VICTOR WILLIAM JIM,
Wet'suwet'en Interpreter,
Sworn.

EMMA MICHELL,
Witness called on behalf of
the Plaintiffs, affirmed,
testifies as follows:

PROCEEDINGS COMMENCED AT 11:20 a.m. 26 AUGUST 1986

EXAMINATION BY MR. GRANT: You have been affirmed to tell the truth in this Commission Evidence, is that correct?
A Okay.
Q Is the answer yes?
THE INTERPRETER: Yes.
Q And you are -- you're -- you are Emma Michell?
A Yes.
Q And you were born in Hagwilget in 1908?
THE WITNESS: Yeah.
Q What is the birth date, exactly?
A July 25th.
Q And, in your lifetime, have you travelled between Moricetown and Hagwilget and on to certain Wet'suwet'en territories?
THE WITNESS: Yes.
Q And you have lived on those territories and in those villages?
Go off the record.

(OFF THE RECORD DISCUSSION)

MR. GRANT: Back on the record. There was an outside interruption, that's why we adjourned briefly?
Q You have lived principally in Moricetown since 1924?
THE WITNESS: Yeah.
Q And your mother was Amanda Michell?
THE WITNESS: Mitchell.
A Mitchell.
Q Mitchell. And she died in 1918?
THE WITNESS: Um-hmm.
Q And Where did She die?
THE WITNESS: Vancouver, in New Westminster.
Q And your father was Jimmy Mitchell?
THE WITNESS: Yeah.
Q And he died in 1951?
THE WITNESS: Yeah.

Q And your father had a house at Hagwilget?
THE WITNESS: Yeah, used to be.
Q And did you live in that house, when you were young?
THE WITNESS: Yeah.
Q And Where Was that located in Hagwilget?
(Interpreter speaks further to Witness, Witness responds)
A Okay, the house was located where Charlie Austin's kids presently have their homes. There also used to be an old school, and that's where I attended school. And the house we lived in was burned to the ground.
Q What grade did you go to in school?
THE WITNESS: Four, I quit school. Never learned much.
Q Do you recall how old your mother was when she died?
A Ten years old.
Q Okay, would you translate the question How old was your mother when she died? I understand you were ten years old when she died.
A She said I can't remember how old she was. You can find a date from the headstone that's at Hagwilget.
Q I'm showing you a copy of a photograph and I'd ask you to look at it and see if you recognize the people in that picture?
A Okay. She's saying that this is her mom, her dad and that Emma.
Q That's herself?
THE INTERPRETER: Yes.
Q Okay. you're going from left to right: The older woman is her mother; the man in the middle is her father; and of course the young child is herself. I'd ask that to be marked as Exhibit 1 please. And for the record I am providing a copy of that now to Mr. O'Byrne which I understand he agrees that he will ensure Counsel for the Province has as their copy.
MR. O'BYRNE: That's right, I'll forward it.

EXHIBIT 1 - Photograph of Witness, Emma Michell, and her mother and father

MR. GRANT: For the record I'll refer -- Exhibit 1 may be described as the picture of Emma Michell, the Witness, and her mother and father.
Q Do you recall how old you were when this picture was taken
THE WITNESS: From what I can remember maybe I was seven years old or six.
Q Now, it's hard to see but in front of your mother, were those furs that were there?
THE WITNESS: Yeah, lots of furs.

Do you know what kinds of furs they were?
A Marten, fisher, mink, everything.
Q Had your father caught the animals that those furs were from?
THE WITNESS: Yeah. My brothers helped with him.
Q What were your two brother's names?
(Interpreter speaks to Witness)
THE WITNESS: My brother Jim is Mitchell and Tommy Mitchell.
Q After your mother died, did your father remarry?
(Interpreter speaks to Witness)
THE WITNESS: Three years after.
A He remarried three years after.
Q And was that -- what was the name of his second wife?
A Mary Ann Naziel, that's George Naziel's mother.
MR. GRANT: Naziel is N-A-Z-I-E-L for the record.
A And she said that was George Naziel's mother.
Q And the name Was Mary Ann Naziel?
A Mary Ann Naziel.
Q And did he live with her until he died?
THE WITNESS: No, she quit -- he quit and he die in my home. I live down here in the Village, my dad still with me he die. And that old lady lived down in Two Mile with her so They quit, don't want to stay together and Joe Naziel's wife make trouble, that's why they quit each other.
MR. GRANT: Did you get that?
(Court Reporter reads back last answer)
THE WITNESS: Yeah, that's right. Right.
MR. GRANT: Okay, what you can possibly -- say to Emma is that what's important is that the Court Reporter record every word down because the Judge will read your words. That's why we have to be sure she can hear everything you're saying.
Q Now, when your father and Mary Ann split up, your father lived with Mary Ann at Two Mile. Was that in Moricetown?
THE WITNESS: Two Mile used to be Two Mile.
(Interpreter speaks to Witness)
A Yes, in Two Mile which is in Moricetown.
Q Okay, I just want to be clear because there is Two Mile in other places too. And was your place down by the canyon in Moricetown?
A It wasn't in the canyon, it was this side of the church.
THE WITNESS: This side of the second house from the church.
Q In Moricetown?
THE WITNESS: Where the totem pole is now, that's the place we had the house.
Q Okay, and it was where the totem pole is now. That is the totem pole that is located, the Ginehklaiya totem pole, is that correct?

A Yes.
Q And that's at the house where Fred Michell lives now?
THE WITNESS: Yeah.
Q Okay, can you tell me what names your father held, that is what chief's or feast names he held?
A The first name was Axdiiniiye.
Q What does that mean? Do you know what that name means?
A It's a Gitksan name.
m What Was the next name he held?
A Samaxsam.
(Further response by Witness to Interpreter)
A That name was given to the Wet'suwet'en by the Tsimshiam.
Q What was his third name?
A The third name was Old Sam's name Maxlaxlex.
(Further response by Witness to Interpreter)
A And that was the last name he held.
Q Did he also hold a name, and I apologize but as I've written it Guyasisway?
A Okay. There's a fourth name that I can't recall.
(Further response by Witness to Interpreter)
A And I think that's the name that you're referring to.
Q Does Mabel Sam now hold the name Samaxsam?
A Yes.
Q And does Johnny David now hold the name Maxlaxlex?
THE WITNESS: Yeah.
Q Do you know if anybody holds the name, first name Axdiiniiye?
A Kenni.
(Further response by Witness to Interpreter)
A Axdiiniiye has been held by Charlie Austin's --
(Further response by Witness to Interpreter)
A -- son-in-law in Hagwilget.
(Further response by Witness to Interpreter)
A Axdiiniiye, before Mr. Kenni got the name Nas held by Pat Brown.
(Further response by Witness to Interpreter)
A That's who my father has passed the name on to.
Q Okay. Is Pat Brown still alive?
A He's dead.
(Further response by Witness to Interpreter)
A Okay. When Pat Brown had died is when Mr. Kenni got the name .
Okay, and Kenni is K-E-N-N-I for the record. Now, is your father -- what clan does your father, did your father belong to?
A Laksilyu. He was Laksilyu, Frog.
Q And what clan did your mother and do you belong to?

A Tsa, and Eagle.
THE WITNESS: Beaver and Eagle.
A Which is Beaver and Eagle.
Q Is it also known as Tsayu?
THE WITNESS: Tsayu.
Q Is that correct?
A Yes.
Q Was your father related to the people from the Kilwoneetz territory?
A Yes.
(Further response by Witness to Interpreter)
A And there was many of them and they're all dead now.
(Further response by Witness to Interpreter)
A Some of the people who were Kilwoneetz was Old Dennis, David Dennis' father.
(Further response by Witness to Interpreter)
A And Old Dennis was an old man who was blind. And there was Jim Holland, Bazil Holland, Julian Holland and David Holland.
(Further response by Witness to Interpreter)
A They were the people from Kilwoneetz.
Q Is Johnny David one of the people from Kilwoneetz?
A Yes.
(Further response by Witness to Interpreter)
A And also Joe Nass.
Q Was your father's territory near Maxan Lake?
A No, it wasn't.
(Further response by Witness to Interpreter)
A It was different clan members from the same clan.
(Further response by Witness to Interpreter)
A Okay, the people who own the territory around Maxan Lake are Wet'suwet'en, Taslex Lake, were Maxan Tom --
Q Sorry what did you say before, are Wet'suwet'en, I didn't hear what you said. People who own the territory?
A People who own the territory around Maxan Lake were Laksilyu Maxan Lake is known as Taslex. They were Maxan Tom, who Maxan Lake is named after and also Antoine Tom, Seymour Tom, Michell Tom. These people were all brothers and they're dead now. And the present people who own the territory are Josephine Michell and her children, Lizette Naziel and Bazil Michell.
Q Who would be the chiefs who hold that territory at Maxan Lake, what would their chief's names be?
A Kumgingowaycan.
(Further response by Witness to Interpreter)
A That was the name held previously by Maxan Tom and it was derived from the Gitksan.

Q Okay, is Johnny Mack related to those people?
A No. Johnny Mack is Laksamshu.
Q Oh, I'm sorry.
(Witness responds further to Interpreter)
A Okay, the Laksilyu have four different houses, in..their clan. One of them is Ginehklaiya, the decendants of Queen are in that house. The other one is Kwanbay yax, John Namox, Pat Namox, Sarah Tait.
(Interpreter speaks further to Witness, further response by Witness to Interpreter)
A Round Lake Tommy, Louis Tommy.
(Further response by Witness to Interpreter)
A And their territory is around Quick.
(Further response by Witness to Interpreter)
A And also Peter Jim is from that house.
Q You indicated Emma that there were four houses and you gave the names of two of them, Ginehklaiya and Kwanbay yax Are there two other houses as well in the Laksilyu?
A Kilwonee wetayn.
Q Um-hmm.
(Further response by Witness to Interpreter)
A Tse kal kai wetayn. That's Madeline Alfred and her family
(Further response by Witness to Interpreter)
A And there's four houses.
Q You -- What is your own Indian name?
A Lilloos.
Q And is that a Gitksan word?
A Yes.
(Further response by Witness to Interpreter)
A It came from Skeena Crossing.
And what does it mean?
A It means stealer.
(Further response by Witness to Interpreter)
A And when they --
(Further response by Witness to Interpreter)
A And when they are acting out their crest at the feast, she would go around the hall and take stuff from people who were there to witness and dance around.
(Further response by Witness to Interpreter)
A And that's where the name stealer comes from.
Q And who gave you this name?
A Okay, the name was given to me by Lucy Nass.
(Further response by Witness to Interpreter)
A And August Pete.
Q And did that occur when somebody had died?
A It was at the death of Mooseskin when I got the name.
Q Was that Mooseskin Johnny?

THE WITNESS: Yes.
A Yes.
Q Okay, did you hold any other names besides Lilloos?
A No just Lilloos.
Q Besides yourself, how many other children did you mother have?
A Okay, from my family there were four girls who had died, three boys who had died and there was three of us left for a total of ten.
Q What were the names of the other two boys, the other two children who did not die?
A The two other children's names were Tommy Mitchell and Jimmy Mitchell.
(Further response by Witness to Interpreter)
A James Mitchell.
Q Have Tommy and James both died, they're both dead now?
A Yes, they're both dead.
(Further response by Witness to Interpreter)
A And I told you before how James had died.
Q I will ask you about that a little later.
(Interpreter speaks further to Witness)
Q Do you have a special place where you sit at the feast of the Wet'suwet'en?
A Okay, going from right to left this is the seating at the feast hall. She'd be right here and going to the left, sitting next to her would be Jenny Naziel.
Q That's on her left side?
A On her left side. Next to Jenny Naziel is Susan Alfred who is Gitan. And next to Susie Alfred is Margaret Williams who is Wilat; next to Margaret Williams is Lucy Holland, who is Namox; and then next to Lucy Holland is Kweese who is Florence Hall. And past Kweese is where the Laksamshu start.
Q Okay. I just want to be clear. Is this on the side that Linda Malinowski would be on if you were sitting at the feast table or the side that Victor Jim is on where these people would be sitting, if you can ask her that. Would it be on -- the persons on the side of the Court Reporter there or the side of yourself?
A On my side.
Q Okay, so for the record that would be on the right-hand side?
(Interpreter speaks further to Witness, no response)
Q Well, that's just for the --
THE INTERPRETER: Yes.
Q You don't have to ask her that. Now, On the Other side of you do people sit on the other side of you at the feast,

that is on your left-hand side?
THE INTERPRETER: The opposite side.
(Interpreter interprets question to Witness)
A My --
(Further response by Witness to Interpreter)
A On the opposite side of me are my children: Beatrice, Helen, Gloria, Pauline who is now dead, and Winnie who sits in the middle with Mary Louise.
(Further response by Witness to Interpreter)
A And they sit behind where I sit, directly behind me.
Q Who sits directly, I'm sorry who sits directly behind?
THE INTERPRETER: Two seats um -- two seats behind me in the next row.
Q Do all the children sit two seats behind you? I just don't understand the last part of that answer, if you could just clarify it?
A Okay, my children are seated according to tradition and they have a seat in the house now they've got their chief names.
Q Well let me ask you this, in the feast hall, Emma, do you sit with your back right against the wall?
A Yes.
Q Okay, and all of the people that you've named that sit on your right-hand side, that is the first people you've named such as Susan and Jenny -- Jenny Naziel?
(Witness responds further to Interpreter)
Q Do they all sit right against the wall?
A Yes.
(Further response by Witness to Interpreter)
Q Now, I jUst want to be clear about this. Does -- if you look this way towards Victor, which is the person right beside you at the feast hall, is it Jenny or is it Susan?
A Susan this side.
Q Okay.
THE WITNESS: Susan this side and Jenny Naziel this side next Mary Jim. And on that side my daughter take place.
Q Okay. Just for the records she indicated by pointing on her right-hand side was Susan Alfred and on her left-hand side was Jenny Naziel and Mary Jim is beside Jenny --
THE WITNESS: Um-hmm.
Q -- is that correct?
THE WITNESS: Um-hmm.
Q Then you pointed your daughters -- does the wall turn and your daughters go down the side --
THE WITNESS: Yeah.
Q -- from you?
THE WITNESS: Yeah.

Q Now, I just want to be clear about this then. Beside you is Susan, that's Susan Alfred?
THE WITNESS: Yeah.
Q And beside SUSan is Who?
THE WITNESS: Margaret Williams is her mother.
(Court Reporter requests clarification)
Q Margaret Williams is her mother. And beside Margaret is?
THE WITNESS: Lucy Holland.
Q And beside Lucy?
THE WITNESS: Lucy (inaudible) Florence Hall.
MR. O'ByRNE: I'm sorry?
THE INTERPRETER: Florence Hall.
MR. GRANT: Florence Hall.
Q And her name is Kweese?
A Kweese.
Q And Lucy Holland's name is Namox?
THE WITNESS: Namox.
Q Margaret Williams' name is Wilat?
THE WITNESS: Wilat.
Q SUsan Alfred's name is Gitan?
THE WITNESS: Gitan. Gitan, take my grandma name, my grandma.
m Who took your grandmother's name?
THE WITNESS: My grandmother. I don't know her name. (Inaudible) It was a long time ago.
Q That's the name that Margaret Williams now holds?
THE WITNESS: Yeah.
Q Now, does anybody in the Wet'suwet'en feast hall sit in front of you?
A Okay, some of the people who sit in front of us are Kweese's sister Christine, Amanda and Charlie Bazil.
Q Okay, Christine, Kweese's sister Christine what's her last name?
THE WITNESS: Christine Jimmy.
A Christine Jimmy.
Q And Amanda's last name?
THE WITNESS: Amanda Gunnanoot.
A Amanda Gunnanoot.
(Further response by Witness to Interpreter)
A Who used to stay with Alec Gunnanoot from Hazelton.
Q I'm sorry I may be wrong but did you say -- there was a third name you said, what was it?
THE INTERPRETER: Charlie Bazil.
THE WITNESS: Charlie Bazil.
Q Does Alfred Mitchell sit in front of you at the feast?
A Yes.
Q And Billy Mitchell?
A Sometimes, he doesn't go to feasts that often.

Q Alec Dennis?
THE WITNESS: Yeah, Alec Dennis.
A Yes.
THE WITNESS: They not going all the time, sometimes.
Peter Holland?
THE WITNESS: Yeah, Peter Holland.
Q Bill Holland?
THE WITNESS: Bill never come around. Moe Holland.
A Moe Holland.
Q Moe Holland does?
THE WITNESS: Seymour.
Q That's Seymour Holland, is it?
THE WITNESS: Yeah.
Q Mary Joseph?
THE WITNESS: Yes, on the Laksamshu side on the right side.
Q And George Williams is he on the Laksamshu side?
A Tsayu, he doesn't attend feasts.
(Court Reporter requests clarification)
MR. GRANT: He doesn't attend feasts very often.
Q Dan Michell does he sit in front of you or --
THE WITNESS: Yeah, stay with Victor and George Holland (inaudible)
Q And Amos?
A Amos Naziel who is Mutt, Dan Michell and myself sit in front row.
MR. GRANT: And Victor Jim? Just for the record I think you have to be really clear on the trans -- on the -- if she's asking for clarification because she said Amos Naziel who is Mutt now sits in front of us.
(Further response by Witness to Interpreter)
A Joshua.
Q Joshua Holland died and that's why he got the name. What name does Dan Michell hold now, in the feast?
A Wigetemskol.
Q And is he your son?
THE WITNESS: Um-hmm.
Q And he's Tsayu?
THE WITNESS: Yeah, (inaudible) and Victor.
Q Okay, is Dan Michell Tsayu?
THE WITNESS: Yeah.
Q Okay, now you said that in the feast you sit with the -- Laksamshu sit further down past Kweese. Can you explain to US why the Tsayu and the Laksamshu sit at the same, on the same side at the feast hall?
(Interpreter speaks to Witness)
(Court Reporter requests answer to be clarified)
A Okay, the Tsayu sit on the left-hand side of the hall and the Laksamshu on the right-hand side.

Okay, but they sit on the same side of the hall, is that right?
(Interpreter speaks to Witness, Witness responds, no English interpretation)
MR. GRANT: Okay, just go off the record for a moment if we could.

(OFF THE RECORD DISCUSSION)

(PROCEEDINGS ADJOURNED AT 12:25 P.M.)

(PROCEEDINGS RECONVENED AT 2:00 P.M.)

