would have a deficit. Their estimated budget is already spent.

A Speaker from the floor said that it would be accessible.

Mr. Chairman remarked on Mr. Arnup Louis's suggestion to borrow from Capital on a re-payment basis.

A Speaker from the floor mentioned sending a Resolution for approval to this effect.

MOTION BY: Simon Threefingers

That we be able to borrow money from the Capital on a re-payable basis.

SECONDED BY: Narcisse Makinaw

Mr. Tailfeathers comments - When you draw up your budget, you know where the money is needed. Then look at the Revenue, and if you feel you are running short, you can apply for grants. I am not too much in favor of this Motion. I would rather them stay as they are.

A Speaker from the floor said that they did not receive any circulars to this effect at his Reservation.

MR. CHAIRMAN REMINDED THAT THERE WAS STILL A MOTION ON THE FLOOR.

Mr. Gladstone had a question. When you have already spent your money, how can you repay a loan. It should be put in the Act to borrow from our Capital with the Minister's approval.

A Speaker from the floor agrees with Arnup Louis. He said that in 100 years or so from now, it should be provided in Section 68 that we should manage some of our Capital money.

Mr. Chairman reminded them that the Band has this right according to Section 68.

MR CHAIRMAN CALLED FOR A VOTE ON THE MOTION STILL ON THE FLOOR

FOR - 14 AGAINST - 16

MOTION DEFEATED

A Speaker from the floor said they couldn't vote on something they didn't know,

Mr. Chairman asked if they were saying that they couldn't vote because they didn't understand.

Mr. Chairman said we should discuss Section 69 dealing with Revolving Funds.

A Speaker from the floor said that this was tried to be implemented before. The Indian Affairs did not consider this to be under the consolidated Revenue Fund. We needed \$50,000.00 to back up our statement at the bank. We were told to do this through the Band Council.

Mr. Chairman said that in most cases this is done on an individual basis, applying directly through some officer of the Indian Affairs. He went on to say that money at the bank should be backed up by Capital funds. He said that Sub-Section 5 of Section 69 "the total amount of outstanding advances to the Minister, etc.," possibly we should ask for more - like Ten Million Dollars.

A Speaker from the floor said that one million was not enough.

It was mentioned that it was understood now that the sum was Two Million dollars.

MOTION: Mike Steinhauer

Sub-Section 5 of Section 69 - "the total amount of outstanding advances to the Minister under this Section shall not at any one time exceed TEN MILLION DOLLARS (instead of One Million)

SECONDED BY: Mr. Lazurus Wesley

VOTE - UNANIMOUS

A Speaker from the floor said that rather than waiting to have this put in the Act, a Resolution should be sent from the Assembly - for more money for the Revolving Loan Act.

Mr. Chairman suggested to include a Resolution in the submission to the Indian Affairs people, re: the increase to Ten Million Dollars.

MOTION BY: Arnup Louis

That a Resolution be included in the submission to the Department of Indian Affairs, including the increase to Ten Million Dollars

SECONDED BY: Thomas Quinney

VOTE - UNANIMOUS

Speaking on Section 70, a Speaker from the floor suggested that Section 70 be deleted from the Indian Act.

MOTION BY FRED GLADSTONE

To delete Section 70 from the Indian Act.

SECONDED BY: JOHN TUSTAWITS

A Speaker from the floor said they were refused by the Government to get the seed they needed, and this person would like to see this remain in the Act, so that they, (the Government) can be held to it.

A Speaker from the floor said that under this Section, the Minister can operate the Farm, and this is not good.

Another Speaker from the floor said that it should be left in.

Mr. Chairman reminded them that this did not include Band Farms. He went on to use an example showing how the Government took over a farm, hired men, bought machinery and get more wheat out of the land. All this was charged to the Indian. Only at the end did the Indian get his share of what was left over. Another Speaker from the floor said that the Government did this to 2000 acres, and the Indians ran into debt. They didn't know who would buy the machinery, so the Indian bought it, and is still in debt.

MOTION ON THE FLOOR WAS BROUGHT TO A VOTE

FOR - 29 AGAINST - 3

A Speaker said that maybe the Minister would assist individual farmers. This should be put into the Act.

MOTION BY: Mike Steinhauer

Suggested to make a new Section stating the Minister may or shall, with Council consent that individuals on Reserves have finances for necessary items such as machinery and pure seed.

Mr. Chairman said that this had already been covered. - as well as the Ten Million Dollars, under Section 69.

SESSION WAS ADJOURNED AT 12:00 NOON TO
RECONVENE AT 1:00 p.m.

DECEMBER 10 1:00 p.m.

The meeting was opened by the Chairman at 1:30 p.m.

Mr. Tailfeathers and Mr. Bull alternated as Chairman.

Section 71 was read, and it was asked by Mr. Chairman if there were any questions on it.

MOTION BY: Antoine Bulldog

That Section 72 remain the same.

SECONDED BY: Narcisse Mackinaw

FOR - 26 AGAINST - 0

MOTION CARRIED

Section 72 was read. This Section deals with the Governor in Council, governing regulations of all Reserves.

A Speaker from the floor asked if the regulations applied to Treaty Rights.

Mr. Chairman said that all subjects were included in the Treaty Rights. Powers in Councils are covered in the next Section, and can be covered by by-laws.

MOTION BY: John Tustawits

That Section 72 remain the same.

SECONDED BY: David Janvier

FOR - 29 AGAINST - 0

MOTION CARRIED

A Speaker from the floor wanted to review Sub-Section 1 (g) regarding Medical Treatment. He stated that the nurse came once a month and did not have time to see all the people.

Mr. Chairman replied by saying if the people didn't get the services they wanted, they could get results by protesting to the Government, radio, Television, etc.

There was a motion suggested that the Governor in Council with the consent of the Band Council may make the Regulations....

Mr. Gladstone spoke about Section 73, and asked what elections they were under. He said they were not governed by Section 73 or the Election Act under here. He said that in Saddle Lake, men and women are elected for three years duration and there were 14 elected. No separate election for Chief and Council.

Mr. Chairman said that they could make their own regulations if the Band was still under Band Custom but once under Section 73, it must be followed. This Section should be flexible enough to set up each Band's own regulations.

The Session was interrupted by an announcement that a reporter from the Calgary Paper, the Albertan, wanted to take some pictures.

Mr. Chairman stated that during the first four days of conference, no reporters were to come into the session.

It was said that this man just wanted to take pictures, and make no reports. Mr. Chairman then moved that the reporter be allowed to take pictures.

FOR - 26 AGAINST - 3

Mr. Bull asked for an interpretation of the Act for those from the North, and their opinions could be heard.

A Speaker from the floor suggested that each Band should make their own regulations.

Another Speaker suggested that the Council should be elected for more than two years.

Mr. Bull stated that the old Tribal Custom should be modified to make their own regulations, concerning nominations and elections mainly for the Northern groups.

This was then interpreted in Cree.

This was translated in English and reads as follows:

In regard to Section 73, he (the speaker) indirectly objected to it. Elections are made on his Reserve and based on relationships. He was not able to become elected because of a bad relationship.

A Speaker from the floor stated that a person who has no relations on that Reserve would be unable to become a Chief or a member of the Council. On his Reserve, if a man has many friends, he can be elected. If he does not have many friends, he cannot be elected.

John Chonkolay spoke in Cree.

It was translated into English. He said that he felt that the two year term of office was not sufficient because of various projects to be carried on. He proposed that the time be extended to five years.

Mr. Chairman was not satisfied with the present terms of the Section. He said the Band Council or just the Band should set up their own regulations. In this case, the Band would have the last say.

Mr. Charlie Blackman spoke in Cree.

Mr. Bull translated Mr. Blackman's address in English. He said that Mr. Blackman was not in favour of the two year system, because by the time a Chief is elected someone criticises him the next day because of it. He said, "We all want to be Chiefs". This is why he is criticised. He would be in favour of the Tribal System.

A Speaker from the floor replied in Cree.

A Speaker translated his speech. He stated that there wouldn't be so much fighting on the Reserves with the two year system.

Thomas Quinney spoke in Cree.

This was translated by a speaker from the floor.

A Speaker from Frog Lake liked the two year system. He had been in the Council for 16 years.

Nora Metchatis addressed the floor, stating that she had received a letter that the Councillors were not to get paid. There would only be four members who would get \$15.00 Treaty money, and the rest would not get paid.

A Speaker from the floor stated that the Chiefs in the North East were getting \$25.00 a year, the four Councillors would receive \$15.00. In the past, all members got \$15.00. They would like to keep the original Treaty made by their forefathers regarding payment.

The Speaker stated that they would compensate other head men from Band Funds. Goodfish Lake and Saddle Lake want to retain the Tribal Custom.

Mr. Chairman suggested that either the Bands retain Tribal Customs or stay under Section 73. Section 73 should be made flexible.

A Speaker from the floor suggested that it be made flexible enough so that Indian Affairs wouldn't have a say in the matter.

Mr. Bull stated that the Minister had no say in the Elections.

A Speaker from the floor said that Indian Affairs tells them to pick so many people for Chief and so many for the Council. People would like to have it in a different way, but Indian Affairs does not.

Mr. Chairman replied stating that anybody wanting to run for office should put down a deposit like the white man does.

A Speaker from the floor suggested that they pick the Council and from the Council pick a Chief from these people.

Mr. Bull would like this Section to be flexible, so that they could make their own decisions and own bylaws to suit each band for elections.

MOTION BY: Antoine Bulldog

That this Section be flexible, so that they could make their own decisions and their own bylaws to suit each Band for elections.