EXAMINATION BY MR. GRANT CONTINUING:
Q Okay, before the lunch break Emma I was asking you about the Tsayu and Laksamshu. I understand that they sit at the end of the hall, opposite the door when they're sitting at the feast in Moricetown, is that correct?
A Yes.
Q And they both sit on the same side of the hall? If we assume the hall has four walls, they sit along the same wall?
A Yes.
Q Okay. Now --
(Further response by Witness to Interpreter)
A Okay, they sit on the other side of Kweese.
Q Okay, and when you say "They" you're referring to the Laksamshu?
A Yes.
Q Now, do you recall in your lifetime, whether the Laksamshu and Tsayu ever sat differently than that? That is if they ever sat different places in relation to each other?
A Okay, they've always sat in the same places they are today as far as I can remember. And when there's a feast they help each other.
Q Okay. Who would have decided that the Tsayu and the Laksamshu sit together?
A I don't know.
(Further response by Witness to Interpreter)
A I don't know, I don't know that.
Q Who Speaks today for the Tsayu people in the feast hall?
A She's asking if it's today that you're talking about?
Q Yes, today?
A Sometimes Dan speaks for them today and before it used to be Joshua.
Q Okay, and when you refer to Dan, you're referring to your son Dan Michell is that right?

A Yes, my son.
Q And Joshua, you're referring to Joshua Holland?
A Yes, my cousin.
Q Okay. Now, is it correct that Wilat, Namox and Kweese are the high chiefs of the Tsayu?
A Yes.
Q Okay, and they are all in the same house, is that correct?
A Yes, except for Kweese who sits in a different house.
(Further response by Witness to Interpreter)
A In the old days, when they were living in the canyon, Wilat has a smokehouse on the highway side of the river and Kweese on the other side of the river.
Q In the feast today who speaks for Kweese?
A Nobody speaks for Kweese.
Q Just So I Can understand better Emma, when you say nobody speaks for her, does she speak for herself in the feast in other words?
A No, Kweese doesn't say much at the feast.
Q Who will inherit Kweese's name When She passes on?
A Probably one of her children.
Q And who will inherit the name Namox when Lucy Holland passes on?
A Okay, Namox has stated that Dan will be taking her name when she passes on and one of my daughters, probably Gloria, will take on Wigetemskol.
Q Which is Dan's name?
A Which is Dan's name and she also said she doesn't know how Gloria will take on the name cuz she's always running after bingos.
THE WITNESS: Spend money too much on bingo.
Q What was your mother's feast name?
A She held the name Gwasoks.
(Further response by Witness to Interpreter)
A Which is also a Gitksan name.
(Further response by Witness to Interpreter)
A Okay, Gwasoks mean when they acted out in the feast hall, a person would have an oar and paddle. That's what the name means.
Q So the name means a paddling with the oar?
A It's a person, a person who --
(Further response by Witness to Interpreter)
A Moves, moves, moves the leaves in the water with the oar.
Q Okay. Now, your mother was a Tsayu as well, is that correct?
A Yeah.
Q Was she related to, to a chief's name Boo?
THE WITNESS: Yeah.

Q Can you --
(Further response by Witness to Interpreter)
A Boo was their big chief.
(Further response by Witness to Interpreter)
A Of the Tsayu.
(Further response by Witness to Interpreter)
A And his territory is Decker Lake.
THE WITNESS: Rose Lake.
A Rose Lake.
Q So is that Wet'suwet'en territory where Boo's territory was?
A Yes.
Q Okay, did you -- do you remember Boo, the person who held that name when your mother was alive?
A I did see him.
(Further response by Witness to Interpreter)
A He was a very old man.
Q How was he related to your mother or to yourself?
A My mother's uncle.
Q Okay, would -- when you say your mother's uncle, just to be precise would that be the same person as your mother's, mother's brother?
A Oh, she said it wasn't a brother it was my grandmother's cousin.
Q Okay. Did this old man who held the name Boo, do you recall if there was any other name by which he went?
A Okay, he also held the name Wilat after my grandmother had died.
Q Okay. Was there any other name he held, to your knowledge?
A No.
Q Do you know if he had been given any name by the mission-aries or by the non-Indian people that came into the territory?
A Okay, Boo was Donald Walter's father and he may have been given the name Walter.
(Further response by Witness to Interpreter)
A And Donald Walter was a relative of Willie Sims who lives a Hazelton.
(Further response by Witness to Interpreter)
A He's an uncle to Willie Sims.
(Further response by Witness to Interpreter)
A He was -- Donald Walter's father was Boo.
(Further response by Witness to Interpreter)
Q Was -- go off the record.

(OFF THE RECORD DISCUSSION)

A Okay, when Boo died, my uncle said Peter Pierre's wife, Emma Pierre was given the name Wilat. My uncle said Peter Pierre's wife, Emma Pierre was given the name Wilat.
MR. GRANT: Pierre Pierre's?
MR. O'BYRNE: Just for the record, Mr. Grant, there has been an inquiry made by the person who is recording the words.
MR. GRANT: The words --
MR. O'BYRNE: The words just to clarify.
(Further response by Witness to Interpreter)
A After she died Andrew Pierre took over the name Wilat.
(Further response by Witness to Interpreter)
A Her son.
Q Um-hmm. And who took it over after Andrew, was that when Margaret Williams took it?
A Yes.
(Further response by Witness to Interpreter)
A Yes, she took the name after Andrew Pierre died and she didn't spend any money for the name.
Q Did pierre Pierre's wife Emma or anyone else take the name Boo when Boo died?
A Nobody has the name Boo yet.
(Further response by Witness to Interpreter)
Q Go ahead?
(Further response by Witness to Interpreter)
A I just tease my daughter's son with the name Boo.
Q Did anyone take that name after Boo, who also held Wilat, died? Between then and now has anyone taken that name?
A No.
(Further response by Witness to Interpreter)
A Stanley Morris had told my husband Tommy Michell that one of his boys should assume the name Boo and my son Dan also said that Kevin should assume the name Boo and if I'm still alive, we'll attempt to give him that name and then he can assume the territory around Decker Lake.
Q In the absence of a person holding the name Boo, which chief is responsible for the Decker Lake and Rose Lake territory that was held by Boo?
A There is no one at the present who looks after --
(Further response by Witness to Interpreter)
A Decker Lake. Donald Walter had held that territory when he was alive but he's dead now. And it's just white people who live in that territory now.
Q Okay, and Donald Walters had lived in that territory?
A Yes, he lived there for a long time.
(Further response by Witness to Interpreter)
A His father also lived there.
Q Okay, in the Wet'suwet'en system, would it be correct that

that territory is still considered Tsayu territory?
A Yes.
Q Okay, would Wilat or Namox by responsible for caretaking that territory?
A Yes. They would be responsible for caretaking that territory as well as Sam Goosley Lake.
Q Is one of Wilat or Namox presently responsible for the Decker Lake area? Is either one of them responsible or both of them?
A It should be taken care oS by both the chiefs.
(Further response by Witness to Interpreter)
A They all came from one clan.
Q you said earlier that Stanley Morris told your husband that his -- one of his boys should take the name Boo. Is Stanley Morris your son-in-law?
A Yes.
Q And did he SUggest -- did your husband suggest that, agree with that suggestion?
A Yes.
Q And is it assumed that -- is -- Kevin Morris and Stanley Morris junior are both your grandsons, is that right?
A yes.
Q Okay, which one of those would be the one that you would like to see take the name?
A The oldest one, Kevin. The other one's too young.
(Further response by Witness to Interpreter)
Q How old is Kevin now?
A He works for --
(Further response by Witness to Interpreter)
A C.N.R. and I think he's over twenty years old.
Q Do you recall how long ago Donald Walters died?
A It's over ten years. Time goes by quickly and Boo was Stanley Morris' mother's father. And that is probably why Stanley would not mind if one of his sons took over the name.
Q And of course -- it's correct to say that Stanley Morris' children are Tsayu?
A Yes.
Q Okay. Has there been any dispute, first of all are the Indian people to the east of the Wet'suwet'en known as the Nutseni, is that what you would call them?
A Yes.
Q Okay. Has there been any dispute, to your knowledge, in your lifetime between the Nutseni and the Wet'suwet'en as to which of those two groups had the authority or owned the Decker Lake, Rose Lake area, that is Boo's territory?
A I don't know.

(Further response by Witness to Interpreter)
A Okay, past Burns Lake --
(Further response by Witness to Interpreter)
A Past Burns Lake the area belonged to the Laksilyu and the people
(Further response by Witness to Interpreter)
A The area belonged to Burns Lake Tom, Michell Tom, and Carl Dyee who was at one time the church chief at Hagwilget. The boundary goes as far as the -- there's a small lake just past Burns Lake and that's where the boundary, boundary is. Past there is -- the territory belongs to the Nutseni.
Q And I'm sorry but just to be clear, I take it that Boo's territory is on this side of that boundary, is that correct?
A Yes.
(Further response by Witness to Interpreter)
A At Decker Lake.
Q Sometimes I'm asking you these questions so the Judge will understand what you're explaining okay. So don't wonder if I sound very stupid. It's just that we have to try to be clear on what we're trying to ask.
(Further response by Witness to Interpreter)
A East of, or west of Rose Lake the territory belongs to Paddy Isaac.
(Court Reporter requests clarification)
A Paddy Isaac's father who is Gitdumden.
(Further response by Witness to Interpreter)
A His name is Isaac.
(Further response by Witness to Interpreter)
A And also Bilna and Old Bill.
Q I'd like to ask you about where -- where you grew up. Aside from being at Moricetown and Hagwilget, did you go Out onto any of the Wet'suwet'en territories outside of those Villages, when you were young?
A Okay, we travelled throughout the territory, went to different places during trapping season. Sometimes we'd spend the winter in the Kilwoneetz country also the Telkwa River area and sometimes at Sam Goosley Lake, which is my mother territory.
Q Okay. Did you go with your father out in the fall around September to hunt caribou?
A Yes.
Q And where would you go and how long would you stay out there?
A Okay, we used to go straight up from Doughty. I was four years old, but I still remember. There was lots of caribou. We would also go into Kilwoneetz territory and

the meat it would dry for feasts.
This area you went up from Doughty, were there names, was that in the mountains that you went to?
A Okay, it was between the mountains along the treeline.
Q Okay, were there names, were there Wet'suwet'en names for those mountains that you know of?
A I've forgotten the names.
Q Okay. Whose territory was that?
A It belonged to the people from Kilwoneetz.
Q And was there a head chief of the Kilwoneetzen then? Who was that head chief or who was it?
A Those are the people that are the names today. They are Maxlaxlex and Samaxsam.
Q Now, at the time that you went up there with your father, did he hold either Maxlaxlex or Samaxsam?
A He did not have those names. At the time he was Axdiiniiye.
Q How many of you, how many people would go up there and how long would you stay up there when you were caribou hunting?
A Okay, when we went up there, myself, my two brothers, my father and sometimes Joe Nass and his wife would come to meet us there, as well as David Dennis, his mother and father. And we would stay there until just before Christmas, we'd be there all winter.
Q And did you -- was there buildings you lived in or were you in tents or what? where did you live while you were up there?
A Okay, they had winter homes. And the structure was something like this, going right around.
(Further response by Witness to Interpreter)
A It was wood that had been slabbed and put around and the fire was built in the middle.
Q Did you go up there many, for many years or did you just go up one year that you remember?
A Many times.
MR. GRANT: Okay, we'll take a break now to change the tape.

(PROCEEDINGS ADJOURNED AT 2:35 P.M.)

(PROCEEDINGS RECONVENED AT 2:43 p.M.)

EXAMINATION IN CHIEF BY MR. GRANT CONTINUING:
Q We Were talking about -- we were talking about you coming back from your -- from where the caribou were hunted in the Kilwoneetzen territory and would you usually come back before Christmas?
A Yes.
Q And after Christmas would you stay here or would you go

back to another territory?
A Stay in Hagwilget.
Q Okay. That was over Christmas?
THE WITNESS: Yeah.
Q Now, after Christmas was over, did you used to go back out with your family to the territory, after Christmas?
A Okay, after Christmas holidays, my mother and I would stay behind and my father would go to Klotzwunii to hunt martens and that was his father's territory. His father was Caspit.
Q And how long would he stay out there hunting and trapping marten.
A They wouldn't --
(Further response by Witness to Interpreter)
A Okay, they would go in and out since the distance wasn't very far and the area I'm talking about you can see the mountain behind us.
Q And you're indicating across, pointing in a direction across the Bulkley River from Moricetown Village, is that right?
A Okay, the mountain I'm describing you can see from the Village it's called Tsiintel.
(Further response by Witness to Interpreter)
A That was Limtin (sic) territory.
Q Do you know if it was given a name by the non-Indians?
THE WITNESS: No.
A No.
Q Okay. FOr the record she was pointing across the Bulkley River from Moricetown Village.
(Further response by Witness to Interpreter)
A And she said there's a road that goes just about right up to the top.
Q Is that the forestry road across the canyon?
A Yes.
Q Okay, now you also said earlier that you would sometimes go out on your -- on Sam Goosley at Sam Goosley Lake. What time of year would your family go to Sam Goosley Lake
A In the spring, in May.
THE WITNESS: Springtime.
(Further response by Witness to Interpreter)
A They would trap for beaver.
Q And who would go out with your father at that time?
A My uncle Alfred Namox, his wife, John Namox when he was a young boy, Lucy Holland when she was a young woman and Gabriel Louis who was a young child. These were some of the people who would go with us.
Q And John Namox is a Wet'suwet'en chief who is still alive today, is that right?

A Yes.
Q And his name is Wah Tah Keg'ht (phonetic)?
THE WITNESS: No, it's Wah Tah Keg'ht.
Q Wah Tah Keg'ht?
A Wah Tah Keg'ht.
Q For the record --
(Further response by Witness to Interpreter)
(Court Reporter requests clarification)
A Henry Alfred.
(Further response by Witness to Interpreter)
Q Oh, you said Andrew Alfred?
A But it's Henry Alfred who --
Q Who holds the name Wah Tah Keg'ht. FOr the record John Namox is one of the Plaintiffs.
And when you went to Sam Goosley what did your -- where did your family live there, in what kind of building or tents or whatever?
THE WITNESS: Tent.
A Tent.
Q Okay, and how long would you stay out there?
A For the month of June and July.
Q And okay, and what would you be doing out on that territory? You were trapping beaver I believe you said?
THE WITNESS: Trapping beaver.
Q Okay, was that the main thing that your father did?
THE WITNESS: Yeah.
Q Okay, and this was your mother's territory, is that right?
A Yes.
Q After your mother died, did your father continue to use the Sam Goosley territory?
A No, after my mother died he quit trapping Sam Goosley.
(Further response by Witness to Interpreter)
A It was just my brother Tommy who used to go there.
(Further response by Witness to Interpreter)
A Who went with my uncle Alfred Namox.
Q Who uses the Sam Goosley territory today?
A Okay, we do. Myself, Dan Michell, Alfred Mitchell, and myself Victor Jim.
(Further response by Witness to Interpreter)
A And Sarah Tait is also in the group.
(Further response by Witness to Interpreter)
A Which was his father's territory.
Q It was Sarah Tait's father's territory? I'm sorry?
A Alfred Namox.
Q Is it correct to say that today Wilat, Namox and yourself Lilloos are the persons responsible for the Sam Goosley territory in the Wet'suwet'en system?

A Yes.
Q Okay, Wilat --
(Further response by Witness to Interpreter)
A Wilat has her territory in the Walcott area and she's not in with our group.
Q Okay.
(Further response by Witness to Interpreter)
A And the territory Wilat has, it belongs to Wilat's father.
Q Is that -- I'm sorry, is that the Walcott territory?
A Yes.
Q Did you continue to go out on the Sam Goosley territory or did you go out on that territory after your mother died?
A Yes, along with my uncle.
Q When were you last out on that territory?
A When my husband Tommy was still alive.
(Further response by witness to Interpreter)
A We used to go there with my uncle.
Q Okay, and what -- did -- your husband Tommy just died within the last year, is that correct?
A Yes.
Q How did your people decide when they would leave Sam Goosley and return to this area and what time of year, or when would they do it? Was there a special way they made that decision?
A Okay, they would leave Sam Goosley around July. There was no game warden at that time.
Q Are there any special markings in the ground at Sam Goosley, in particular I'm referring to footprints?
A Yes, those are Bini's footprints.
Q Would -- can you describe to us who Bini was?
A He was Tsayu.
Q And he is dead now, is that correct?
THE WITNESS: A long time ago.
A Yes, a long time ago.
Q Did he die before you were born?
A Yes, and probably before my mother's time. I was just told about him.
(Further response by Witness to Interpreter)
A And his footprints are still there today.
Q Okay, can you tell us what you know about Bini and was there anything special about Bini?
A Okay, where the footprints are Bini would sit there in June or July. There's a direction that he looks. When the sun sets he knows that the salmon are running in Moricetown, excuse me, and that's when the people know it's time to leave to come back to Moricetown to go fishing.
Q Would the sun -- was there a particular view he had of the

Sun rising between certain landmarks?
A Okay, he would look in the direction of Decker Lake and when the sun rises from that direction, that's when he knew that the salmon were running in Moricetown. And when he came to Moricetown they would take the route through Decker Lake.
Q Did you see those footprints yourself and have you stepped in those footprints?
A She said yes I did and I probably sat there as a young child playing around in the footprints.
Q Okay, do you recall how deep those footprints were in the ground?
A She said about two inches deep.
(Further response by Witness to Interpreter)
A And the footprint is shaped like moccasin tracks.
Q When you were young did your father or your mother or others check where the sun was rising in order to decide to return to Moricetown, just like you said Bini did?
A Okay, after --
(Further response by Witness to Interpreter)
A Okay, after Bini's time calendars and watches were introduced and from that people knew when it was time to leave. It was only Bini who would look at the sunrise.
Q Okay. Do you remember how long ago it was that you last saw the footprints?
A The last time I was there was when my uncle Alfred Namox was still alive. The road that used to go in there goes in a different direction now and the only way we can get in there is by boat, and my son Dan may take me there some time.
Q Okay. Now, are these footprints located alongside of Sam Goosley Lake or at one end of the lake?
A Okay, the footprints are where the creek runs from Sam Goosley Lake.
Q Okay, did your father and your uncle have cabins at Sam Goosley Lake?
A My uncle --
(Further response by Witness to Interpreter)
A -- my uncle had a cabin there and he built a cabin there twice.
(Further response by Witness to Interpreter)
A And one cabin is still standing.
Q And is that where you used to stay when you went there with your uncle?
A Yes, the first one was larger than the one that's still standing today.
Q Okay, and did your husband Tommy Michell did he trap there

When you went out there with your uncle, out there with your uncle or when you went there with your husband?
A Yes, he did. He hunted marten as well as beaver.
Q And What clan was your husband Tommy in?
A He's Laksilyu.
Q Okay, did he have -- was it through you that he had the right to hunt and trap Sam Goosley?
A Yes.
That was because he was married to you, is that right?
A Yes.
Q Now, Emma --
(Interpreter speaks further to Witness)
THE INTERPRETER: Okay, I just asked her if she was getting tired and she says she's fine.
Emma, do you recall whether these footprints were on a -- in a grassy area or were they on rock or are they in the middle in -- surrounded by trees immediately around them?
A It's in the field.
(Further response by Witness to Interpreter)
A Okay, on the field there's a little hill where our people used to have their tents.
Q And when the people used to have their tents was that when you were younger that you saw those tents in that field?
A Yes, I was very young.
Q Is there grass growing all around these footprints?
A Yes, and there's also trees around, all around the footprints.
Q Now, are the footprints themselves just in dirt or are they in rock?
A In dirt.
(Further response by Witness to Interpreter)
A There's no rock.
Q Okay, is the grass growing inside the footprints, to your recollection?
A Nothing.
(Further response by Witness to Interpreter)
A The only time the footprints get covered is when the leaves fall. And last time my daughter was there she cleaned the leaves from the footprints and took a photograph of it but nothing grows inside the footprints.
Q And you've seen that photograph?
A Yes, I've seen it, Gloria's got it.
(Further response by Witness to Interpreter)
A And Dan was the one who took Gloria and them to the footprints.
Q That's Dan your son who we're referring to when we're talking about Dan?