SECONDED BY: Fred Arcand

FOR - 42 AGAINST - 1

MOTION CARRIED

THIS WAS THEN TRANSLATED INTO CREE.

Mr. Chairman suggested that each band make their own bylaws governing Section 73.

Mr. Chairman stated that the new Act provides for a new set of rules. A uniform set of rules would be set up which could be used across Canada. Bands will take the example and follow.

Mr. Chairman suggested that Section 74, 75, 76 and 77 of Elections, Section, could either be deleted or re-worded.

A Speaker from the floor stated that Section 78 should be left in the Act as it would serve as a guideline.

Mr. Chairman said that this would be used if the election Act was abused.

MOTION BY: Maurice McDougall

That we leave Section 78 as it is

SECONDED BY: Mike Steinhauer

FOR - 43 UNANIMOUS
MOTION CARRIED

Mr. Chairman read Section 79

A Speaker asked if 79 could be included with Section 74, 75, 76 and 77. He stated that instead of having Governor in Council put in Tribal Custom, Council of Band in respect to Band meetings and Council meetings.

THIS WAS TRANSLATED IN CREE.

Mr. Jim Omeasoo interpreted and stated that the Band choose a spokesman.

Mr. Chairman stated that Councillors and Chiefs still look to Indian Agents too much. We can get further without looking to the Indian Agent.

MOTION BY: Fred Cardinal

That Section 79 read - "The Council of the Band ..."
instead of "Governor in Council"...

SECONDED BY: Phillip Soosay

FOR - 39 MOTION CARRIED

It was asked that the Assembly read over Section 80.

The Speaker suggested that we by-pass this section and go on to Section 86.

Section 86 was read over by the Assembly.

Mr. Phillip Soosay asked that we get legal assistance on this Section 86.

Mr. Chairman asked the Assembly to read Section 80 over again.

Nora Metchatis asked if bylaws are broken, could they take an Indian to court?

Mr. Chairman said that they could be taken to court.

Mike Steinhauer said that Section 86 was related to Section 80 and should proceed. He also discussed sub-sections under 86.

A Speaker from the floor asked how they wanted to word this Section. The Council or the Governor in Council. Should these two be put together and combine forces?

Senator Gladstone stated that the Governor in Council represents the Crown and that it should not be terminated, because it was responsible to the Indians.

A Speaker from the floor then suggested that they would keep the Governor in Council in that Section.

A Speaker from the floor asked what plans would be for tomorrow. There were other Sections from the other day that were tabled for legal advise, namely those from 46 to 52.

Mr. Chairman suggested that the spokesmen should have their ideas ready for legal advise tomorrow.

A Speaker suggested that we have a committee to speak with the Legal Advisor about this Section.

Mr. Chairman said there would be a committee set up to speak with the Legal Advisor.

ASSEMBLY ADJOURNED FOR COFFEE AT 2:45 p.m.

3:30 ASSEMBLY RECONVENED

Mr. Bellrose, the Chairman of the Resolutions Committee said the Final Draft of the Resolution regarding Treaty are being made up, and copies will be made available by tonight.

Recommendations: Harold Cardinal present the Resolution Treaty

That our Honourable Senator Gladstone be invited to comment on Treaty

That each Treaty 6, 7, & 8 choose their Spokesman. Each will select 3 spokesmen. Speakers will be limited to speak (tomorrow)

Mr. Steinhauer suggested that we allot time to each spokesman.

Mr. Ed Bellrose said that this was to be decided by the people to the amount of time allotted to a speaker. Three speakers to a Treaty.

Mr. Mike Steinhauer asked whether the alternates were allowed in and the privilege of speaking.

Mr. Bull said that alternates will be allowed to speak.

Mr. Fred Gladstone asked how much time was to be allowed for each Treaty.

Mr. Bull replied that it was up to the treaty itself. He said that a Treaty should elect his own spokesman just as suggested.

SELECTED SPOKESMEN: (twenty minutes)

Treaty Ralph Steinhauer - Saddle Lake
No. 6 Norman Yellowbird - Samson
 Peter Burnstick - Paul's

Treaty Chief Jim Shot Both Sides - Blood
No. 7 Chief Maurice McDougall - Peigan
 Chief Frank Powder Face - Morley

Treaty Ed Bellrose - Lesser Slave
No. 8 Pat Mercredie - Fort Chipwyan
 Chief Pat Chonkolay - High Level

Mr. Ed Bellrose suggested that we eliminate the amount of time. This gives the speaker a chance to speak and state what he really wants to say. He asked how many are capable of speaking in the limited amount of time. Mr. Bull suggested that this be left to the Spokesmen to decide.

Speaker from the floor suggested that we limit the amount of time due to the fact that we have so many speakers and the speakers may repeat it over again. The Speaker suggested that a half hour for a group would be good.

Mr. Steven Fox said that five minutes is sufficient for one speaker to speak on Treaties.

Mr. Steinhauer suggested that we have the group get together to eliminate the overlapping of one another speaker.

Mr. Bull said that each spokesman should prepare his speech to eliminate an overlapping of speeches.

Mr. Tailfeathers, Chairman, said that the Resolution Committee drafted up Resolutions on Treaty. He would like to see that some Committees get together and take up with the Legal Advisor the parts that we have left for Legal Advisor's opinion, while the rest of the group could go on and cover the Indian Act.

Mr. Tailfeathers went on to say that if this was agreeable to the group, he would like to get a motion on this fact. It was suggested that some speakers should be included. The Committee would set up a meeting with all the Official Spokesmen so that they will get together and see what they want to say the next four days on the Indian Act. We do not want people arguing in front of Ottawa Officials Mr. Tailfeathers said.

MOTION BY: Melanie Metchatis

That the Resolution Committee form out those Sections that have been left for Legal Advise and get together with the Spokesmen to chart a course for the next four days.

SECONDED BY: Lazarus Wesley

FOR - 30

MOTION CARRIED

This Committee could get together with the Official Spokesmen this evening for a couple of hours. We can arrange for a room so that you can talk the projects over with him.

MOTION BY: Mr. Steinhauer

That this Committee will sit with the Official Spokesmen this evening starting at 7:00 p.m., the room to be arranged for.

SECONDED BY: Narcisse Makinaw.

IN FAVOUR - 30 AGAINST - 1

CARRIED

Mr. Tailfeathers said that arrangements have been made to have a Lawyer come in in a few minutes. Mr. Tailfeathers said further that if they had been following the discussion that there are sections we have referred to to have Legal Advise. The Sections tabled for this advice are: Sections 44, 46 to 52, 53 to 60, and 80 to 86.

He announced that the Resolution Committee will get together in Room 612 to meet with the officials.

A Speaker from the floor asked whether it would be possible for the Committee who are speaking on the Treaty to get together.

Mr. Tailfeathers said that after supper would be a suitable time.

Speaking about Section 87, Mr. Tailfeathers said that this Section is being covered by the Resolutions Committee.

Mr. Harold Cardinal said that Professor Lysyk will not be attending this Conference.

Mr. Tailfeathers said that we should include this in the new Agenda, in the new Committee.

Mr. Mike Steinhauer said that Sections 87, 88 & 89 are included in our Legal Rights.

Mr. Tailfeathers remarked that Sections 87, 88 & 89 are being covered by the Resolution, and he went on to read the Resolution. He said it does not specifically mention Section 88 of the Indian Act. It just covers the broad sense of Legal Rights in the Resolution and more of the delegates want to discuss this Section 88 of the Indian Act. Sections 87, 88 and 89 were opened for discussion.

Norman Yellowbird said that Section 87 of the Indian Act should read so that Legislation could not and would not fringe on Rights of Treaty.

Mr. Tailfeathers repeated Maurice McDougall's suggestion which suggested that we add "legislation could and would not infringe on the Rights of Treaty Indians" under Section 87 of the Indian Act should add that Legislation could not and would not infringe on the rights of Treaty Indians.

MOTION: Maurice McDougall

Under Section 87 of the Indian Act, should add that Legislation could not and would not infringe on the rights of Treaty Indians.

SECONDED BY: Narcisse Makinaw

FOR - 28 CARRIED

Chairman Tailfeathers read Section 88, sub-section 1 & 2 of the Indian Act which states as follows:

Sub-Section 1 - Real property of an Indian cannot be seized and cannot be sued.

Sub-Section 2 - Gives the right to a conditional sales contract, gives them the right to seize their goods through proper procedure through the Sheriff.

Mr. Crowchild wished that personal property can be mortgaged.

Mr. Tailfeathers repeated Mr. Crowchild's suggestion that if we would take personal property out of this Section, then it would enable the Indians to go to the Bank and put up his personal property as security and he could deal with the bank directly. This would give the Banker the right to deal directly with the person.

A Speaker said that at the present time, this does not affect us.

Mr. Tailfeathers said that the protection only works on the Reserve. If a person sold you the article off the Reserve, it could be seized. He asked for any comments.

Mr. Maurice McDougall said that an Indian who has established a credit, is out to make a loan and has started on Band Council, his stumbling block is here, because when the question arose, the bank and the officials of Ottawa won't answer the question as to who the sell is. This is where we are still looking for the answer. If a loan is handed to the individual from the Bank, naturally chattels are up for mortgage. For an Indian of Treaty, this is held as chattel if he refuses to pay the loan. He went on to say, - If he purchased a tractor, and the question went before the bank and members of Ottawa and this answer has not been produced yet, where does the Indian stand. I feel that as long as the word "Seller" is in this Section, they will have this problem for a long time.

A Speaker from the floor suggested that this should be taken out. He said that some of them have tried to live without the Indian Department.