A Yes.
Q You also described that you would go or your father would go to the Telkwa River area. Now, whose territory was that that he was going to?
A The territory belongs to the Laksilyu.
Q Okay, and who was the chief of that territory at that time?
A Old Sam who was Maxlaxlex at that time.
Q Okay so he --
(Further response by Witness to Interpreter)
A He used to live -- he used to live there.
(Further response by Witness to Interpreter)
A He had a cabin there.
Q So did your father use that territory because he was in the same tribe and the same house as Old Sam?
A Yes.
(Interpreter speaks further to Witness)

(OFF THE RECORD DISCUSSION)

MR. GRANT:
Q Did -- What time Of year would your father go to the Telkwa River area?
A In the fall about this time, before September.
Q Okay, when you're referring to about this time, we're in late August now, so this is the time of year?
A Yeah, yeah.
Q And What would he do there? What would he hunt for or trap for or fish for in the Telkwa River area?
A Okay, they would trap for beaver, weasel, marten,
(Further response by Witness to Interpreter)
A Fox.
(Further response by Witness to Interpreter)
A Okay she said mink, otter and all the other animals that were in the territory.
Q And lynx, she said?
THE INTERPRETER: And lynx.
Q And how long would your father stay out there?
A Okay they would stay in the territory until snow fell and then they would move to Telkwa where they had a big tent set up for --
(Further response by Witness to Interpreter)
A It was around November when they would come back to -- move back to Telkwa.
Q Now, just to determine the relationship, we've already described how they would go, your father would go after caribou up in the mountains near Doughty around this September to Christmas. Now would he do -- would he go

after the caribou before or after he went to the Telkwa River area?
A Before.
Q And WOUld you go to the Telkwa River area with your father when he went there?
A Yes.
Q And your mother and the rest of your family?
A Yeah.
m And your unCles would go there too?
A Yes, they would go there sometimes.
Q Now, one of the things I didn't ask you when I was talking to you about the seating was, we've described that the Laksamshu sat on the same end as the Tsayu. Who, which Laksamshu chief -- I've got this right, don't I? I think Laksamshu was what your answer was. Which Laksamshu chief would sit beside Kweese or Florence Hall in the feast hall today?
A Leonard George who is Smogelgem.
Q And Who would sit beside Leonard George?
A I think it's Tommy Tait.
Q Okay, and who would sit beside him?
A Andrew George.
(Further response by Witness to Interpreter)
A Who is Leonard's brother.
Q Okay, would Johnny Mack sit at that table?
A Yes, he is.
(Further response by Witness to Interpreter)
A Johnny Mack who is Kloumkhun and he's very sick now.
(Court Reporter requests clarification)
A Who is Kloumkhun and he's very sick now.
(Further response by Witness to Interpreter)
A They've taken him to Vancouver.
Q Is he in a different house than Smogelgem?
A I think they're from the same house.
Q Would Jimmy George sit with Smogelgem?
A Yes.
Q And Fred George?
THE WITNESS: Fred George.
A Yes.
(Further response by Witness to Interpreter)
A Jimmy George's name is Tsebaysa.
Q Okay, and do you recall Fred George's name?
A Bistei.
Q And Tommy Tait's name? It's all right if you can't recall.
A I keep forgetting his name.
Q Augustine Morris, would she sit against the wall there too?
A Yes.

Q Do you recall what her name is?
A Gustedaylut.
Q And all of these people we've just talked about, are they all Laksamshu?
A Yes.
Q And all Of those people I've just talked about, would they all sit against the wall in the same row as you are, with the other -- with Smogelgem?
A Yes.
Q Okay. Now before our lunch break I asked you if you could explain why the Laksamshu and Tsayu sit at the same table. Do you know whether in the old days one of those tribes or the other was small, had few members and so they sat, decided to sit together?
A Okay, the Tsayu had dwindled in numbers and the Laksamshu had a lot of people in their clan.
(Further response by Witness to Interpreter)
A And Tommy, Tom Tait originally came from Skeena Crossing.
(Further response by Witness to Interpreter)
A He's Gitksan.
(Further response by Witness to Interpreter)
A And the same with Augustine, her family all came from Skeena Crossing.
(Further response by Witness to Interpreter)
A Andy George and Leonard George originally came from Hag-wilget.
Q But they are Wet'suwet'en?
A Yes, they are Wet'suwet'en.
Q And they were Laksamshu originally, is that right?
A Yes.
(Further response by Witness to Interpreter)
A Okay, the reason why Augustine and her family are considered Gitksan is because Augustine's grandmother who is Gitksan had married my husband Tommy's uncle and that is how they became Wet'suwet'en.
Q Okay, and Augustine is Roy Morris' wife?
THE WITNESS: Yeah.
Q Now, you said that the Tsayu had dwindled and Laksamshu had a lot of people in it. Is it the same today, are the Tsayu a very small tribe compared to the Laksamshu or have, has your clan grown?
A Our numbers would probably increase. Our grandchildren are still young yet and the offsprings from them will increase the Tsayu numbers.
Q So at least in part, thanks to you, the Tsayu are a large tribe now Emma?
A She's saying that --

(Further response by Witness to Interpreter)
A Because of all my girls the Tsayu will increase in numbers. I have seven girls, I have lost two.
Q You had nine and you lost two and you have seven now?
THE WITNESS: Yeah.
A Yes.
THE WITNESS: I leave three boys.
Q And how many boys do you have alive now?
THE WITNESS: I got one only.
Q Now, When you were small or younger, at that time were the Tsayu a smaller clan than the Laksamshu? In other words, do you remember when the Tsayu were a small clan or was it before your time?
A I can't recall.
(Further response by Witness to Interpreter)
A I don't know.
Q Do you remember how old you were when you first were in the feast hall?
A I remember when my mother died. My mother and my father used to have many feasts and I remember those days.
Q Um-hmm, so were you in the feast hall before your mother died?
A No.
(Further response by Witness to Interpreter)
A Just, just my brothers who had big chief names.
Q Okay, and what chief names did your brother Thomas Michell have, Thomas Mitchell, I'm sorry?
A James had Wikax.
Q Um-hmm?
A And Tommy had Misalaos.
Q Okay. Do you know if anybody holds those names today in Tsayu?
A My grandchild Cheyenne has the name Wikax.
(Further response by Witness to Interpreter)
A Stanley junior.
Q Just to be clear that's Stanley Nikal junior?
A Yes.
THE WITNESS: Wikax.
Q wikax.
THE INTERPRETER: He has the name Wikax.
Q And that's the name James Mitchell had?
THE WITNESS: Yeah.
Q Okay. Now, who -- does anybody have Misalaos Tommy Mitchell's name?
THE WITNESS: Yeah.
Q Who holds that name?
THE WITNESS: Victor.

Q Victor Jim the Interpreter?
THE WITNESS: Um-hmm.
MR. GRANT: Okay, maybe we can go off the record for a moment please.

(OFF THE RECORD DISCUSSION)

MR. GRANT: Okay, at that brief break, we're going to adjourn until tomorrow morning at ten o'clock.

(PROCEEDINGS ADJOURNED AT 3:35 P.M. TO AUGUST 27, 1986, AT 10:00 A.M.)

AUGUST 27, 1986

(PROCEEDINGS COMMENCED 10:20 A.M.)

EXAMINATION BY MR. GRANT: This is a continuation of the Commission Evidence of Emma that we had yesterday and you were sworn or affirmed yesterday to tell the truth and you're still under oath. You understand that?
A Yes.
Q I jUst Want to clarify a few questions I asked you yesterday and I think I made a mistake, not you. We were talking about Samaxsam yesterday and I referred to Samaxsam, the holder of that name, as being Mabel Sam. In fact, is it correct that the holder of the name Samaxsam was Mabel Sam' s father Old Sam?
THE WITNESS: Mabel Sam's grandfather Old Sam.
Q Mabel Sam's grandfather Old Sam?
THE WITNESS: Yes.
(Further response by Witness to Interpreter)
A Mathew Sam's father was Samaxsam.
Q Okay, what name does Mabel Sam hold today?
A Okay, she said --
(Further response by Witness to Interpreter)
A She had Samaxsam then she said that that was wrong.
(Further response by Witness to Interpreter)
A And now she has the name Kela.
Q Okay, sorry the answer was wrong Samaxsam, is that right?
THE INTERPRETER: Yeah.
Q So she holds the name Kela?
A Kela was Mabel Sam's mother who had the name before.
Q Do you know if anybody holds the name Samaxsam today?
A No one today. Mabel is still holding it.
Q Okay, I asked you yesterday about the feast and the

Laksamshu and the Tsayu sitting together. When there is a Tsayu feast, do the Laksamshu help them at it?
A Yes.
Q Okay, do you recall a feast -- I'm sorry I think I asked when there was a Tsayu feast do the Laksamshu help you. When there is a Tsayu feast do the Laksamshu help them?
A Yes.
Q Do you recall, when you were a small child, a feast put on by Bilna's daughter who was a Laksamshu?
A Yes.
Q And when he was -- and Bilna's daughter was a Laksamshu, is that right?
A Yes.
And did your mother and your uncle help at that feast?
A Yes.
Q And they were both Tsayu?
THE WITNESS: Yeah.
(Further response by Witness to Interpreter)
A She said even in those days Laksamshu and Tsayu helped each other.
Q What was your uncle's name who helped at that feast or -- yeah your uncle who helped at that feast?
A Alfred Namox who held the name Namox.
Q Do you recall Bilna's daughter's name who put up that feast and did she -- if she received a feast name at that feast, do you recall what name it was?
A Adele.
(Further discussion between Witness and Interpreter)
A Okay, I can't recall the name, the chief name that she was given. I believe it was Skokumlehait or Skokum --
(Further response by Witness to Interpreter)
A Skokumleha.
Q If I Could clarify that, was it either Skokumleha or Skokumlehait?
A Either of those names, she can't remember.
Q And her name was Adele?
THE WITNESS: Adele.
Q Where Was that feast held?
THE WITNESS: Hagwilget hall, big hall (inaudible).
A The hall was in Hagwilget and it was Queen's hall. I remember when they put up the feast.
Q When you say this was Queen's hall, would this be the same place where Queen lived at Hagwilget?
A Yes.
Q And was that building below the rocks at the base of the canyon or was it up on top of the cliff?
A On top.

(Further response by Witness to Interpreter)
A And they had a smokehouse that was down at the base of the cliff.
Q Okay, and where was it -- was the church that's there today, at Hagwilget, was it there when that --
THE WITNESS: Yes, it was there. It was there.
(Further discussion between Witness and Interpreter)
A The old church used to be where the highway is, that runs into Old Town.
(Further reponse by Witness to Interpreter)
A And Queen's hall was behind, between the old church and the present church. It was in the middle.
Q Is that near where Syljef -- Sylvester George's house would be now?
A Yes, near Sylvester's house.
Q Okay. Yesterday when we were talking we talked about the people leaving Sam Goosley in July to return to Moricetown. On their way back to Moricetown, did they go past any other lakes or the territories of other chiefs?
A Okay, on their way from Sam Goosley they would pass through Maxan Lake which was named after Maxan Tom. From there they would go to Decker Lake. And at Decker Lake they would camp there for one week, where they would fish for the various species which they would smoke and this is what they would use for food from Decker Lake to Morice-town. And the trail used to go through where the present highway is.
Q How long would it take them, including their stops at Decker Lake, how long would it take you and your family to go from Sam Goosley to Moricetown?
A Okay I can't recall exactly how long it takes to go from Sam Goosley to Moricetown.
(Further response by Witness to Interpreter)
A And Maxan Lake and Tsezulka' are right next to each other. From there they would -- they would get to Decker Lake. They would camp at the outlet of Decker Lake where, where it was really beautiful, and they used these foot trails. So I really don't know how long it would take to get from Sam Goosley to Moricetown.
MR. GRANT: Go off the record for a moment.

(OFF THE RECORD DISCUSSION)

MR. GRANT:
Q What Chief holds the territory where Decker Lake is lo-cated or which clan?
THE WITNESS: Tsayu.

(Further response by Witness to Interpreter)
A Okay, it's the Tsayu clan and it's Boo's territory.
Q Boo's territory?
THE INTERPRETER: Boo's territory.
Q And what about Maxan Lake, which clan and which chief?
THE WITNESS: Laksilyu.
A Laksilyu.
(Further discussion by Witness and Interpreter)
A Kumgingowaycan, Ateedewoah, the two chiefs who held that territory and they were brothers.
Q Do you know which chief holds that territory today?
A Mariann Luggi is caretaking the territory for his father.
(Further response by Witness to Interpreter)
A Her dad.
(Further response by Witness to Interpreter)
A And Mariann Luggi is Seymour Tom's daughter.
(Further response by Witness to Interpreter)
Q Is she Wet'suwet'en?
A Yes.
(Further response by Witness to Interpreter)
A She belongs with the Burns Lake Band.
Q When you say she belongs, that is the Band that she's a member of you're referring to, is that right?
A Okay, she's Gilserhyu.
(Further response by Witness to Interpreter)
A Yes, she's a member of the Burns Lake Band. Her grand-parents live in the Burns Lake area.
Q Now, when you would stop at Decker Lake, what kinds of fish would you catch and how would you prepare them for the balance of the trip to Moricetown?
A Trout and suckers.
(Further response by Witness to Interpreter)
A And they would smoke that and that's what they would use for food for the trip down.
Q What about -- would you also use whitefish?
A Yes.
Q Okay, did you do anything with the eggs of the whitefish?
A Yes, they would dry the eggs of the whitefish.
(Further response by Witness to Interpreter)
A Okay, with the whitefish eggs they would mix that with gkinkalx which is a form of wild rice, we have black flowers in June. They would go dig these up and mix it with the dried eggs. And that's -- they would mix it together and eat it.
Q And would you pack the wild rice back with you as well, so you'd have food with you on the way back?
A Yes, they would. They would boil it.

(Further response by Witness to Interpreter)
A She said it doesn't taste too good when it's raw.
Q And how did your family catch fish at Decker Lake?
A Okay, there was no nets as we know them today. In those days they used a small plant which stood about a foot high and their people called it leexk.
(Further response by Witness to Interpreter)
A And when it was dried it looked like thread, and that is what they used to make their nets to catch the various species of lake fish. And it's probably around here, I'll show you sometime.
(Further response by Witness to Interpreter)
A And I've seen that plant near here, many times.
(Further response by Witness to Interpreter)
A And there used to be a lot of gkinkalx but I don't see much anymore. I remember Passin's mother giving it to my parents and it tasted bitter for me.
Sorry, what is the --
THE INTERPRETER: Gkinkalx, that's wild rice.
(Wet'suwet'en writer requests clarification)
THE INTERPRETER: Passin.
A And my parents used to eat that all the time.
MR. GRANT:
Q Did you help to make these nets with this, plant this leexk or did you see your mother do it or your father?
A Okay, I or my mother did not work with this plant, it was way before our time. During our time we had the, had the twine nets.
(Further response by Witness to Interpreter)
A And the thread --
(Further response by Witness to Interpreter)
A And the thread that we used for nets was heavy and the Hudson Bay sells that.
Q In Sam Goosley, when you were there, did your mother or father use fish traps to catch fish there?
A Yes, they did.
(Further response by Witness to Interpreter)
A And they used to catch salmon as well as tsagwut which is muskrat.
Q Yesterday, you described that they caught beaver there, and now you've described that they catch muskrat and also they caught fish or caught salmon in the fish traps. Were there other things that your father or your mother caught in the lake or around the lake at Sam Goosley other animals or fish?
A Okay, they also hunted bears near the lake for eating.
(Further response by Witness to Interpreter)

A And in the older days there were probably caribou near tsezultsek.
(Further response by Witness to Interpreter)
A And that area where the caribou were is where Equity Mine has their mine there.
(Further response by Witness to Interpreter)
A And I want to get paid for Equity Mine having their mine at that site.
(Further response by Witness to Interpreter)
A White people have been making a lot of money and they don't help us out in any way.
Q Okay, I'll come back to that and the discussion of Equity Mine a little later Emma.
(Interpreter speaks to Witness)
Q Did Alfred Namox live at Maxan Lake or Decker Lake?
A No.
(Further response by Witness to Interpreter)
A He just lived at Sam Goosley where there were two cabins.
Q Oh, Okay. And when we're talking about Alfred Namox, the man who held the chief's name Namox, was this man your mother's brother?
A Yes.
Q Now, I'd like to clarify some of your relations.
Do you know the name of your mother's mother?
A She was the one that was Wilat.
Q Do you know when she died?
A No.
But she died before you were born?
THE WITNESS: Yeah.
A Yes.
(Further response by Witness to Interpreter)
A A long time ago.
Q Do you know --
(Further response by Witness to Interpreter)
A My mother was still single when her mother died.
Q Okay, do you know the name of your mother's father?
A Ooyii'.
(Further response by Witness to Interpreter)
A It's an old name.
(Further response by Witness to Interpreter)
A In Laksilyu.
Q Okay, was he from the Kilwoneetz?
A yes, I think so.
Q Okay, did your mother's mother have any sisters or brothers? A She had no sisters but she had two brothers.
Q Do you know the names of either of those brothers?
A Okay, the two brothers one was a big chief who held the

name Kelxkoohx and that was the name that David Dennis has given to Fred Michell. The other one was not given a name when he died. And Mooseskin Lake used to belong to the Tsayu in the old days.

Q And did -- did either Of these two brothers Of your mother's mother stay at Mooseskin Lake?

A Yes, they did. And from there they would travel back to Neldzeetesdlee which is Sam Goosley Lake.

Q Okay, do you know, did -- were either of these brothers alive before you were, or after you were born?

A Okay, it was -- it was a long time ago way before my time and the same with my grandmother.

Q Is that when --

A When her --

Q When they died you mean?

A Yeah.

Q Go ahead?

A When they died my grandmother went back to Tsezultsek and the area around Mooseskin Lake was first given to Boo who didn't use the territory that much. So Boo in turn gave it to Mooseskin Johnny?

THE WITNESS: Um-hmm.

A Gave it to Mooseskin Johnny who did use the territory quite a bit and the lake was named after Mooseskin Johnny.

Q And what clan is, Boo was Tsayu?

A Yeah.

Q And Mooseskin Johnny was --

THE WITNESS: Tsayu.

Q Was Tsayu -- do you know what the name of your mother's, mother's brother Kelxkoohx what that name means?
(Discussion between Witness and Interpreter)
I'm sorry.
(Further discussion between Witness and Interpreter)

A It's a very old name and I don't know what that means. David Dennis told me that it was my granny's brother's name.
(Further response by Witness to Interpreter)

A And David Dennis was told in turn by his dad.

Q Okay, do you know what your grandfather, that is your mother's father's name, Wxuuwi'x, I'm sorry for my pronunciation, what that means Wxuuwi'x I think you have it noted, I'm sorry. Can you assist in the pronunciation of it? W-X-U-U-W-I-'-X.

(OFF THE RECORD DISCUSSION)

(Further discussion between Witness and Interpreter)

A I think so I'm not --
(Further discussion between Witness and Interpreter)
A Ooyii' is his name.
(Further response by Witness to Interpreter)
A And that's Wilat's husband.
Q Do you know what -- I'm sorry the earlier name I had given was the wrong name. Do you know what that name means?
A She said I'm not too sure but it might mean stand up.
Q Okay. Now, you already have explained that your mother -- that Alfred Namox who held the chief's name Namox was one of your mother's brothers. Did she have any other brothers or sisters?
A They had another brother Deenezyez which means small Dennis. He's the father of Florence Hall.
Q And he would have been Tsayu?
A Yes.
(Further response by Witness to Interpreter)
A Deenezyez was Laksilyu.
Q Oh, okay. Did she have any other daughters or sons other than Namox, Deenezyez and your mother Amanda?
(Discussion between Interpreter and Witness)
What was the answer?
A She said Deenezyez is --
(Further response by Witness to Interpreter)
A Is my mother's --
(Further response by Witness to Interpreter)
A Brother's son.
(Further response by Witness to Interpreter)
A Deenezyez is my mother's brother's son.
Q And what was the name of your brother -- what was Deenezyez' father's name?
A She says, I'm sorry I don't know.
(Further response by Witness to Interpreter)
Q Okay.
(Further response by Witness to Interpreter)
A And he also died a long time ago.
Q Okay. So there's -- okay, we'll go off the record for a moment to change the tape.

(PROCEEDINGS ADJOURNED AT 11:05 A.M.)

(PROCEEDINGS RECONVENED AT 11:15 A.M.)

EXAMINATION BY MR. GRANT CONTINUING:
Q Emma, I may have confused you and also myself with the last question. I'm asking you about Wilat's children, that is your grandmother's children. Now, I understand that one

of her children was your mother, Amanda, and another one was Alfred Namox, is that correct?
A Yes.
Q Okay, was another of her children Deenezyez?
A Okay, Deenezyez' father was my mother's brother.
(Further response by Witness to Interpreter)
A Alec Bain, Sa on.
(Further response by Witness to Interpreter)
A Was my mother's sister.
Q Was Mariann Tiljoe one of your mother's sisters?
A Yes.
(Further response by Witness to Interpreter)
A That's the one I mean.
Q And that's the same one as Alec Bain?
A Yes, Alec Bain.
Q And her feast name was Sa on?
A Sa on.
Q Did your mother have any other sisters other than Sa on?
A No, this was Just the two sisters and the two brothers.
Q Okay, and just to be clear, the two brothers were Alfred Namox and Deenezyez?
ANTONIA MILLS (Wet'suwet'en Writer) : Deenezyez' father.
A Deenezyez' father.
Q Now, and I believe you also answered this, but you can't recall the name of Deenezyez' father, is that right?
A That's the one I told you I don't know.
Q Okay. Now, of these -- okay you remember Mariann Tiljoe, she was alive in your lifetime?
A Yes.
Q And Alfred Namox Was alive in your lifetime?
THE WITNESS: Yes.
Q But Deenezyez' father had died before you were born?
THE WITNESS: Yeah.
Q Now, did your brother James Mitchell marry Teresa George?
A Yes.
Q And what -- was her name Gisdaywa?
A No, it was Thomas George who held the name Gisdaywa.
Q Did she -- sorry.
(Further response by Witness to Interpreter)
A That was Teresa's brother, oldest brother.
Q Okay. Do you know what name she held, what feast name she held if any?
A She had no name, feast name.
Q Now, did your other brother Tommy Mitchell, have two wives at different times?
A Yes.
Q And One Of them Was Mary Tom?

A His first wife was Mary Muldoe --
(Further response by Witness to Interpreter)
A -- from Kispiox.
Q And she was Gitksan?
A Yes.
And then he married Mary Tom after that?
A And Mary Tom was Burns Lake Tom's daughter.
Q And what clan or tribe, clan was she from?
A Gitdumden.
(Further response by Witness to Interpreter)
A She's from the same --
THE WITNESS: Same tribe.
A Same tribe as Charlie Austin's wife.
Q That's Margaret Austin?
A Yes.
(Further response by Witness to Interpreter)
A And their grandmothers were sisters.
Q Okay. Was Mary Tom Wet'suwet'en, Nutseni or Gitksan?
A Yes, she's Wet'suwet'en. That's why Charlie Austin was living in Hagwilget.
(Further response by Witness to Interpreter)
A Burns Lake Tom's territory is in Burns Lake and that's why they live there.
(Further response by Witness to Interpreter)
A And there's a big town there now, and the people from Babine are living there.
Q Okay. Do you know what Mary Tom's mother's name was?
A She ' s asking if it's the English name you want?
Q If you can recall the English or the Wet'suwet'en name, I would be happy with either.
A I can't recall the English name.
(Further response by Witness to Interpreter)
A Andrew George's wife Rita --
THE WITNESS: Which is Indian name you remember it.
A Holds the granny's name.
THE WITNESS: Indian name.
Q Okay, and that's the same name that Mary Tom's mother had?
A Yes, she was named by that name.
Q Okay.
(Further response by Witness to Interpreter)
A She said Antonia has that name written down.
Q Okay, now you had a sister whose name was Mariann, is that correct?
A She asked me if my sister?
Q Yes, I'm referring to your sister. Did you have a sister named Mariann?
A I have no sisters, they all died.

(Further response by Witness to Interpreter)
A And they were older than me and I don't remember their names.
(Further response by Witness to Interpreter)
A And they were --
(Further response by Witness to Interpreter)
A They named me after one of the -- one of my sisters who had died and another sister was Louise.
(Further response by Witness to Interpreter)
A And now they call me Emma Louise.
(Further response by Witness to Interpreter)
A Mitchell.
They had both died before you were born, is that right?
A Yes.
Q So none of those sisters had a family themselves before they died, is that right?
A No, they were young.
Q Okay.
(Further response by Witness to Interpreter)
A They were about eight or ten when they died.
Q Okay, what I'd like is just to give you a list of some of the names of your children and see if I have them all correct. One of your daughter's name is Mary Jim, is that right?
A Yes.
Q And you had two sons who died whose name, each of them were named George Michell, is that correct?
A Yes.
Q And one of your sons who is alive is Dan Michell?
A Yes.
Q And One of your daughters who died just recently was Bernadette Naziel?
A Yes.
Q You had another son named Herrick Michell who died in 1960?
A Yes.
Q One of your daughters who is still alive is Winnie Joseph?
A Yes.
Q And she holds the name Gwasoks?
A Gwasoks.
THE WITNESS: Indian name, my mother's name.
Q That's your mother's name. And Winnie now holds that name?
A Winnie is now Gwasoks.
Q You have another daughter whose name -- I'm sorry, Winnie Joseph was married to Joseph Joseph, is that right?
A Yes.
Q And Mary Jim is married to Peter Jim?

THE WITNESS: Um-hmm.
Q You have another daughter named Beatrice MOrris who is married to Stanley Morris?
THE WITNESS: Yeah.
Q And Stanley Morris presently holds Caspit?
THE WITNESS: Yeah.
Q And Beatrice holds the name Axtioasan (sic)?
A Axtiioo.
Axtiioo, you make it easier Emma. You have another daughter named Gloria Michell?
THE WITNESS: She haven't got no name yet.
Q She's married to Henry Michell?
THE WITNESS: Yeah, not married yet, just stay with him.
Okay, and you have another daughter whose name is Lillian Louis?
A She said you missed Helen Nikal.
Q Okay, you're going in order. Okay Helen Nikal is one of your daughters?
THE WITNESS: Yeah.
Q And she's married to Stanley Nikal?
THE WITNESS: Yeah.
Q And Mary Alice Namox is one of your daughters?
THE WITNESS: Yeah, that's the last baby.
Q She came after Lillian?
THE WITNESS: Yeah, after Lillian.
Q Okay, so Lillian Louis is a daughter of yours?
THE WITNESS: yeah.
Q And Mary Alice Namox?
THE WITNESS: Yeah.
Q Helen Nikal has six children?
THE WITNESS: Yeah.
Q And Mary Alice has two children?
THE WITNESS: Two.
Q Lillian has three?
THE WITNESS: Three, four altogether.
A Four.
THE WITNESS: Four, a little boy.
Q Nelson is One Of them?
THE WITNESS: Yes.
Q Natasha?
THE WITNESS: Natasha.
Q Avril?
THE WITNESS: Avril.
Q And Who else?
THE WITNESS: Juni (sic).
A Junior.
Q Russell?

A Junior.
THE WITNESS : Is a boy.
A It's a new addition.
Q He was just born, eh?
THE WITNESS: Yeah, now he's pretty soon one year.
Q And Gloria has six children?
THE WITNESS: Yeah.
Q And Beatrice has five Children?
THE WITNESS: No, three.
Q Oh, okay she had, she had four and Priscilla died?
THE WITNESS: Yeah one he die, the oldest daughter died.
Q Okay.
(Further response by Witness to Interpreter)
A The oldest daughter Priscilla died and then there's Kevin, Elaine, and then Junior.
Q And Junior is Stanley junior?
THE WITNESS: Yeah.
Q Did they adopt a son?
THE WITNESS: Yeah.
Q And his name's Brian?
THE WITNESS: Brian (inaudible).
Q That's Brian?
THE WITNESS: One girl and one boy yet.
Q WOUld you repeat the answer for the Reporter?
A Okay, they did adopt two children from Kispiox.
(Further response by Witness to Interpreter)
A The boy's name is Brian and I can't recall the girl's name
(Further response by Witness to Interpreter)
A I think her name is Brenda. I've forgotten her name.
Q Would those two children that are adopted be considered members of Wilat's house or Namox'house and the Tsayu clan Are they adopted into the Tsayu clan?
A She said that's what she'll probably do.
Q That's what who will probably do?
A Beatrice.
Q Winnie has two children?
THE WITNESS: Yeah.
Q Fred and Ingrid?
THE WITNESS: Ingrid, yeah.
Q And Ingrid, her daughter has two children?
THE WITNESS: Yeah.
Q Okay, and Bernadette has ten children?
THE WITNESS: Yeah.
Q And She also had Jimmy Michell who died?
THE WITNESS: Um-hmm.
Q And Harry Naziel who died?
THE WITNESS: Yeah.

Q And Alfred Naziel Who died?
THE WITNESS: Yeah.
Q And victor Naziel Who died?
THE WITNESS: Um-hmm.
Q But Other than those She has ten Other Children, is that right?
THE WITNESS: Um-hmm.
Q What's the answer?
(Discussion between Interpreter and Witness)
A There's two males that are still alive, the rest are all females.
Q Okay, and of her children, of her daughters that are alive, Trudy has one child?
A Yes, Trudy is in between. Carol is the oldest.
Q And Carol has three children?
A Yes.
Q And Delores has three children?
A Yes.
Q And Rhonda has one child?
THE WITNESS: Yeah.
Q And Anita has one child?
A Yup.
Q And Jackie has one child?
THE WITNESS: Yeah.
Q And Trudy has one child?
THE WITNESS: Yeah.
Q Now, your daughter Mary has eleven children who are alive?
THE WITNESS: No, they lost one girl. They lost two girls.
(inaudible)
A She lost two girls, the oldest one and one was stillborn, the female. And one boy drowned.
(Further response by Witness to Interpreter)
Q Okay, let me go through them. She has a son named Ruby?
THE INTERPRETER: Son?
Q A daughter named Ruby, sorry is that right?
A That's the youngest.
Q Okay and a son named Larry?
THE WITNESS: Larry is the oldest one.
Q He's the oldest?
THE WITNESS: Yeah.
Q And a daughter named Betty?
THE WITNESS: Yeah.
Q And Betty is married to Philip Tait?
THE WITNESS: Yeah.
Q And a son named Victor?
THE WITNESS: Yeah.
Q And Edward?

THE WITNESS: Yeah.
Q And Shirley a daughter?
THE WITNESS: Yeah, Shirley.
Q Greg, a son?
THE WITNESS: Greg.
Q Bernadette, a daughter?
THE WITNESS: Yeah.
Q Peter Jim jUnior?
THE WITNESS: Um-hmm.
Q Herbie Jim?
THE WITNESS: Yeah.
Q And Ruby Jim?
THE WITNESS: Yeah.
Q And you say she had a daughter that died. Was her name Ruby that early daughter?
THE WITNESS: Yeah.
Q And she also had a son named Jerry who died, is that correct?
THE WITNESS: Yeah.
Q And she had another son named Norman who died?
THE WITNESS: Yeah.
Q Okay, and Betty, who is your grandaughter, has six children is that correct? That's Betty Tait?
THE WITNESS: Yeah.
Q And Shirley Jim has three children?
THE WITNESS: Three.
Q And Bernadette has One?
THE WITNESS: One.
Q Okay. Now, is it correct to say that all of your children are members of the Tsayu clan and are in the same house as you?
THE WITNESS: Yeah.
Q Is it correct to say that all the children of your daughters are also in the Tsayu clan --
THE WITNESS: Yeah.
Q -- and in the same house as you?
THE WITNESS: Yeah.
Q So all of the people that we've just referred to, aside from the persons that your children have married or your children's children have married, all of those people are in the Tsayu clan, is that right?
THE WITNESS: Yeah.
Q Now, yesterday you referred -- oh, just one moment. When we were talking about Wilat's brother, you indicated that Fred Michell now holds that name. That is your grandson, Winnie Joseph's son that you're referring to, isn't it?
THE WITNESS: Um-hmm.

Q You referred to Mooseskin Johnny as taking care of the area around Mooseskin Lake earlier. Did Mooseskin Johnny hold the name Kweese?
THE WITNESS: Yeah, Kweese.
Q Before Mooseskin -- okay. Is Mooseskin Johnny related to Bini?
A Okay, Bini is more closely related to us than Mooseskin Johnny is.
Q Okay.
A When they had their old smokehouses in the canyon, Kweese had her smokehouse across the river.
(Further response by Witness to Interpreter)
A And this side was Wilat.
Q Okay. Now, when you refer to your Smokehouses at the canyon and Wilat's and Kweese's, is this at Moricetown canyon?
THE WITNESS: Yeah.
Q Okay, did Bini also hold the name Kweese?
A No, he just held the name Bini.
(Further response by Witness to Interpreter)
A He was probably called Bini because he would lose his mind occasionally.
Q Okay.
A From fainting spells.
Q Do you know who held the name Kweese before Mooseskin Johnny?
A I don't know.
(Further response by Witness to Interpreter)
A It was a long time ago.
(Further response by Witness to Interpreter)
A Kweese always had a smokehouse across the river.
Q Okay, was Lucy Nass Mooseskin Johnny's sister?
A No, no just related.
(Further response by Witness to Interpreter)
A Lucy Nass was brought up by my parents. When Lucy Nass' mother died, Lucy Nass was taken in by my mother.
Q Do you know what Lucy Nass' mother's name was?
A No, I don't know.
Q Now, yesterday you mentioned Joshua Holland who held the name Mutt, I believe.
THE WITNESS: Yeah.
Q How are you related to Joshua Holland?
A Okay, because my mother brought up Joshua's mother they considered him my brother.
Q Okay, and Joshua's mother was Lucy Nass?
A Yes.
(Further response by Witness to Interpreter)

A Lucy Nass' first husband was Thomas Holland.
Q Uh-huh, and that was Joshua's father?
A Yes.
Q And then She married Joe Nass?
THE WITNESS: Yeah, after that.
Q I see. Do you remember her feast name, Lucy Nass' feast name?
A She was Mutt.
Q Did she also hold the name Namoxoo (sic)?
(Discussion between Witness and Interpreter)
Q What's the answer?
A No, just that one name.
Q Okay.
(Further response by Witness to Interpreter)
A And that's the name Joshua took after she died.
Q Okay. And who received the name Mutt after Joshua died?
A Amos Naziel.
(Further response by Witness to Interpreter)
A And he hasn't finished paying for the name.
Q I'd just like to -- do you remember when Mooseskin Johnny died?
A Yes, I know.
Q Were you about twenty years old then?
THE WITNESS: Yeah. I was married.
A Yes, I was married.
Q And after he died did August Pete take the name Kweese?
A Yes.
Q And was AugUst Pete Mooseskin Johnny's sister, Adele's son?
A Mooseskin Johnny's sister Baskut --
(Further response by Witness to Interpreter)
A -- was August Pete's mother. I can't recall her English name.
(Further response by Witness to Interpreter)
A And Joe Nass' first wife, Agat, was also a sister to August Pete.
(Further response by Witness to Interpreter)
A Florence Hall's mother was also a sister.
Q Of August Pete?
THE WITNESS: Yeah, August Pete.
A Yes, and she held the name Kweese.
Q Okay. Now, just a second here.
(Further response by Witness to Interpreter)
A And Biloo is Kweese.
Q Now, what is Biloo?
A Now, Biloo is Kweese Florence Hall.
Q Okay. Just let me take a minute you've said a lot here.