Mr. Maurice McDougall said that it was suggested that Section 32 of the Indian Act should be left to Tribes to decide on its use locally. I did not say much when it came to Section 32 but hearing from different people from different Tribes bringing it to Ottawa makes me speak. Bring it to the attention of Ottawa as brought up on a proposal that Section 32 of the Indian Act should be drafted up in such a manner that Band Council dealing locally with Band Members. If the Bank members have the chattels to qualify for a bank loan, then Band Council would be in readiness to give him a permit to dispose of his belongings such as cattle and that he could put up as security for sale of these chattels. I am not saying to adopt this or making it in a form of a motion. I was asked to bring this in a form of a Motion to improve this idea, to bring for the betterment of Indians. Section 88 of the Indian Act has been requested to be left as it is because it serves a pretty wide area.

A Speaker from the floor asked whether Section 88 applied to the Provincial Law.

Mr. Mike Steinhauer said that they had decided with the Band and I believe it is at the discretion of the Banker. If he is willing to go into a transaction with a Treaty Indian, should the Indian resist the right to exercise any rights, the bank may have to hold the bag. Section 88 should not hinder a man if he is known by the Banker.

Mr. Tailfeathers said that some people can still borrow money at the Bank. He said the only thing is what percent of the people can get a loan.

Mr. Arnup Louis said if a person wants to borrow money himself, it should be stated right in the Act. Real and personal property does not say anything if on or off the Reserve.

Mr. Mike Steinhauer said that the Land improvement act is applicable to Treaty Indians. A Transaction off the Reserve, the seller or banker holds the note for these Chattels, Section 2(2) of the Indian Act. They have to put up a chattel before it goes on the Reserve.

Mr. Tailfeathers said that this Section does not really protect as suggested by Mr. Steinhauer. Mr. Tailfeathers said that the best solution would be to leave the Section the way it is and make provisions for an individual to waive the rights. It will be up to the individual to waive this Section.

Mr. Maurice McDougall said there was a correction to read as follows:

Sub-Section 1. "on or off the Reserve"

Sub-Section 2. "seizure of property when property is off the Reserve"

Mr. Arnup Louis said that he would go along with Mr. McDougall's idea regarding Section 88(1) of the Indian Act to read "on or off the Reserve". Mr. Louis asked what we should do about the things seized and sold.

Mr. Maurice McDougall said that anything that belongs to an Indian belongs to a Band until it is completely paid up.

Mr. Willis, a Lawyer was introduced to the group.

Mr. Willis said that the Act as I read it, subject to this Act, this Section means that any real or personal property which is personal chattels, is not subject to attachments preventing. If the property is off the Reserve, then it is in a position to be attached, levied or distressed against. The property has to be on the Reserve. Under conditional sales contract which is a contract with property and goods do not pass hands until it is fully paid for. The person selling hasn't got the remedy to go on the Reserve and attachable.

Mr. Arnup Louis asked what if the property was still owned by the Band, can this be used? Supposing I borrow money from the Band for a truck. Can the Dealer have the right to seize the truck? Could it be seized?

Mr. Wilson said that if a person buys a truck in his own name, he is the Legal Owner of the truck until he pays for it in full. The owner is the Band, then it is not attached. If the owner is an individual, then it is attachable.

Mr. Maurice McDougall said that when an individual makes a loan, the unit he purchases is held as a lien against the loan he has obtained as part of security. It, the unit is part of the security of the amount of which he borrowed, then how can a merchant seize the truck?

Mr. Willis said that the debt owed to the Band against the truck, is only a charge against the truck.

Mr. Willis also said that whitemen borrow money from banks or loan companies and if payments are in default the loan company has two remedies.

1. seize the car
2. sue for balance and make judgement or seize any other property to pay off the whole amount.

Mr. Arnup Louis asked what if a person owed a \$1,000.00 but the truck brings him only \$500.00 - what happens then?

Mr. Willis replied that they can sue him for something else.

SESSION WAS ADJOURNED AT 5:15 p.m.

THERE WAS A MEETING CALLED FOR 7:00 p.m. in the evening.

Tuesday - December 10, 1968 - Evening Meeting

1. Chairman called meeting to order at 7:40 p.m.
2. The Spokesman of the Resolutions Committee to have their separate meeting in Room 612 with Mr. Eddy Bellrose.
3. re: Section 88
 - a) There was a general feeling from the group to leave Sec. 88 as it is but to include a separate section which the Band could take as an alternative.
 - b) Mr. Simon Threefingers moved to add after the word "situated" in Sec. 88 (1) ... "on and off a reservation". Seconded by Mr. Marvin Buffalo.
13 for 1 against Carried
Sec. 88 re-written by Mr. Willis, lawyer.
 - c) 'Notwithstanding the foregoing an individual Indian may enter into an agreement to pledge or mortgage his personal property provided that the right of any person entering into such an agreement to recover any money loaned or benefit given on the security of such personal property be limited to the personal property so pledged or mortgaged. If a person borrows on personal property this should in no way affect the Band or Band Council. This was moved by Mr. Mike Steinhauer and seconded by Mr. Moses Kootenay, that Sec. 88 as written above be added to the Act.'
4. re: Sec. 90
Moved by Mr. Maurice McDougall and seconded by Mr. John Tustawits that Sec. 90 remain as is.
6. Re: Sec. 91
It was moved by Mr. Fred Gladstone that Sec. 91 remain as is. Seconded by Mrs. K. Thomas. 14 for 2 against Carried
7. Re: Sec. 92
Moved by Mr. Simon Threefingers that word "Minister" be replaced by "Band Council" seconded by Mrs. Lillian Pruden.
8. Section 93
Mr. Maurice McDougall - that Secs. 93 to 100 be reviewed by lawyer. Bands barring rights to liquor have most problem with Sec. 94. Indians who have freedom of liquor rights are not known by magistrates.

9. Section 92

Mrs. K. Thomas - do enough Band Councils have enough knowledge to deal with Mineral Rights?

10. re: Sec. 92

Mover agrees to change in motion to read - 'by approval of the Minister and Band Councils 17 for 1 against Carried.

11. Secs. 93-100

Mr. Mike Steinhauer moved that Secs. 93 to 100 be deleted from the Act. Seconded by Mr. John Tustawits.

DISCUSSION OF SECTIONS 93 - 100

- a) Mr. Fred Gladstone - What about a clause which deals with people who want Secs. 93-100 left as is? Such as his people.
- b) Mr. Mike Steinhauer - these sections should be deleted since most people feel this way.
- c) Mrs. Nora Matchatis said supposing liquor is open. Is it possible to have exceptions? For the protection of older people on the Reserve, should there not be a clause to protect them? People bringing liquor to older people should be penalized. Older people lose the respect of others by being drunk.
- d) Mr. Mike Steinhauer said - people who want to drink will drink anyway.
- e) Fred Gladstone said - Could Lawyer draw up something which would apply to bringing liquor on the Reserve?
- f) Mr. Willis said anything can be drafted but Indians will have to have guidelines for the draft.
- g) Mr. Chairman said Sec. 95 states that Band can vote for liquor can do so by referendum.
- h) Fred Cardinal said - All secs. 93-100 should be out. It is up to the individual to decide whether he wants to drink or not. These sections are no protection but rather a liability.
- i) Thomas Quinney - Indian Act is not an Act given to Indians. Indians had been denied liquor and yet should follow these sections.
- j) Speaker - in respect to liquor, I use my own judgement according to our Band, as we want these sections deleted from the Act for our own protection from the police.
- k) John Willier - Our Band does not have liquor rights but still request that these Sections be deleted (93 to 100) 12 for 7 against Carried.

- 12. Mr. Fred Gladstone - Should we not have a clause requesting comings under the Provincial Liquor Laws? ans. Will have to come under the Prov. Liquor Laws.

13. Sec. 101

Mr. McDougall moved that Section 101 (3) after the Minister directs - put in 'and the monies derived be returned to the Bands concerned', seconded by Mr. Mike Steinhauer. Chairman - currently, the Minister disposes of money. 16 for - 1 against Motion carried.

14. Secs. 102 - 106

Mr. John Tustawits moved that under Sec. 101 (3) funds revert to Bands. Delete Sections 102 and 106. Secs. 103, 104, 105, and 107 be left as they are. Seconded by Mr. Antoine Bulldog. 19 for Carried.

15. Secs. 108, 109, 110

Mr. Mike Steinhauer commented that if a married couple over 21 years of age wish to enfranchise they may do so with the consent of Band Council, however, children of such parents should remain as Treaty Indians until they reach the age of 21 and may decide for themselves.

16. Section 111, re: Band Enfranchisement

2 (1) Presently 50% and 1 vote for enfranchisement.

Suggestion: Regardless of the % required the minority of Band members who do not wish to enfranchise should have the prerogative to apply for membership to another band (within a time limit). If the non-enfranchising Band agrees to accept them as members they may then be recognized as such. This would apply only to those Band members who voted against enfranchisement of the band.

- b) Mrs. Nora Matchatis: I think Indian women who marry non-Indian, should have a choice whether they remain as Indian or not.
- c) Mr. Arnup Louis read from the report of the meeting of the four bands - a setting out their recommendations.
- d) Mr. Reuben Bull - The enfranchisement regulations are too binding and we should limit our freedom.
- e) Mr. Arnup Louis - then read further from his report regarding married couples 18 and over, and further regarding choice of enfranchising of children - leaving children to decide at 21. Also re: Section 111 - 75 % majority to enfranchise a Band and minority should have rights to remain under the Act.