Joe Nass who married August Pete's sister --
THE WITNESS: Yeah.
Q -- he is the same Joe Nass who married Lucy Nass later, is that right?
THE WITNESS: Yeah, after that. After that.
Q And after August Pete died, did his sister, Florence Hall's mother, take the name Kweese?
THE WITNESS: Yeah, Emily.
Q Okay, and that was Emily Dennis?
THE WITNESS: Yeah.
Q And She Was married to Deenezyez?
THE WITNESS: Yeah.
Q Okay. Do you remember how old Deenezyez was when -- was he older than you?
A Yes, he was way older than me.
Now, after Emily died, who took the name Kweese?
A Florence Hall, Emily's own daughter.
Q Okay, I'd like to ask about your father Jimmy Mitchell. Yesterday I understood that Jimmy Mitchell was the son of Caspit, is that right?
A Yes.
THE WITNESS: Yeah.
Q Did Caspit, that is the Caspit who was your grandfather, did he have a nedo or a non-Indian name?
A He was given the name Yami by Bini which probably meant Jimmy.
Q So your grandfather was alive when Bini was alive, is that right?
A I'm not too sure but they're the ones who told me about this.
Q Who told you about that?
THE WITNESS: My dad and my father-in-law told me.
A My dad and my father-in-law told me.
Q Do you know who was the names of your father's grandparents, by that I mean Caspit's parents' name?
A No, I don't --
Q You don't -- they weren't alive when you were a child, is that right?
A I remember seeing my father's father Caspit.
Q Okay.
(Further response by Witness to Interpreter)
A They lived in Hagwilget in a small house.
(Further response by Witness to Interpreter)
Q When Caspit's wife died, he remarried Round Lake Tommy and Louis Tommy's mother --
(Further response by Witness to Interpreter)
A And her name was Susanne Keyo.

Q What Was her name?
THE INTERPRETER: Susanne Keyo.
Q And do you remember her when you were a child?
A Yes, I did see her.
(Further response by Witness to Interpreter)
A I remember seeing her just before Tommy and I got married. She stayed with Louis Tommy at their house.
Q And what clan is Caspit, was Caspit in?
A Gilserhyu.
Q Is Caspit related to Goohlaht?
A Yes, they come from one clan.
Q Okay.
(Further response by Witness to Interpreter)
A And also -- and also Oonustoten are also Gilserhyu.
Q And where are the Oonustoten from?
A Morice River.
(Further response by Witness to Interpreter)
A And they've got a very big territory.
Q Is -- is Caspit and Goohlaht responsible for that Morice River territory?
A No, Nanika River territory is Caspit's territory.
(Further response by Witness to Interpreter)
A And across a place called Klotzwunii.
(Further response by Witness to Interpreter)
A There's a small lake there.
(Further response by Witness to Interpreter)
A The territory I'm telling you about is the territory I told you about yesterday where my father went, my father went trapping.
Q Yes, and I want to get back to that territory. That was, is that the territory, is that the territory near the old village that is up near where the Rainbow Ranch is now?
A Okay, the territory is across the Bulkley River.
(Further response by Witness to Interpreter)
A And it's a great distance from here, you can see the mountain. And the territory's on the other side of the mountain.
(Further response by Witness to Interpreter)
A And the mountain you see is called Tsiintel, and that mountain belongs to Gitdumden.
(Further response by Witness to Interpreter)
A And that mountain belongs to Spoakxs who lives in Hazelton.
Q And Spoakxs that you're referring to is a Gitksan, is that right?
A Yes, Gitksan.
Q How long has Caspit held that territory that's behind that mountain?

A For a very long time. He's held that territory plus Nanika.
(Further response by Witness to Interpreter)
A And it's not only Caspit who owns that territory, he has many relatives.
Q Does -- is Goohlaht also a holder of that territory?
A No, Phillip George had held the name Goohlaht.
(Court Reporter requests clarification)
(Further response by Witness to Interpreter)
A Sylvester George's father.
Q Um-hmm. Well, I asked if Goohlaht was also one of the people responsible for this territory behind Tsiintel?
A In the old days Goohlaht did not go out on the territory, he stayed in Hagwilget.
(Further response by Witness to Interpreter)
A And Phillip George came from --
(Further response by Witness to Interpreter)
A Stoney Creek.
(Further response by Witness to Interpreter)
A And he married Sylvester George's mother.
(Further response by Witness to Interpreter)
A In Hagwilget.
Q Um-hmm. Is the name -- was Sylvester George's father, Phillip George, was he Wet'suwet'en or Nutseni?
A I think he was Nutseni since he came from Stoney Creek.
Q Okay, but the name Goohlaht, is that a Wet'suwet'en name?
A Yes.
MR. GRANT: Maybe we'll take our break now for lunch hour.

(PROCEEDINGS ADJOURNED AT 12 O'CLOCK)

(PROCEEDINGS RECONVENED AT 1:45 P.M.)

EXAMINATION BY MR. GRANT CONTINUING:
Q You've talked about Phillip George who held the name Goohlaht. Was he also known as Felix George?
A Yes, Felix George.
Q I'd like to refer you to the map.

(OFF THE RECORD DISCUSSION)

EXHIBIT 2 - Map of Namox' territory

MR . GRANT :
Q Okay, Emma I'm showing a map which is now up beside you. And for the record, while Mr. O'Byrne was here, I showed it to you and you recognized this map and it's been marked

as Exhibit 2 on this Commission. Now, just to give you your bearings there is a lake near the bOttom called Neldzee Bun?
THE WITNESS: Neldzee Bun.
Q Do you know that lake?
THE WITNESS: I never been out there (inaudible) since I hear about Neldzee Bun that's all.
MR. O'BYRNE: Excuse me Mr. Grant, can we have that translated please?
(Further response by Witness to Interpreter)
A It's inside my line and I've heard of the lake.
(Further response by Witness to Interpreter)
MR. GRANT: Okay, just -- could you read back the answer, you got the entire answer from her?
(Court Reporter read last answers back)
MR. GRANT:
Q Is there a Wet'suwet'en name for Sam Goosley Lake?
THE WITNESS: Neldzeetesdlee.
A Neldzeetesdlee.
Q Do you know a location called in Wet'suwet'en Na Dzuhl? I'm referring to the right-hand side of the map which is generally in a, with North at the top. So I'll refer to the right-hand side as East.
A Yes.
Q What is that and whose territory is on the other side of that?
A That's Maxan Lake. She was asking which side.
(Further response by Witness to Interpreter)
A She said the territory around Maxan Lake belongs to Maxan Tom. And the lake is right in their territory.
MR. O'BYRNE: Just for the record, Mr. Grant, there appeared to be a discussion between the Interpreter and the Witness at the time of the last question. And it appeared the Interpreter mentioned the name Maxan Lake and from there the Witness replied.
MR. GRANT:
Q Yes, what was the question -- what was the explanation you gave with respect to Maxan Lake? For the record, I'm asking you, the Interpreter.
THE INTERPRETER: She was asking which side Na Dzuhl was on, and I said on the Maxan Lake side.
Q Now, for the record, Up on the top of Exhibit 2 is Maxan Lake I.R. Indian Reserve Number 2 and I'm pointing to that up in the top right-hand corner, and that's the side that Neldzee Bun, Neldzee Bun is on. Does that assist you in your answer?
A Okay, she's saying that Maxan and his relatives have a

Village in that area.
(Further response by Witness to Interpreter)
A And his brothers and his parents all lived up there.
Q Is that near to where -- where you used to go, when you travelled from Sam Goosley Lake back to Moricetown?
A Yes, they would pass by that area when they would come towards this direction.
Q Okay, is that in Hag Wil Negh's territory, that area where Maxan Reserve is now?
A No, the territory belongs to --
(Further response by Witness to Interpreter)
A The territory belongs to Maxan and Hag Wil Negh's territory goes from Grouse Mountain all the way to Houston.
Q Where is &rouse Mountain in relation to Sam Goosley Lake?
A It's a good distance away from Sam Goosley. Grouse Mountain is east of Houston.
(Further response by Witness to Interpreter)
A And haven't you seen Grouse Mountain as you're driving along Highway 16?
Q I Won't answer that, I won't answer that. Now, going out , towards the southeast from Neldzee Bun, there's a creek and I'm going to ask you if you know the names T'logh Kat Giltaate?
A T'logh Kat Giltaate is in the southern direction.
(Further response by Witness to Interpreter)
A And the name is taken from beaver dams that are in that area.
(Further response by Witness to Interpreter)
A And that's what they call T'logh Kut.
Q Now, if you followed that creek past there, you come to another lake Tah Dool Kun (sic) and I'm referring to the southeast or the bottom right-hand corner of Exhibit 2?
(Further response by Witness to Interpreter)
Q Do you know that lake?
A And she's asking if that's towards Francis Lake?
(Further response by Witness to Interpreter)
A And that's a small lake where again there's beaver dams.
Q Okay, is that within the territory of the Sam Goosley, the Tsayu people from Sam Goosley?
A Yes.
Q Do you know, and I'm not sure if this was a landmark I'll call it, called Tah Dool Kun (sic)?
A She's asking which direction and I'm telling her it's going west.
Q This would be in the south --
A West.
Q It's west of the lake I just told you about and south of

Sam Goosley Lake?
A She's asking if that's within her territory.
Q Okay, well I'm going to ask you is -- if you know whether that's on the boundary of the Tsayu territory, that place?
A I think it's on the outside of the boundary.
(Further response by Witness to Interpreter)
A There's a --
(Further response by Witness to Interpreter)
A There's a small lake that belongs to the Gilserhyu called Dzikens Bun.
(Court Reporter requests clarification)
THE INTERPRETER: Dzikens Bun.
MR. GRANT:
Q Okay, this appears to be a ridge or a mountain called Tah Dool Kun (sic)?
(Discussion between Witness and Interpreter)
Q Do you recall that?
A No.
Q Okay, if you went from Sam Goosley south, whose territory would you come to first?
A She's asking if it's on the Francis Lake side.
Q It would be -- Francis Lake would be further east I believe. South and east. This would be if you went straight out. Let me ask you if you know the name of a lake called Aih leakh Bun?
(Discussion between Witness and Interpreter)
Q Do you recognize that name?
A She didn't, no I don't.
Q Okay, is Peter Alfred's territory near to Sam Goosley?
A Yes, it borders on our territory.
(Further response by Witness to Interpreter)
A Our territory goes as far as Nenlii.
(Further response by Witness to Interpreter)
A I believe that's where there's a bridge across the creek.
(Further response by Witness to Interpreter)
A And she's wondering why the bridge has been built, maybe it's by the farmers --
MR. GRANT: Okay, just before I leave Exhibit 2 for now, for the record there are some handwritten markings on that and checks. And with agreement of Counsel I'll arrange for an unmarked copy because none of those marks are handwritten checks that have been put on as part of the evidence and it probably would be more appropriate to have a clean copy.
MR. O'BYRNE: I have no difficulty with that.
MR. GRANT:
Q You referred to the farmers. Do you recall a farmer who started to set up a farm around 1945 near the boundary of

your territory?
A Yes, I do and my son Dan and --
(Further response by Witness to Interpreter)
A -- and Pat Alfred had gone to the farmer and told him he had set up a farm in our territory.
Q What did the farmer, how did he respond to that?
A He said that I will not do any trapping, I just want the farm for hay so I could bring cows onto the field.
(Further response by Witness to Interpreter)
A And he's still living there today.
Q And did you or Dan consent to let him move onto your territory?
A No, he didn't. And all he said was that he was not going to do any trapping on the territory.
Q Do you recall that farmer's name?
THE WITNESS: No.
A No.
(Further response by Witness to Interpreter)
A Dan may know his name.
Q Can you describe -- oh, you referred to the boundary between your territory and Peter Alfred's as Nenlii. Did you ever travel to that boundary in your liftime?
A Yes, we did. We -- just above there we trapped for beaver, my husband myself and Alfred Mitchell.
(Further response by Witness to Interpreter)
A And George.
THE WITNESS: My son.
A My son camped not too far from Nenlii, and at that time there were no white people living in the area.
(Further response by Witness to Interpreter)
A It was later on the farmer moved in.
Q Now, do you know of a place called Tandet Tabegh in your territory? I'm referring to a name that, for the record that's in the northern part of the territory marked on Exhibit 2.
A I've heard of the area but I did not go up there personally.
(Further response by Witness to Interpreter)
Q And do you know of a lake called La Un Bun (sic) on your territory?
A Yes, that's within the territory.
MR. O'BYRNE: Mr. Grant, there appeared to be a further reply to your brief question that wasn't translated.
THE INTERPRETER: All she said was the Tandet Tabegh (sic).
MR. GRANT: I'm sorry, I didn't realize it wasn't on the record, I would have stopped.
(Further response by Witness to Interpreter)
A And in the English language Tandet Tabegh means narrow --

THE WITNESS: Narrow lake.
A Narrow lake.
Q Okay, to your knowledge are those two, is Tandet Tabegh and the other, Da Un Bun (sic) are they in your territory?
A Yes, it's within our territory.
Q In -- when you were younger you've described some of the places that you have lived. Did you ever live near where with your Aunt Mariann Tiljoe?
A Okay, Mariann Tiljoe lived at Aleh' Leokh which is a small lake where they fished for trout as well as trapped for beaver.
(Further response by WitnesS to Interpreter)
A And there's lots of trout there.
Q Did you spend any -- did you live with her for two years in your lifetime?
A Yes, when my mother was alive.
(Further response by Witness to Interpreter)
A And my father and my brothers were all with us.
Q And where is that lake that you, that Mariann Tiljoe lived at? Can you describe it, where it's located?
A Okay, it's near Neldzeetesdlee in a southerly direction.
Q Do you recall an incident last year when Alfred Mitchell went to, went hunting for moose and was stopped by the game warden at Sam Goosley?
A Yes, he was with his brother Billy.
Q Uh-huh, and what happened when they were stopped by the game warden?
A He said they were going to go to court.
Q Why?
A Okay. They were going to go to court because they had a loaded gun when they were looking for moose. When they were going to go hunting for moose, the game warden arrived.
Q Was your daughter, Winnie Joseph, there?
A No, they were still at the car.
Q Okay, and did Winnie --
(Further response by Witness to Interpreter)
A She wasn't with them.
Q Did, did they go to court?
A No.
(Further response by Witness to Interpreter)
A No, they didn't go to court. Winnie apparently had an agrument with the game warden.
(Further response by Witness to Interpreter)
A Who told them that this is our own territory and why are you taking us to court.
Q And was Winnie or any of the -- Winnie or Alfred or Bill charged, in the end?

A No, I don't think so but somebody told me that Billy was still going to court and I haven't asked them whether they are or not.
Q Okay. When your father and your uncle and your two brothers trapped for furs at Sam Goosley, what did they do with the furs that they caught there?
A They would sell it.
(Further response by Witness to Interpreter)
A Okay, I remember a man named Jones who had pack horses who came from Francis Lake. I remember piling beaver hides that looked like smoked salmon.
(Further response by Witness to Interpreter)
A There was a big pile.
(Further response by Witness to Interpreter)
A Two big piles.
(Further response by Witness to Interpreter)
A And I remember he bought everything off them, and I don't know how many hides there were.
Q Do you remember about how old you were, when that happened?
A I think I was about six years old.
Q Did he COme Only once or did he come every year?
A I just remember him coming once.
Q In other years, did your father take the hides other places to sell them?
A The other times he would trap in the Telkwa River area.
(Further response by Witness to Interpreter)
A And Kilwoneetz area. And one time he had gone to Vancouver.
(Further response by Witness to Interpreter)
A And that's where he sold the fur, and that's the picture that you have.
Q Okay.
(Further response by Witness to Interpreter)
A He went by boat?
(Further response by Witness to Interpreter)
A From Hazelton he got on the Caledonia and went to Rupert. And from Rupert he got on a bigger boat.
Q The picture you're referring to is the one I showed you yesterday, is that right?
A Yes, that's right.
MR. GRANT: Exhibit 1, for the record.
Q Did you go to Vancouver with him?
A No, just by himself.
(Further response by Witness to Interpreter)
A Old Peter Basil's father Deelse' had gone with him.
(Further response by Witness to Interpreter)
A They were young men about the same age.

Q Okay.
(Further response by Witness to Interpreter)
A At that time Vancouver wasn't a very big city.
THE WITNESS: A big city like this time at that time.
Q Okay, do you remember how old you were about when he went to Vancouver?
A You'll see how small I was in the picture, I don't know how old I was.
Q Was your father related to a Wet'suwet'en who held the name Queen?
THE WITNESS: Yeah, related to Queen.
Q Okay, how was your father related to Queen?
THE WITNESS: Well, my father-in-law is related to my father.
A My father-in-law is related to my father.
(Further response by Witness to Interpreter)
A My father-in-law's --
THE WITNESS: His mother.
A My father-in-law's mother was Queen.
Q And when you're referring to your father-in-law, this is your husband's father Caspit and that was Caspit, no I'm sorry?
A Somebody different.
Q Yes, I apologize it was your husband's father that you're talking about?
A Yes.
Q Okay, what was his name?
A Arthur Michell.
Q Was he also known as Lame Arthur Michell?
A Yes.
Q Okay, and his mother was Queen?
THE WITNESS: Queen, yeah.
Q Now, and Lame Arthur Michell was Laksilyu as was Queen?
A Yes.
Q Did the Laksilyu have a village near what we know as Barrett Lake?
A Yes, they did.
(Further response by Witness to Interpreter)
A And that area is Queen's territory.
(Further response by Witness to Interpreter)
A And that's where my husband was born near Barrett Lake.
Q Okay, was that near your father's territory?
A No.
(Further response by Witness to Interpreter)
A No, it's near Barrett Lake and my father's territory is different.
Q Okay, I understand your father's territory is different. But was your father's territory next to the Barrett Lake

territory of Queen?
A No.
(Further response by Witness to Interpreter)
A My territory was in Kilwoneetz territory near Dennis Lake, on the other side of Hudson Bay Mountain.
(Further response by Witness to Interpreter)
A Below Doughty Mine.
Q Who is -- Which Laksilyu chief is responsible for the territory of Queen at Barrett Lake now?
A Sylvester William who is Hag Wil Negh.
Q Now, as I understand it this -- what was the Wet'suwet'en name for this territory, the Barrett Lake territory?
A I don't know.
Q Was there a name --
(Further response by Witness to Interpreter)
A Okay, above Barrett Lake there's another lake which is called Lhe Tait. That's where Queen first had her totem pole.
Further response by Witness to Interpreter)
A On the eastern side of Grouse Mountain.
(Further response by Witness to Interpreter)
A And I want --
(Further response by Witness to Interpreter)
A And I want to see that territory, we should go there.
Q Did you know that territory, were you on that territory when you were younger?
A No, my hus --
(Further response by Witness to Interpreter)
A No, my husband knows the territory, he was brought up there.
(Further response by Witness to Interpreter)
A He was a grandchild of Queen.
Q Okay. Did you ever see Queen yourself?
A Yes.
Q Okay. When you saw her, where was it that she was living then?
A Hagwilget where the big hall was built for her. That's where I seen the old lady.
Q Was -- did she have this hall that was built for her did she live in it, was it a big house?
A Yes.
Q And it was also used for feasting?
A Yes.
(Further response by Witness to Interpreter)
A Yes, one end was used for feasting, it was about sixty by sixty. It was a very big building.
(Further response by Witness to Interpreter)
A And it was done up nicely inside, you see poles like this.

On the poles they had eyes and frog designs on them.
(Further response by Witness to Interpreter)
A And that's where the name was derived from, the House Of Many Eyes.
Q Okay. Now, when you remember Queen was she quite old at that time?
A Yes, she was very old. She was unable to walk. She was a big woman.
Q Was she living at Hagwilget from the time, the first time you remember -- that is when you were very young at Hagwilget, until she died?
A Yes.
(Further response by Witness to Interpreter)
A She lived there until she died and that's where she's buried.
(Further response by Witness to Interpreter)
A And she's probably buried next to her husband, Smogelgem or rather Skokumleha.
(Further response by Witness to Interpreter)
A And Queen's husband was from Skeena Crossing. He was Gitksan.
Q Did She have a pole at Lhe Tait?
A Yes.
(Further response by Witness to Interpreter)
A That was the first totem pole that was made for her.
Q Okay, do you know who made that pole for her?
A I don't know.
Q Do you know if that pole was still up at Lhe Tait after you were born?
A No, but they brought it to the ground and grandfather --
(Further response by Witness to Interpreter)
A My husband remembers playing on it.
Q And Was a second pole put up for Queen and if so where?
A Yes, at Hagwilget down at the base of the canyon where the second pole was raised.
Q And did you see that pole yourself?
A Yes, I did see it.
(Further response by Witness to Interpreter)
A And there was a big smokehouse which was built for Queen and the pole was erected in front of the smokehouse.
MR. GRANT: Off the record for the change of tape only.

(OFF THE RECORD DISCUSSION)

EXHIBIT 3 - Photograph of Totem Poles at Hagwilget

EXHIBIT 4 - Photograph of Smokehouses at Hagwilget Canyon

MR. GRANT: For the record on the break there was a tape change. I have requested the Reporter to mark two exhibits which are photographs. One is a photograph of basically two poles and that's marked as Exhibit number 3 on this Commission of Emma Michell. The second photograph is a photograph of some buildings, and that is Exhibit number 14 in Johnny David's Commission Evidence and it's Exhibit number 4 in this Commission Evidence.
MR. O'BYRNE: Perhaps in regards to Exhibit number 3, Mr. Grant, we could refer to it as two poles with what appears to be a building behind them.
MR. GRANT: Yes.
Q Now I'm going to ask you, Emma, if you recognize the picture, which is Exhibit number 3, and if you can tell us what poles or at least which one of those poles is?
A She's asking if this building behind the pole is an old smokehouse.
(Further response by Witness to Interpreter)
A It used to be an old smokehouse.
(Further response by Witness to Interpreter)
A And it's rotted to the ground.
(Further response by Witness to Interpreter)
A Okay, I'm thinking this is Queen's pole. I recognize the figure of the man on top. And it looks a little different to me.
(Further response by Witness to Interpreter)
A Because it doesn't look the same as the pole that's in the old part of the Village.
(Further response by Witness to Interpreter)
A And it may be different because another carver carved the present pole.
(Further response by Witness to Interpreter)
A The pole in the old part of the Village was carved by Arthur Tom.
Q Okay, for the record you're pointing in Exhibit 3 to the pole that when you're facing it is on the right-hand side, is that the pole that she's been describing?
THE INTERPRETER: Yes.
Q Is that pole -- can you tell us whether you know if that pole is Queen's pole that was at Hagwilget?
A It looks like Queen's pole.
(Further response by Witness to Interpreter)
A And when we were children we used to play around it.
(Further response by Witness to Interpreter)
A I remember my father working on salmon at Queen's smoke-house.
Q Okay, I'm showing you another photograph which is Exhibit

4 in these proceedings and I would like you to tell me if you can recognize any of those buildings that are in that picture?

A Okay, this is the place I've been talking about. The smokehouse that's on the far left is Queen's smokehouse. You see the pole in front of it. And the one next to Queen belonged to Phillip George.

Q The One you're pointing out as Queen's is partially hidden by trees in the foreground, is that right?

THE INTERPRETER: Yes.

MR. O'BYRNE: Mr. Grant, is that question to the Witness?

MR. GRANT: Yeah, it was to the Witness. Well, I'm not going to repeat it. The Interpreter saw what she was pointing to. I just want to be clear, for the record what the Interpreter was referring to.

MR. O'BYRNE: Perhaps we can put it to the Witness just to be sure.

MR. GRANT: Yes.

(Further discussion between Witness and Interpreter)

A I just asked her if the smokehouse she was referring to is, the one with the obstruction of the trees and she said that is the one.

Q Okay. Now, you referred in your answer regarding Exhibit 3 to the totem pole in the old village, after -- is the totem pole of Queen that was at Hagwilget, is it gone now?

A It was sold.

(Further response by Witness to Interpreter)

Q Is there another --

(Further response by Witness to Interpreter)

A It was sold to someone in Victoria and that's where it's gone to.

(Further response by Witness to Interpreter)

A And I can't remember, I can't remember the name of the building. My daughter Lillian was going to school in Victoria and she had seen the pole and the building.

(Further response by Witness to Interpreter)

A And she said it's a big office and she's asking me what the name of that building is.

Q You can say it's hard --

(Further response by Witness to Interpreter)

Q It's okay if you can't remember it now.

(Further response by Witness to Interpreter)

A And if you want to know the name of the building my daughter Lillian knows the name of the building. Last winter we went for a trip there again. Lillian went to check but the pole wasn't there.

Q Do you know if this was a Government building, like a

museum?
A They named the building but I've forgotten it, and Sarah have been there a few times.
Q Okay, do you know who sold that pole?
A My father-in-law, Lame Arthur Michell sold it when it -- when it fell to the ground.
(Further response by Witness to Interpreter)
A And the money he received for the pole was distributed amongst the clan members of the Laksilyu.
Q Was a new pole built for Queen or for the members of her clan, carved I should say?
A That was the last pole that was carved for Queen. The pole, the present-day pole my husband's, my husband Tommy's father told him to redo another pole and that's what he did.
Q And so your husband, your husband Tommy carved a pole for that clan, is that right? Your husband was the one who did the carving?
A No, it waG Arthur Tom.
Q Okay. And where is that pole located?
A In the old part of the village next to the church.
Q When you refer to the old --
(Further response by Witness to Interpreter)
A Across from Johnny David.
Q Okay, when you refer to the old part of the village* for the record, you're referring to the old part of the Village of Moricetown?
(Further response by witness to Interpreter)
A And that is where I hope they rebuild my house.
Q Okay. Whose house was the pole that is up now whose house was it -- who lived in the house where that pole was built, when it was built?
A She's asking if it's the old part of the village here?
Q Yes, I'm referring to the one in the old part of the village?
A We lived there.
(Further response by Witness to Interpreter)
A Some of my children lived with me.
(Further response by Witness to Interpreter)
A When they were not married, Beatrice and Winnie.
(Further response by Witness to Interpreter)
A And Pauline.
Q Was it built there because your husband Tommy lived there?
A Yes.
Q And he was Laksilyu?
A Yes, Laksilyu.
(Further response by Witness to Interpreter)

A And he's Taslaswuten.
(Court Reporter requests clarification)
THE INTERPRETER: Taslaswuten, Maxan Lake.
Q Who Was Queen's -- okay who was your -- who was your husband, what was your husband's feast name?
A Skokumwesas.
Q And did Queen's son, Lame Arthur Michell, hold the chief's name Hag Wil Negh?
A Yes, Hag Wil Negh.
(Further response by Witness to Interpreter)
A And before that he was called Skalaydi'.
Q I jUst Want to be clear. And Queen's son, Lame Arthur Michell, did he -- I know you've answered this before but I want to be very clear about it -- did he ask Tommy Michell to carve the pole, to put up the pole for the Laksilyu?
A Yes, that's what he told them.
Q Okay, why would he ask your son to put up that pole, was it because of their relationship or your son's relationship?
A Okay, Lame Arthur Michell and Queen were Tommy's mother were
(Further response by Witness to Interpreter)
A Were both Laksilyu and he married into --they married and they were in the same clan.
Q Was -- what was Lame Arthur Michell's wife's name? I'm sorry, let me take that back. What was Tommy Mitchell's mother's feast name?
A Kadilxdum.
Q And who was the head chief of the house that she belonged to?
A Maxan Tom.
(Further response by Witness to Interpreter)
A He was their head chief.
(Further response by Witness to Interpreter)
A And she said Kumgingowaykan.
(Court Reporter requests clarification)
THE WITNESS: Kumgingowaykan.
A Kumgingowaykan.
Q That was Maxan Tom's name?
THE WITNESS: Yeah.
(Further response by Witness to Interpreter)
A And that's a Gitksan name.
Q Was -- but she was was Wet'suwet'en, is that right?
A Yes.
Q Was Queen's husband's name Skokumlaha (sic)?
A Skokumlehait.

(Further response by Witness to Interpreter)
Q And did he die at Lhe Tait before Queen?
A Yes, he died at Lhe Tait.
Q Did either you or your husband ever meet him?
A Yes, he did see him.
(Further response by Witness to Interpreter)
A He used to go trapping with him.
(Further response by Witness to Interpreter)
A When Tommy was a little boy.
Q Okay. Now, did Skokumlehait have three daughters?
A Yes.
Q Susan, Denise, and Amelia?
THE WITNESS: Um-hmm.
Q And did they bury him?
THE WITNESS: Yeah.
Q And where did they bury him?
A They buried him right at Lhe Tait, the three daughters.
(Further response by Witness to Interpreter)
A And their brothers were out trapping and he died while they were away trapping.
Q Um-hmm. And did they -- is he buried at Lhe Tait?
A Okay, in June the people from Skeena Crossing who were related to him had dug him up and proceeded to carry his body back to Hagwilget. There was no bridge in the canyon so the road went across the Bulkley River. And at the Bulkley Canyon there was a bridge, because of the canyon it was a short distance. And they took him across the bridge and reburied him in Hagwilget. And that's how my husband told me.
Q Was he -- did the people from Kitsegukla come and dig him up and did his daughters dig him up to be moved back to Hagwilget?
A It was the people from Kitsegukla, and the reason they did that was because his relatives wanted him buried at Hagwilget.
Q Was he originally from Kitsegukla himself?
A Yes.
(Further response by Witness to Interpreter)
A He was a chief from there.
Q Was there a feast held at Hagwilget before he was buried there?
Q Yes, they did have a feast at Tse kya --
(Further response by Witness to Interpreter)
A -- and his wife Queen also moved back to Hagwilget where her husband was buried.
(Further response by Witness to Interpreter)
A And the first place she stayed at was the smokehouse that

Was built for her in the canyon.
(Further response by Witness to Interpreter)
A And after that the hall was built for her near the church.
Q Okay. Before her husband died, did Queen move back and forth between Lhe Tait in one part of the year in the wintertime, and Hagwilget in the summer for the fishing?
A They may have done that; I don't know.
Q Who presently holds the name of Queen's husband, Skokumle-hait I think you said?
A Mary Joseph --
Q And She is a Wet'suwet'en --
(Further response by Witness to Interpreter)
A And she lives in Smithers.
(Further response by Witness to Interpreter)
A And her family's also from Skeena Crossing.
Q So she's Gitksan?
THE WITNESS: Yeah, Gitksan.
(Further response by Witness to Interpreter)
A Mary Joseph's grandmother was Bilna's wife.
(Further response by Witness to Interpreter)
A And Mary Joseph are the kids of Adele.
(Court Reporter requires further clarification)
MR. GRANT:
Q And Bilna's wife Was from -- Was She Gitksan Or Was She Wet'suwet'en?
A She was Gitksan.
Q And was from Kitsegukla?
A Yes.
Q Now, Was Queen buried in Hagwilget with her husband when she died?
A Yes.
Q Has Mary Joseph been adopted into a Wet'suwet'en clan into the Wet'suwet'en house?
A Yes.
(Further response by Witness to Interpreter)
A Bilna had --
(Further response by Witness to Interpreter)
A Had some land similar to where white people own land.
(Further response by Witness to Interpreter)
A This side of Barrett, him and his son-in-law Arthur Charlie and they had a big farm. And that's where Mary Joseph and her family grew up.
Q Okay.
A And the land was sold to white people.
Q What Wet'suwet'en clan is Mary in?
A Laksamshu.
Q And do you remember Bilna's feast name?

A Madeek.
Q That's the name presently held by George Naziel?
A Yes, he's George Naziel's uncle.
MR. GRANT: Okay, we'll adjourn now until tomorrow morning.

(PROCEEDINGS ADJOURNED AT 3:25 P.M. UNTIL AUGUST 28,1986)

AUGUST 28, 1986

(PROCEEDINGS RECONVENED AT 10:25 A.M.)

EXAMINATION BY MR. GRANT CONTINUING: This is a continuation of the Commission Evidence that was adjourned yesterday at about three thirty.
Q And Emma you're still under oath as you were yesterday and the day before, you understand that?
THE WITNESS: Um-hmm.
Q She's nodded affirmatively for the record. Emma, I'd like to ask you some questions this morning, about the Telkwa River territory?
THE WITNESS: Yes.
Q Does this territory start at a place called Tse nii kwah?
(Interpreter speaks to Witness)
Q Tse nii kwah?
(Discussion between Witness and Interpreter)
MR. GRANT: Give the answer.
(Further response by Witness to Interpreter)
A The territory starts at Tse nii kwah where there's two bridges across the Telkwa River and it's just this side of Pine Creek.
Q Pine Creek, is it?
A Pine Creek, yes.
Q Now, this is -- this Telkwa River territory I believe we talked about earlier, this is part of the territory of your husband, is that right?
A Yes.
Q Now, before your husband was this part of the territory of August Pete's father and Emily Dennis' father?
A Yes.
(Further response by Witness to Interpreter)
A Okay, in the early days, August Pete's father's name was Tagxunkit.
Q Do you know what that name means?
A I don't know.
(Further response by Witness to Interpreter)
A It's a name that was derived from the early days, I don't

know what it means.
(Further response by Witness to Interpreter)
A And it may be a name.
MR. O'BYRNE: Excuse me, Mr. Grant, I didn't hear that.
MR. GRANT: It may be a name.
A Yes.
MR. GRANT: If you can speak up so that he can hear.
Q Was August Pete's father, did he hold any other name, to your knowledge?
A No.
Q Now, what tribe, what clan was he in?
A Okay, I've forgotten what clan he's from. I think he was Laksilyu. Yes he was Laksilyu. Since that area near Skalaytgit belonged to Laksilyu.
Q Was he related to Emily Dennis' father?
A I think so but Emily was Nutseni since her mom came from Nutseni territory. And the mother is Baskut.
Q Is Baskut her mother's name?
A Yes.
THE WITNESS: Yeah, Baskut.
Q Do you recall Emily Dennis' father's name?
THE WITNESS: No.
Q Now, is it correct that Lame Arthur Michell's uncle also had rights to the Telkwa River territory?
A Yes, he did. Lame Arthur Michell held the name Skalaytgit and the old territory was divided amongst the Laksilyu.
Q And finally, was Willie Sim's mother part of the Laksilyu who had rights to the Telkwa River territory?
A Yes.
(Further response by Witness to Interpreter)
A Okay, the territory near Skalaytgit was owned by Kela and above there Willie Sim's mother --
(Further response by Witness to Interpreter)
A -- owned the territory Tse Koot. And this is what I was told by my father as well as my father-in-law.
MR. GRANT: Could we go off the record for a second please.