- f) Mr. John Testawits - Recommendations from Treaty #8 - Band Council should have the right to decide for married couples under the age of 18. These decisions left to the Band Councils and not the Minister.
- g) Mr. McDougall - The Act states that Council should be the deciding factor then cited two instances where this came into effect.
- h) Mr. Mike Steinhauer - Saddle Lake - anyone under age of 21 should not be granted right to enfranchise.
- i) Mr. Allan Tailfeathers remarked that requests for enfranchisement are decreasing at the present time.
- j) Mr. Fred Cardinal suggested changing 'enfranchisement' (to 'withdraw') be left up an individual to withdraw or not withdraw.
- k) Mr. Morris McDougall - that the vote be increased to a 75% majority for Band enfranchisement.

Mrs. K. Thomas moved for the deletion of Secs. 111 & 112. Seconded by Mr. John Testawits. Motion unanimously carried.

17. re: Sec. 113 inclusive to 122 re: Schools

Mr. McDougall - that representation be on school boards and more recognition be given to our schools. Suggestion that this be left for tomorrow.

Mr. Fred Cardinal moved for adjournment seconded by Mr. Arnup Louis. 10:40 p.m. Carried.

Wednesday, December 11, 1968

The meeting was opened at about 10:45 a.m. by the Co-Chairman, William Bull, acting as Chairman.

Mr. Mike Steinhauer suggested that Section 20 could very well work against us. He made a comment that a man can be given a Certificate of Possession that he recognizes, he can sell this if he wants to any member of his band - but should this person have more than one Certificate of Possession he could very well become the big cheese on the reserve.

One of the lawyers present said that with a Certificate of Possession, you own land on a reserve. You have to decide whether you are going to allow the person to have specific possession in the land. If individual persons want rights, it will go with it. It can be transferred freely and any person can be prosecuted for trespassing.

Occupying land is different from possessing land. You can possess land but you don't have to occupy it.

Maurice McDougall stated that he did not see any reason why the deletion should have anything to say about rights. Section 19 is being deleted. Section 21 is being practiced by Band Councils. The problem starts with Section 20 sub-section (b). He also said that it is the feeling of the people that the Certificate of Possession or Occupancy be done away with. What we want to find out is would it be advisable to have the "Reserve" section only be taken apart and a section drawn up where it gives the rights of the Band Councils to decide who should be allotted land. The Band Councils should be the ones to decide who should the land be allotted to.

It was then suggested to the Lawyers present that they should draft up this section subject to the approval of the Indian people present.

To make it clearer, the sections involved was translated into Cree. It was also made clear that those persons already in possession of these Certificates that the draft to be drawn up will not effect them if it was to be approved sometime in the future.

It was then suggested that before anybody try to draft up this section, we will have to know the general policy feeling. What conditions you have to meet to retain ownership of the land. Some Bands might be away from the reserve for a year but some other Band may be away six months.

It was suggested that this section be drafted which will be broad enough to allow flexibility for Bands as we have to keep in mind that we have to fit in all types of conditions.

It was moved by Maurice McDougall that all sections pertaining with Certificates of Possession be deleted from the Act and a new Section be made up in its place. Seconded by Mike Steinhauer. Carried.

After the meeting was re-opened at 1:30 p.m., the following draft was placed before the gathering.

Whereas the Indians of Alberta are presently dissatisfied with the present system of land here on reserves as established by the Indian Act, therefore be it resolved:

1. That all sections contained in the Indian Act dealing with and pertaining to possession, occupancy and holding of land by individual Indians be deleted and without restricting the generality of the foregoing, specifically Sections 20 - 28 inclusive; section 60 and section 80 sub-section (i).
2. That the rights and privileges herefore conferred upon a holder of either a Certificate of Possession or a Certificate of Occupancy are fully claimed under the Indian Act be preserved.
3. That subject to any rights and previous observations by preceding paragraph, the management and control of over any lands held by Her Majesty on behalf of or for the benefit of Indians or Indian Band shall be transferred unto the Band where was such land are set and that such band shall be authorized and empowered to provide for the allotment of reserve lands to individual Indians and the setting apart of reserve land for common usage. Further such power of management and control includes the rights to prescribe the terms and conditions of any allotment pursuant to which any allotment on property at present may be derived or held.

It was moved by John Tustawits that the Resolution be adopted as read. Seconded by Peter Burnstick. Motion carried.

It was moved by Maurice McDougall that we delete the Surrenders sections and add a clause in the by-laws sections to cover surrenders. Seconded by Sam Currie. A vote was taken: 24 for and 3 against.

SUGGESTED AMENDMENTS AND CHANGES TO THE INDIAN ACT

Section 2 - wherever the word band appears in the act this should be replaced by the word tribe; wherever the words Band Council appear in the Act these should be replaced by the words Tribal Council.

Section 3 - (2) Amended so that the Minister can delegate signing authority to officials down to the agency level; and if he sees fit to Tribal Councils.

Section 7 - (1) The Tribal Council may at any time add to or delete from a Band List or a General List the name of any person who, in accordance with the provisions of this Act, is entitled or not entitled, as the case may be, to have his name included in that list.