(OFF THE RECORD DISCUSSION)

EXAMINATION BY MR. GRANT CONTINUING:
Q I Understand that Lame Arthur Michell held the name Skalayt- git. And could you describe what part of the Telkwa River territory
(Interpreter speaks to Witness)
Q -- Skalaytgit had the rights to, I just want to be clear about that Emma?
A Yes, he did and Skalaytgit started or Skalaytgit was next

to Tse Koot which Willie Sims --
THE WITNESS: No, Skalaytgit next to Kela.
A Skalaytgit was next to Kela's territory.
(Further response by Witness to Interpreter)
A And the last territory was Tse Koot. And the Telkwa River area was divided amongst four chiefs. And Skalaytgit and Tse Koot were probably named after the old hereditary chiefs. And Tse Koot is near Blue Lake.
(Further response by Witness to Interpreter)
A And near Blue Lake there's a mouNtain range.
(Further response by Witness to Interpreter)
A And that belonged to Tse Koot and that's where they hunted for mountain goat.
(Further response by Witness to Interpreter)
A And caribou.
Q When you say that's where they hunted, are you referring to the Laksilyu?
A Yes.
Q So these two names Skalaytgit and Tse Koot were the names of chiefs and they're also names of parts of the territory, is that correct?
THE WITNESS: Yes, it's a long time ago. Chief --
A Laksilyu chief.
Q And they are also named as parts of the territory?
A Yes.
(Further response by Witness to Interpreter)
A And Telkwa River is divided.
Q Okay. Did Jimmy Thomas' father have rights in the Telkwa River area?
A Yes, his name was Kela, used to be Kela.
Q And was he also known as Canyon Creek Tom?
A Yes.
Q Now, I initiated these questions by asking you if the territory starts at this side of Tse nii kwah and you said yes and you described it going up near, up Pine Creek. Is the Telkwa Pass included in the Telkwa River territory of the Laksilyu?
A Yes.
(Further response by Witness to Interpreter)
Q Is there a Wet'suwet'en name for that territory?
A Yes, Telkwa Pass is part of the territory, goes up to a place called Tse hadoniintat, a big rock and that's where Laksilyu went hunting for caribou and --
(Further response by Witness to Interpreter)
A -- groundhog. And I would like to go there sometime.
Q Before I asked -- I'm asking the Interpreter this question. Before I asked the last question there apparently was a

Part of her answer that she was still answering. Was it with respect to this answer you're giving now?
THE INTERPRETER: Yes, it was.
Q Okay. Is Loon Lake and Dennis Lake -- are Loon Lake and Dennis Lake in the Kilwoneetzen territory?
A Yes. It belongs to the Kilwoneetz people, Dennis Lake and Loon Lake.
Q Are they part of what we're talking about now as the Telkwa River territory or is it different?
A It's a little different from the Telkwa River area.
Q WOuld it be correct to say that it's the territory next to the Telkwa River territory?
A Yes.
(Further response by Witness to Interpreter)
A It's next to Telkwa River territory.
Q The other side of Pine Creek, from Telkwa River territory, does August Pete have the rights to that territory?
A Yes, up to Tse nii kwah.
Q My question wasn't very well worded I'd just like to just rephrase it. What I was asking was if August Pete holds the territory on the other side of Pine Creek from the Telkwa River territory?
A Yes, his line must be up to there.
Q Now, you referred earlier to Blue Lake. Is Blue Lake within the Telkwa River territory?
A Yes.
Q Is it near or on the boundary Telkwa River territory?
A The end of the territory.
Q Okay. Now, on the other side of Blue Lake, is that Gitksan or Wet'suwet'en territory?
A It's Tsimshian which means Gitksan.
Q When you say Tsimshian, do you mean Gitksan or Giteni (sic). A I mean the coast people.
(Further response by Witness to Interpreter)
A People from Kitimat.
Q Did Tommy Michell (sic) ever go up -- that is your brother Tommy Mitchell ever go up on the Telkwa River territory?
A Yes, he always trapped there.
(Further response by Witness to Interpreter)
A He used to go there with my father.
Q And why did he have the rights to go there, what --
A Because it was my father's territory.
Q Okay. Did he continue to use the territory after your father died?
A Okay, when he died Tommy Mitchell's name was added on. I've still got the papers somewhere.
Q Now, is it correct that the Telkwa River territory, this

Laksilyu territory that we've been talking about, is it -- it covers both sides of the Telkwa River?
A Yes. The territory runs on both sides of the Telkwa River On one side is the territory I've told you about and on the other side is the territory around Howsen Lake which is also Laksilyu territory.
Q Is it held by -- the Howsen Lake territory and the territory we've been talking about, both held by Kela now?
A Yes.
(Further response by Witness to Interpreter)
A Yes -- the Howsen Lake area --
(Further response by Witness to Interpreter)
A -- is now held by Francis Holland whose father Julian Holland held that territory. Both areas belonged to the Laksilyu.
Q Does Francis Holland have a feast name?
A No.
Q Okay.
(Further response by Witness to Interpreter)
A He's Namox' son.
Q So he would be in Namox' --
THE WITNESS: Son.
Q -- house is that right?
(Further response by Witness to Interpreter)
A Yes, Julian Holland used to stay with Lucy Holland.
Q Okay. Who was Francis Holland's mother?
A Lucy Holland.
Q Okay. Did you ever live near the Telkwa territory, near what is now Telkwa?
A Yes, we did.
Q And how old were you when you lived there --
(Interpreter speaks to Witness)
Q Approximately?
A We lived there in 1915, the time my father sold some minerals.
MR. O'BYRNE: Sorry, I didn't get the last --
THE INTERPRETER: My father sold some minerals.
MR. GRANT: The time my father sold some minerals.
(Further response by Witness to Interpreter)
A And they mined beside Howsen Lake.
Q At the time they were mining at Howsen Lake, in 1915, who held the name Kela?
A Thomas Holland.
Q And I think as we described earlier, your father was in Kela's group or clan, is that right?
A Yes.
Q Okay, and you said your father sold some minerals at that

time. What minerals did your father sell and where did he get them from?
A I think they were mining copper, iron, silver and after the white people took it over, I don't know what they did with it.
Q Now, did your father and other Wet'suwet'en people take OUt some of the minerals to sell?
A Yes.
(Further response by Witness to Interpreter)
A My two brothers --
(Further response by Witness to Interpreter)
A Okay, my two brothers, my mother, and father Thomas Holland and Julian Holland --
(Further response by Witness to Interpreter)
A Thomas Holland and his son Joshua Holland had received money for the minerals. I can't recall the amount they received.
Q Was Father Godfrey involved in that?
A Oh yes, Father Godfrey and Alec Cheesen were with them. There was two white people.
Q Was Father Godfrey and Alec Cheesen the two white people?
A Yes.
(Further response by Witness to Interpreter)
A They also received money.
Q Now do you know -- recall how much money one of, your father or Thomas Holland or Joshua Holland made or received?
A No, I don't.
(Further response by Witness to Interpreter)
A At that time I didn't know anything about money. Okay, in 1916 they made them all work. They used to haul materials by horse and sleigh. All the Indians were working, my cousin Jimmy Antoine and my father --
(Further response by Witness to Interpreter)
A And my brothers all worked.
(Further response by Witness to Interpreter)
A They used to haul groceries, tools that they used in the mine as well as rails.
(Further response by Witness to Interpreter)
A And the old mine site I think is still there.
Q Okay, in 1915 was this the first year that your father brought ore out?
A Yes.
Q Now at that --
A Yes, that was the first time they sold minerals.
Q Okay, and did your father sell those to a man named Jefferson?
A Yes, his name was Jefferson.

(Further response by Witness to Interpreter)
A He was a big old man who I've seen.
(Further response by Witness to Interpreter)
A And he was their boss.
(Court Reporter requests clarification)
A He was their boss.
(Further response by Witness to Interpreter)
A He was their mining boss.
Q Did --
(Further response by Witness to Interpreter)
A And in 1917 he died and that was when the mine was shut down.
(Further response by Witness to Interpreter)
A And it was shut down for good.
Q You said earlier that later white people took over the mine.
A Okay, Julian Holland before he died told me that white people were starting up your father's mine again and you should try and get something off them since you're able to speak English. And the name he mentioned was the present owner of Phillips and Shepherd in Telkwa. And he told me this before he had died.
Q Is it correct to say that in 1915, 1917, that your father, Thomas Holland, and the other Wet'suwet'en had a share in the mine? In other words, they had agreed for the mine to operate, is that what was happening or just employed by other people, by white people, to work in the mine?
A Okay, Jefferson had bought the mine and they were just working for him.
(Further response by Witness to Interpreter)
A They were going to ship out more minerals but before they did Jefferson had died.
Q Was Father Godfrey involved in making sure that Thomas Holland and your father participated in the mine and got money from the mine?
A Yes.
Q Did Jefferson know that this mine Was On Kela Or Thomas Holland's territory, and is that why he had Thomas Holland work with him?
A Okay, Thomas Holland was unable to work but his son Joshua Holland had worked and he just held the title of Kela. Okay.
Q Okay, my question was probably hard because there were two questions so I'll try it a little different. Did Jefferson know that the mine at Howsen Lake was on Kela's territory?
A He didn't know.
Q Did he know that Thomas Holland Was Kela?

A No, he didn't. Our people didn't tell the names of our hereditary chiefs.
Q Okay, was this at a time when the Government and the Church was trying to stop you having feasts?
A No, it was before that.
(Further response by Witness to Interpreter)
A During this time people were still having feasts.
(Further response by Witness to Interpreter)
A This time they had started feasting again. And they were prevented from feasting is when the first Bishop had come into the territory.
Q Do you know if Kela ever consented or agreed to the Howsen Lake mine going on on their territory?
A She said yes, that's why they built it there. He was happy about the money.
Q Okay, so that was my next question, did Kela receive any compensation from that mine, when Jefferson was operating the mine?
A He probably received money from the mine.
Q After it Was taken over by the white people later after Jefferson died, did Kela or any of the people in his clan receive compensation for the mine when it opened?
A When Kela died nobody received compensation.
(Further response by Witness to Interpreter)
A And when the mine was started up again, there was no Indian participation. It was just the white people who worked the mine.
Q Do you know if the Defendant, that is the Government of British Columbia, authorized the people to reopen that mine?
A I don't know.
Q I'd like to go to another area to ask you some questions, follow-up questions about Caspit. I understand that there is a headstone in Hagwilget which refers to a Chief Caspit who died in 1917. Do you know who that was and did you ever see that person?
A Yes, that was my grandfather Jimmy Mitchell.
(Further response by Witness to Interpreter)
A And he was a very old man when he died.
(Further response by Witness to Interpreter)
A And it was my two brothers who had bought the headstone for my grandfather.
Q Do you know was Jimmy Mitchell also known as James Yami?
A Yes.
(Further response by Witness to Interpreter)
A That was the name Bini had given to him James Yami and that's why he became known as Jimmy.

Q And when he died Jimmy Thomas, your brother, took the name Caspit is that right?
A Jimmy Thomas did not take the name immediately. He got the name after he had many children.
Q Okay, after your grandfather died, was it Morris Seymour who took the name Caspit?
A Morris Seymour was named by a different name. His name was Gotseget [Gwatsikyet]?
Q Do you remember who got Caspit when your grandfather died?
A I can't recall. The only name that I can remember is Jimmy Thomas.
Q That's the only person you remember who holds the name Caspit?
A Okay, my grandfather had many relatives such as Morris Seymour, John Seymour, Louis, and Canyon Creek Mary. Maybe one of them had held the name Caspit, I'm not too sure.
(Further response by Witness to Interpreter)
A And I think that's why Jimmy Thomas took the name.
Q And Jimmy Thomas of course was Canyon Creek Mary's son?
A Yes, that is Canyon Creek Mary's son.
(Further response by Witness to Interpreter)
A And that -- and that land at Canyon Creek was taken away for nothing by the white people.
(Further response by Witness to Interpreter)
A They chased them out; they never paid nothing for the land.
Q And where is that located in relation to Houston, or Smithers, Telkwa?
A In the direction --
(Further response by Witness to Interpreter)
A Of Driftwood Creek on the other side on the High Road. And that lady might know.
(Further response by Witness to Interpreter)
A There's a big farm out there, the white man has that place
Q Okay. Now, I'd like to ask you some questions about Bini.
(Interpreter speaks to Witness)
Q Bini was Tsayu, is that right?
A Yes.
Q And he held the name Kweese?
A No.
(Further response by Witness to Interpreter)
Q Do you know of any -- sorry.
A It was different. No, he had a different name.
Q Okay. Do you know what other names he held besides Bini?
A I don't know, I just know the name Bini.
(Further response by Witness to Interpreter)
A I don't know his name.

(Further response by Witness to Interpreter)
A Oh, yes I remember he held the name Samtellesan and I don't know what that means.
(Further response by Witness to Interpreter)
A And that was Bini's name.
Q And we understood from your evidence the other day that Bini would go out to Sam Goosley territory, is that right?
A Yes.
Q Did he travel in the manner you described that you and your own parents travelled, from Sam Goosley through Maxan and Decker Lake to Moricetown and Hagwilget?
A Yes.
Q Now, did Bini have fainting spells or something like fainting spells?
A Yes, he did. He would sometimes die and after some time he would come alive again.
(Further response by Witness to Interpreter)
A And they would dance for him when they were coming from Sam Goosley area.
(Further response by Witness to Interpreter)
A And they would dance for him in areas such as this side of Decker Lake.
(Further response by Witness to Interpreter)
A And wherever they camped they would dance for him because Bini had told them to do that.
(Further response by Witness to Interpreter)
A And they would keep doing that until they reached the Village of Moricetown.
(Further response by Witness to Interpreter)
A Okay, one time in June as they were nearing the farm that's not too far from here, the farm that belonged to Jack Thistle, he stopped them because he --
(Further response by Witness to Interpreter)
MR. O'BYRNE: Sorry Mr. Grant, I couldn't hear for the outside noise.
THE INTERPRETER: Should I start again?
MR. GRANT: Go ahead.
A Okay. One June as they were coming towards Moricetown he made them stop at Jack Thistle's farm. He told them to stop because he had seen the village and he told them to dance for them. The saskatoon berries, bushes were beginning to blossom so he took one of the flowers and put it in his mouth, and when he did that all the saskatoons had ripened.
(Further response by Witness to Interpreter)
A And when he took the flower out of his mouth he pulled it Out and the saskatoon berries were on that bush.

(Further response by Witness to Interpreter)
A And after that they began to dance for him again.
(Further response by Witness to Interpreter)
A And that's when he told people that he was going to baptize them.
(Further response by Witness to Interpreter)
A The people were happy.
(Further response by Witness to Interpreter)
A And that's when he baptized some of the people.
(Further response by Witness to Interpreter)
A And there were no horses at the time. He used to draw pictures of horses and show it to the people.
(Further response by Witness to Interpreter)
A And he used to use birch bark and he would use the ashes from the fire because there was no pencils. And that's where he drew pictures of the horses.
(Further response by Witness to Interpreter)
A Or the horse, the head of the horse. And after he baptized them my grandfather was one of the ones who got baptized and given the name Yami.
(Further response by Witness to Interpreter)
A And another name he gave was Samalii. I don't know who he gave that to.
(Further response by Witness to Interpreter)
A And I don't know which clan they were from.
(Further response by Witness to Interpreter)
A He also baptized Queen.
(Further response by Witness to Interpreter)
A He gave the name to Queen who was a big lady, my father-in-law's sister.
(Further response by Witness to Interpreter)
A My father-in-law's mother.
(Further response by Witness to Interpreter)
A And that's the person who had the totem pole at Lhe Tait.
Q Just as an aside, the person we talked of yesterday, is that right?
A Yes, that's him.
Q Are you finished your answer?
A Yes.
(Further response by Witness to Interpreter)
A And that's when they would reach the village to go fishing
Q When all this happened, were there any missionaries or non-Wet'suwet'en or non-Indian people in the area?
A No, there weren't.
Q Had any of the Wet'suwet'en people travelled to places where there were Nedo?
A No, they didn't no.

Q Okay. Do you know if Bini had travelled to other area where the Nedo were?
A No, he didn't.
(Further response by Witness to Interpreter)
A And when he was baptizing people and drawing pictures of the heads of horses, he was probably predicting that the missionaries were going to come and that the horse would also come into the territory.
Q Did he talk about the kinds of houses people would live in
A He also said that some people would live in two-story houses which had an upstairs.
Q Where -- and at that time did the Wet'suwet'en have any houses with upstairs?
A No, no.
(Further response by Witness to Interpreter)
A There were no houses then.
Q You said that it appeared like he died. Would it be like he stopped breathing?
A Yeah, yes he would quit breathing.
Q Did he tell the people what to do if that happened to him?
A Yes, he would tell the people to dance.
(Court Reporter requests clarification)
MR. GRANT: Take a break. Off the record so the video can be changed.

(PROCEEDINGS ADJOURNED AT 11:30 A.M.)

(PROCEEDINGS RECONVENED AT 11:40 A.M.)

EXAMINATION BY MR. GRANT CONTINUING:
Q You described how the people danced, how long would Bini appear to be in this state like he was dead?
A I don't know.
(Further response by Witness to Interpreter)
A Maybe ten or twenty minutes.
Q Did this happen --
(Further response by Witness to Interpreter)
A Nobody knows.
Q Did this happen on only one occasion or on several occasions, that he went into this state?
A This happened to him on quite a few occasions and the only time he would come out of this state is when people danced for him.
Q Okay. Do you know of any other things he predicted that nobody had seen at that time?
A He just told them that people would live in houses with an upstairs and that horses would come.

Q Did -- I'd like to ask you now about your son, your own son Dan Michell. Dan is alive today and he's married to Katherine Michell, is that right?
A Yes.
Q And he has several children?
A Yes.
Q And he is the same person who is presently the chief counsellor of the Band?
A Yes.
Q Do you recall a time when Dan became very sick?
A Yes.
Q Okay, can you tell us what happened?
A He just about lost his mind.
Q Was he married at that time?
A Yes.
Q Do you recall about what year that would be or how many children he had when this happened?
A At that time he had four kids when this happened.
Q Okay, when you say he nearly lost his mind, can you describe how he would appear to be?
A Okay, he would turn facing the wall and talk to himself.
Q Did you speak to anybody about Dan's sickness and did you arrange for anything to be done to help him?
A I hired Johnny Tommy to work on him to try and help him.
Q And was Johnny Tommy a Wet'suwet'en?
A Yes, he's around here.
Q And what did he do to help Dan?
A Okay, he would touch Dan's head with cold water.
Q Um-hmm?
(Further response by Witness to Interpreter)
A And he gave him some of the water.
(Further response by Witness to Interpreter)
A And that's all he did. And he suggested that maybe he join the Kalxuxlhem, they may be able to help him.
Q And whO are the Kalxuxlhem?
A There were many of them at that time.
(Further response by Witness to Interpreter)
A His grandmother was happy that he joined the Kalxuxlhem and his grandmother was Lucy Nass.
Q Okay. So Dan did join the Kalxuxlhem, Kalxuxlhem?
A Yes.
Q And can you describe what you mean, what did the Kalxuxlhem do?
A They would sing and drum and all of them would surround him.
(Further response by Witness to Interpreter)
A Our people gave the Kalxuxlhem fishes, materials and

blankets because they were trying to help him.
(Further response by Witness to Interpreter)
A And his granny, Lucy Nass, told him that he will be given the name Bini. He told the people at the feast. I personally didn't like that, but since they helped him I didn't say anything. And ever since the Kalxuxlhem helped him, he has been well since.
Q Is the name, I'm sorry --
(Further response by Witness to Interpreter)
A Okay, I also heard that Estace was good at helping people. One time I sat next to him in the old Hudson Hotel in Smithers and asked him if he could help my son. He said that he would try, so I gave him some money.
(Further response by Witness to Interpreter)
A And about three days later my husband and I seen him again at the same hotel. And he was happy when he came toward US. And said to us that he had taken back Dan, that he had dreamt about it.
(Further response by Witness to Interpreter)
A Okay. When he saw us he told us that it was birds who --
(Further response by Witness to Interpreter)
A Who were pecking at Dan's head. There were many birds and they were the cause of Dan's problem. So what I did was I got a willow whip and I went to where Dan was, he was in a room about this size and the birds were flying all around him. And with the willow whip I began to whip the birds, killing some, some went out. After I killed them all, I took Dan by the hand, took him out of the house and took him to the road where I had come from. I still had the whip in my hand. When I got to where I started I told Dan that he would be okay and he was very happy when he left me. This is what I dreamt about. And after -- after that Dan became better again.
Q Just to clarify when you say I, in that brief narration, is this what Emma dreamt about or what Estace dreamed about
(No response by Witness)
A When I say I I'm referring to what Estace dreamed about.
Q Was that the end of Emma's narration?
(Further response by Witness to Interpreter)
A And that's when Estace really helped out. He was a good man.
Q Okay. Is the name Bini presently held by your son Dan?
A He still does but the Kalxuxlhem people have all died.
(Further response by Witness to Interpreter)
A The only people that are left now are Johnny David and Lucy Namox.
(Further response by Witness to Interpreter)

A And Sylvester George.
Q But is the name Bini, what you've been describing earlier, as a feast name or is it a special name for people in the Kalxuxlhem?
A No, just when he's with the Kalxuxlhem.
(Further response by Witness to Interpreter)
A And I think they have stopped now.
MR. GRANT: Maybe we'll stop and break for lunch and we'll adjourn.