Section 18 - (2) The Minister may with the consent of the Tribal Council authorize the use of lands in a reserve for the purpose of Indian schools, the administration of Indian affairs, Indian burial grounds, Indian health projects or, with the consent of the council of the tribe, for any other purpose for the general welfare of the tribe, and may take any lands in a reserve required for such purposes, but where an individual Indian, immediately prior to such taking, was entitled to the possession of such lands, compensation for such use shall be paid to the Indian, in such amount as may be agreed between the Indian and the Minister, or, failing agreement, as may be determined in such manner as the Minister may direct.

Sections 20-28 inclusive - 60-80 (i) - Whereas the Indians of Alberta are presently dissatisfied with the present system of land here on reserves as established by the Indian Act, therefore be it resolved:

1. That all sections contained in the Indian Act dealing with and pertaining to possession, occupancy and holding of land by individual Indians be deleted and without restricting the generality of the foregoing, specifically Sections 20-28 inclusive; section 60 and section 80 sub-section (i).
2. That the rights and privileges herefore conferred upon a holder of either a Certificate of Possession or a Certificate of Occupancy are fully claimed under the Indian Act be preserved.
3. That subject to any rights and previous observations by preceding paragraph the management and control of over any lands held by Her Majesty on behalf of or for the benefit of Indians or Indian Tribes shall be transferred unto the Tribe where was such land are set and that such tribe shall be authorized and empowered to provide for the allotment of reserve lands to individual Indians and the setting apart of reserve land for common useage. Further such power of management and control include the rights to prescribe the terms and conditions of any allotment pursuant to which any allotment on property at present may be derived or held.

It was moved by John Tustawits that the Resolution be adopted as read.
Seconded by Peter Burnstick. Motion carried.

Sections 34 and 35 and Sections 37 to 41 - delete.

Section 42 - delete.

- Section 43 - The minister may, with the consent of the Tribal Council
- (a) appoint executors of wills and administrators of estates of deceased Indians, remove them and appoint others in their stead,
 - (b) authorize executors to carry out the terms of the wills of deceased Indians,
 - (c) authorize administrators to administer the property of Indians who die intestate,
 - (d) carry out the terms of wills of deceased Indians and administer the property of Indians who die intestate, and
 - (e) make or give any order, direction or finding that in his opinion it is necessary or desirable to make or give with respect to any matter referred to in section 42. 1951, c.29, s.43.
 - (f) that the Tribal Council be permitted to claim back such land only if there is no will. Legal heir should be an off-spring of the deceased or recognized member of the respective band.

This motion was made by Maurice McDougall and seconded by Simon Threefingers.

Sections 53 to 59 inclusive - more consultation and legal advice.

Section 60 - delete.

Section 64 - With the consent of the tribe the Minister may authorize and direct the expenditure of capital monies of the tribe.

Section 66 - With the consent of the Council of the Tribe, the Minister may authorize and direct the expenditure of revenue moneys for any purpose that in his opinion will promote the general progress and welfare of the tribe or any member of the tribe.

1. to assist sick, disabled, aged or destitute Indians of the tribe and to provide for the burial of deceased indigent members of the tribe and to provide for the payment of contributions under the Unemployment Insurance Act on behalf of employed persons who are paid in respect of their employment out of moneys of the tribe.
2. For all or any of the following purposes, namely -
 - (a) for the destruction of noxious weeds and the prevention of the spreading or prevalence of insects, pests or diseases that may destroy or injure vegetation on Indian reserves.

- (b) to prevent, mitigate and control the spread of diseases on reserves, whether or not the diseases are infectious or communicable;
- (c) to provide for the inspection of premises on reserves and the destruction, alteration or renovation thereof;
- (d) to prevent overcrowding of premises on reserves used as dwellings;
- (e) to provide for sanitary conditions in private premises on reserves as well as in public places on reserves; and
- (f) for the construction and maintenance of boundary fences. 1951, c. 29, s. 66.

Section 72 - The Governor in Council, with the consent of Tribal Council, may make regulations etc.

(2) The Governor in Council, may with the consent of Tribal Council etc.

(3) The Governor in Council may with the consent of Tribal Council etc.

Sections 73 to 77 - delete.

Section 79 - The Tribal Council may make regulations with respect to band meetings and council meetings and, etc. etc.

Section 80 - See minutes (also covered by draft accompanying minutes paragraph (1)

Section 81 to 86 - left for more consultation and legal advice.

Section 87 - (Amendment) see minutes December 10 page 18.

Section 88 - See minutes December 10 (now to read - on or off the reserve)

(NEW SECTION 88A) - See minutes December 10th evening.

Section 92- correction to minutes to first motion see item 10.

Section 93 to 100 inclusive - deleted.

Section 101 (amended) Sub-section 3 - evening meeting page 2 item 13.

Section 102 and 106 - deleted.

Sections 111 and 112 - deleted.