(PROCEEDINGS ADJOURNED AT 12 O'CLOCK)

(PROCEEDINGS RECONVENED AT 2:00 P.M.)

EXAMINATION BY MR. GRANT CONTINUING: Okay, go back on the record.
Q Did Bini explain to people what he was doing or why he was baptizing them?
A He didn't tell them, he just baptized them.
Q And by baptizing do you mean that he poured water and gave them names?
A Yes, he did use water and he did give them names.
Q Okay. Now, I'd like to ask you did the Catholic priest try to stop the Kalxuxlhem society when the Catholic -- when the priest came?
A Yes, they did try to stop the Kalxuxlhem and when the Bishop came, he destroyed all the feasting regalia such as your blanket when he first came to the territory.
(Further response by Witness to Interpreter)
A As well as the rattles.
Q Did he destroy the cedar, any cedar headdresses?
A Yes, those as well.
Q And are those part -- are those cedar headdresses and the blankets and the rattles part of the regalia of the Kalxuxlhem, sorry.
A Yes, diisgus is the headband that they use.
(Further response by Witness to Interpreter)
A And some they put around their necks.
Q Were those used when the Kalxuxlhem helped your son Dan?
A Yes, they did use the diisgus which they wore around their -- (Further response by Witness to Interpreter)
A -- head, and it's made from cedar bark.
Q Is Mary Ann Austin in the Kalxuxlhem now?
A I think that she may be, that's why she has the Kalxuxlhem name that belonged to my mother-in-law.
(Further response by Witness to Interpreter)
A Yes.
Q What name is that?

A Wiitwhoono.
(Further response by Witness to Interpreter)
A It's a Gitksan name.
Q And it's for -- it's a Kalxuxlhem name?
A Yes, Kalxuxlhem name.
Q Do you know if Susan Alfred -- Susan Alfred is a member of the Moricetown Band and is Henry Alfred's wife, is that right?
A Yes.
Q And what clan is she in?
A She's Tsayu.
Q Okay, do you know of a time when she became quite sick?
A Yes, I do.
Q Do you know what caused that sickness, what happened at the time she became sick?
A When she was going back to work at the hospital in Smithers, she seen otters cross her path on the highway and from that she took real sick.
Q What happens when a person or a woman sees an otter?
A Okay, it's no good for them and the women begin to lose their mind.
Q And what happened to Susan after that incident?
A After that incident I've been told that they made her Kalxuxlhem, probably in Two Mile. I didn't see that myself. Q Did she get better?
A Yes, she did get better.
Q Do you recall how long ago this was that she waG sick?
A Okay, it's been awhile now. It may be four years or more.
Q WaG she an adult and was she married when this happened?
A Yes, when she was married.
Q Okay, and did she have children when this happened?
A Yes, she had many children.
Q Now when you were young, on the trapping territory with your father, did he catch otters?
A Yes, he did. And he would skin the otters a good distance away from me in the woods, and he wouldn't let me see the otters.
Q Was there any special way that he would treat the otter afterwards or anything he would do with the otter's tail?
A They would cut the tail and throw it back into the river.
Q Why was that?
A Because that is what would make the women go crazy.
Q What happened -- does your son-in-law Joseph Joseph, did he catch any otters recently?
A Yes, he did and his wife Winnie Joseph was with him. And when he went to check the trap he had set for beavers he had trapped a -- an otter. When he realized that it was

an otter he pushed it back in the water, took it out of the trap and let it float down the river. Because he didn't want Winnie to see the otter because he had heard US talking about what an otter would do to a woman.

Q I'd like to ask you something further about the Kalxuxlhem. When you were younger, Emma, did you have a problem with your leg and did the Kalxuxlhem help you?

A When I had three children my legs had become sore.

(Further response by Witness to Interpreter)

A And when that happened I couldn't get out of bed, I couldn't walk on my two legs.

(Further response by Witness to Interpreter)

A My leg was aching so much.

(Further response by Witness to Interpreter)

A When I became worse I couldn't -- I couldn't even eat from all the pain from my legs. There was an old man named Sebastian, Jack Sebastian's grandfather, who had lived with the Tsimshian and were living with us.

(Further response by Witness to Interpreter)

A One morning when Old Sebastian got up, he told Tommy "Maybe if we take Emma to Kalxuxlhem maybe they could help her. " And Old Sebastian may have dreamed about this. So he told Tommy that "I will go get them." And Tommy told him that it was okay, and he had a good car at that time. And Sebastian and his wife went to Hagwilget and got Old Sam, his wife, and Old Alec.

(Further response by Witness to Interpreter)

A Okay, Old Sebastian brought them from Hagwilget to Morice-town and Lame Arthur Michell and Tiljoe's wife were both told about it. And my uncle, Lame Arthur Michell, brought Hudson Bay blankets which was given to Old Sam and his wife. And Old Alec got some money and shirts and that evening they began to work on me.

(Further response by Witness to Interpreter)

A Okay, that evening they began to walk and chant songs. As they were going around me they were wearing their full regalia. As they were dancing around me, Old Sam called Nancy and told him to look at what was causing the pain. He grabbed me on the leg and --

Q He or she?

A He. He grabbed me by the leg and was hanging on to some-thing.

THE WITNESS: Grabbed on my hips outside he grabbed something hold here.

A And he told his wife Nancy to grab it but Nancy told Old Alec to do it, he would just sing for you.

(Further response by Witness to Interpreter)

A Okay as they were singing, Old Alec told them what it was that was causing the pain. It was a snake that went in the full length of my leg. And Old Alec grabbed the head and pulled it out. And when he got to the tail, he grabbed the tail. And he told the people there to open the door, he was gonna get rid of the snake. He went out the door, I could still hear him thumping on the ground and chanting and he let the snake go in the direction where the sun rises. And he came back in agaiN and again they danced around me. When they finished dancing, he told me that "This child will get better now."
(Further response by Witness to Interpreter)
A Okay. When they finished singing and dancing around me they took me back upstairs. That evening I slept very well, there was no pain. When I got up in the morning there was no pain whatsoever.
(Further response by Witness to Interpreter)
A And after the pain was gone I began to eat again.
(Further response by Witness to Interpreter)
A And I was feeling very good all that summer and began to walk again.
(Further response by Witness to Interpreter)
A And they really helped me.
Q Emma, you said at this time you had three children. Which were your three children that you had then?
A George and Mary and the other George (inaudible). Okay, there was Mary, George who had died, and another George.
Q Do you recall how old Mary was, approximately, at that time?
THE WITNESS: Two years and a half.
A About two and a half years.
Q Did this man, Old Sebastian, have an Indian name or a feast name that you know or remember?
A Yes, he probably did. All our people had names at that time and he was related to Willie Sebastian uh Willie Sims.
(Further response by Witness to Interpreter)
A He was Willie Sim's uncle.
Q You described that Hudsons Bay blankets were given by Lame Arthur Michell to --
(Response by Witness)
Q To Old Sam --
(Response by Witness)
Q I'm sorry -- what was the answer?
(Further response by Witness to Interpreter)
A Oh, pardon me my uncle Alfred Namox had given the blankets

to Old Sam and his wife.
Q Oh, okay. Were those blankets given as a gift for what they were doing?
A It was given to them because they came to see and help me.
Q Did they use, I think you described it as a diisgus or cedar headdress at the time they helped you. Did they use a cedar headdress at that time?
A Yes.
(Further response by Witness to Interpreter)
A That is what they used around their head and around their necks.
(Further response by Witness to Interpreter)
A And Old Sam would wear a big -- Old Sam's wife would wear a big bear blanket.
(Further response by Witness to Interpreter)
A Bearskin and cedar bark diisgus would be tied onto the bear head.
Q Do you recall how old you were when this happened, approxi- mately?
A I don't know, I was born in 1908.
(Further response by Witness to Interpreter)
A And I had three children. And I got married when I was sixteen years old.
Q Okay. I'd like to ask you about your brother Jimmy Mitchell. The other day when we were describing who was in your family, or when you were describing that, you mentioned that your brother Jimmy Mitchell died in 1935. Can you tell us the circumstances surrounding his death, that you know about?
A He died in 1941.
Q I'm SOrry that was my mistake.
(Further response by Witness to Interpreter)
A Okay, he went with my father to Bear River to set traps for beaver, this was around the month of May. My father came back by himself because he told Jimmy to stay behind and keep an eye on the traps.
(Further response by Witness to Interpreter)
A And he didn't come back when he was supposed to.
(Further response by Witness to Interpreter)
A Just a small dog he had came back by itself. The dog belonged to Joe Tom.
(Further response by Witness to Interpreter)
A We were living at Hagwilget.
(Further response by Witness to Interpreter)
A When he didn't come back they figured he was missing so they went back to look for him.
(Further response by Witness to Interpreter)

A They looked all over for him but couldn't find him.
(Further response by Witness to Interpreter)
A And just the -- just some of the traps were in the river.
(Further response by Witness to Interpreter)
A Around June my husband, my brother Tommy and I went to the coast. And I don't know why we went because Jimmy was missing at that time.
(Further response by Witness to Interpreter)
A And when we were at the North Pacific Cannery, I kept sending letters to Louis Morris who was a brother to Stanley Morris. I kept asking him if they had found Jimmy's body and he said that they didn't. And at that time we were not working because there was not much salmon.
(Further response by Witness to Interpreter)
A About August 1st we got a telephone call. Someone told us they had found Jimmy's body.
(Discussion between Witness and Interpreter)
A Okay my father, the game warden, Joe Wilson, Johnny Dominic, Dick Hall from Babine had went, had went looking for him again. They went back to the same place where they had set camp before and not too far from the camp they had set up, they found his body in the driftwood. My father had seen his hair floating in the water. And the rope that he had on his back was what got caught in the driftwood.
(Further response by Witness to Interpreter)
A My father began crying and the game warden grabbed him. He told Joe Wilson and Johnny Dominic to wade out into the water to get his body. And the game warden was trying to calm my father down because he was crying.
(Further response by Witness to Interpreter)
A After they got his body out of the water they draped him over one of the saddle horses and brought his body back to Hagwilget.
(Further response by Witness to Interpreter)
A Okay when they brought him to Hagwilget they brought him to Phillip Austin's house where they began to cut off his clothes. And it seemed like that he was buried for awhile and then thrown Lack in the river because there was sand coming out of his pockets and from in his clothing.
(Further response by Witness to Interpreter)
A He had bruise marks on his arms as well as a hole on his head. When he was younger they put a silver plate in his head when a tree fell on him and they probably killed him when they hit him in the head.
(Further response by Witness to Interpreter)
A There was people from Phillip Austin's clan who had to pay

for the funeral expenses so they got new clothes and casket and they were talking about burying him in Hagwilget but my uncle Alfred Namox said to bring him back to Moricetown and that's what they did, and they buried him in Morice-town.

Q Was -- does she have the, does she want to say anything, anymore right now or I'll ask the next question?

A Yes.

(Further response by Witness to Interpreter)

A And those people that killed him we know who they are.

(Further response by Witness to Interpreter)

A And they're all dead now.

Q Was anybody ever charged with the murder of your brother Jimmy?

A No, we didn't say anything about them.

Q Okay. Who do you believe killed your brother and why?

A Okay, it was Donald Gray who had a store in Hagwilget who is related to Tommy Tait.

(Further response by Witness to Interpreter)

A He is Tommy Tait's uncle. He was the one that hired these people because he said the land my father and brother were trapping on was his. But the land in fact belonged to the Gitksan people who had given my father and my brother per-mission to trap there. They loved my father and that's why they let him trap in the area. It was Joe Seymour, Dan Joseph, Arthur Seymour who had killed my brother. We know it was they who had done it but we didn't say anything.

Q How did you know that it was they who had done it?

A Okay, my grandson Jimmy Michell had come back into this world as the reincarnation of Jimmy Mitchell. When Donald Gray had died the bell was ringing. He came running into the house and told me that Donald Gray had died. And why did he die when he hired those people to kill me. And he mentioned Dan Joseph, Arthur Seymour and Joe Seymour. He said this in front of Houston tso', who is Christine Holland. And Houston tso' was surprised to hear this because he had not seen these people before.

Q I'm sorry, because Jimmy Michell had not seen these people before?

A Yes. And he never did call me grandmother, he always called me mom because he said he came back into this world as Jimmy Mitchell.

Q Do you know why Donald Gray would have hired these people to kill your brother Jimmy Mitchell?

A Because he said the land had belonged to him, the land near Bear River. Bear River belongs to the Gilserhyu which is

(Further response by Witness to Interpreter)

A Which is the same way that it is today. And that's a Gitksan name, hdens.
(Further response by Witness to Interpreter)
A And Charlie Sterritt and Arthur Mowatt.
(Further response by Witness to Interpreter)
A And Arthur Mowatt holds the territory now.
Q Is this territory that you're talking about at Bear River different than the territory that you referred to aG Caspit's territory up behind Tsentsil?
A Yes, it's different.
(Further response by Witness to Interpreter)
A It's different than -- it's in a different location than Caspit's territory.
(Further response by Witness to Interpreter)
A The creek that drains into Bear River comes from Caspit's mountain. And the Gitksan people loved my father, that is why they allowed him to set his traps in their territory.
Q Is it correct then that this territory at the Bear River has never been given by the Gitksan to the Wet'suwet'en?
A No, they didn't.
(Further response by Witness to Interpreter)
A The territory still belongs to the Gitksan today.
MR. GRANT: We'll have a brief --
(Further response by Witness to Interpreter)
A Rose's brother, Dyee was married to a Gitksan woman.
(Further response by Witness to Interpreter)
A And that is Ben McKenzie's mother.
(Further response by Witness to Interpreter)
A He is the daughter of -- she is the daughter of Dyee.
(Further response by Witness to Interpreter)
A And when Ben McKenzie was a young man that's where he did his trapping.
(Further response by Witness to Interpreter)
A They also had some land where they had cattle and --
Q Okay, just for the record I heard, and I just want to be clear on this because Emma was talking as you were trans-lating, she said that Dyee was the Catholic chief at Hagwilget?
A Yes, he was the Catholic chief at Hagwilget.
(Further response by Witness to Interpreter)
A And he was married to Ben McKenzie's grandmother.
MR. GRANT: Okay. The Reporter would like a brief adjournment.

(PROCEEDINGS ADJOURNED AT 3 P.M.)

(PROCEEDINGS RECONVENED AT 3:05 P.M.)

EXAMINATION BY MR. GRANT CONTINUING:

Q Did the people who were involved in the killing of your brother, did they die prematurely or before they were old?

A Yes they did. Joe Seymour was found dead in the nets near Prince George. Nobody did determine exactly who killed him or how he died. And Dan Joseph, who had lived near the Smithers dump one time he came into the old Hudson Hotel and sat next to us and said that he was feeling sick and that he had come down to get himself some medicine. He had a mickey bottle in his pocket and he wanted to give us a drink but the owners of the hotel were watching people so he didn't. So from there he went home and a few days later his brother, Yam or William who is Bik or Elizabeth's son couldn't find him anywhere. He looked for him in town and couldn't find him. So he went to his house and found that the curtains were drawn on his window. So Yam went to the R.C.M.P. and told them that he couldn't find his brother and that the curtains were drawn on his window. So the R.C.M.P. came and they kicked down the door. They found Dan still in his bed dead. He had been bleeding from the nose and mouth and eyes and ears. And Arthur Seymour had left the Houston (sic) Hotel and he didn't go very far where he apparently fell to the ground and died of a heart attack.

Q Why do you think all these people died of these -- well, first of all were any of these people old when they died?

A They were still young.

Q Why do you believe that these people died prematurely?

A God punished them.

Q Did you ever take your grandson, Jimmy Michell, to the territory where Jimmy Mitchell had been killed?

A No.

(Further response by Witness to Interpreter)

A No, Jimmy was not around.

Q Is there any person now who is the reincarnation of your son George who died?

A Cheyenne is a reincarnation of George.

(Further response by Witness to Interpreter)

A Stanley, young Stanley.

Q Is that Stanley's -- Stanley Nikal's son?

A Yes, his oldest son.

Q And his name is Cheyenne?

A Yes, we call him Cheyenne.

Q Is there any reason that you believe that he is the reincarnation of George, anything that he has said or done?

A He told us this himself.

(Further response by witness to Interpreter)

A Okay, when Cheyenne was six years old he was with Winnie and Joseph when Joseph was working for the C.N.R. , and they were living in one of the C.N. stations. When Winnie and Joseph and Cheyenne were invited for supper with the extra gang when supper was over Cheyenne ran home and began talking to himself. And Winnie snuck up behind him and was listening to him. And Cheyenne said that I have come back into this world as George. And I remember when we used to bring poles across the river at Mosquito Flat.

(OFF THE RECORD DISCUSSION)

(Court Reporter requests clarification)

MR. GRANT:

Q Emma your description of reincarnation, is that -- do many of the Wet'suwet'en people believe and recognize reincarnation?

A Yes.

Q And your description of how the people involved in the murder of your brother were punished, is it part of the Wet'suwet'en beliefs that people will be punished if they commit those, if they do some -- if they murder somebody even if they are not taken to court?

A Yes.

Q Is this belief in the powers, in the powers beyond man punishing people, is it an important part of the Wet'-suwet'en system of respect for each other and respect for other species?

A Yes.

MR. GRANT: Okay, we'll adjourn now because it's getting late and there's a tape change and we only have a few more minutes anyway. So we'll adjourn now until another day.
(Interpreter speaks to Witness)

(PROCEEDINGS ADJOURNED SINE DIE AT 3:20 P.M.)

I hereby certify the foregoing is a true and accurate transcript of the proceedings herein, to the best of my skill and ability:

Linda Malinowski
Official Court Reporter