

COUNCIL OF THE NORTH WEST TERRITORIES

Minutes of the Eighteenth Session of Council held on Wednesday, the 14th May, 1930, in the office of the Commissioner, Mr. W. W. Cory, C.M.G., at Ottawa.

PRESENT:

Mr. W. W. Cory (in the Chair)	-	Commissioner
Mr. R. A. Gibson	-	Deputy Commissioner
Dr. D. C. Scott	-	Member of Council
Colonel Cortlandt Starnes	-	" " "
Mr. H. H. Rowatt	-	" " "
Mr. O. S. Finnie	-	" " " and
		Director, N.W.T. & Y. Br.
Major D. L. McKeand	-	Secretary.

IN ATTENDANCE:

Mr. Laurent Beaudry	-	Department of External Affairs.
Major L. T. Burwash	-	N.W.T. & Y. Branch
Mr. K. R. Daly	-	Legal Adviser
Mr. G. P. Mackenzie	-	N.W.T. & Y. Branch.

1. Confirmation of Minutes -

The Minutes of the Seventeenth Session of Council held on the 2nd April, 1930, having been sent to the members of Council and no alterations being suggested, it was moved by Mr. Finnie, seconded by Mr. Rowatt, that the Minutes be adopted. Carried.

2. Business arising out of Minutes -

(a) Committee on Legislation -

- (i) Maintenance of orphans, neglected and destitute children beyond 15 years.
- (ii) Legalizing process of adoption of Eskimo children.
- (iii) Miner's Lien Ordinance.
- (iv) Woodsman's Lien Ordinance.

Mr. Finnie reported that it had only been possible within the last few days to place copies of the suggested draft ordinances in the hands of the members of Council and that, therefore, sufficient time had not elapsed to permit of the careful examination of them. It was therefore moved by Colonel Starnes, and seconded by Mr. Finnie, that consideration of the report of the Sub-Committee on Legislation be deferred until the general revision of the ordinances was discussed by Council, and that a special meeting be called for that purpose. Carried.

This discussion disposed of item "h" under "New Business".

- (b) Employees of Dominion Government  
trafficking in fur in the North  
West Territories contrary to  
departmental instructions -

The Secretary reported that an Order-in-Council (P.C. 920) dated 2nd May, 1930, had been passed amending the Game Regulations as recommended by Council at its last meeting.

- (c) Radio Stations - Herschel Island,  
Chesterfield and  
Coronation -

The Secretary read, for the information of Council, a letter (copy attached) addressed to the Minister of the Interior by the Honourable P.J.A. Cardin, Minister of Marine and Fisheries, stating that he was prepared to ask for funds to provide for the establishment of radio stations at Chesterfield and Coppermine but that so far as his Department was concerned there did not seem to be any need to establish a station at Herschel Island, as the Herschel area was fairly well served by the Aklavik station.

Mr. Gibson pointed out that there was considerable mining activity in the vicinity of Great Bear Lake and that there was need for temporary radio service in that district for this year. He stated the matter had been brought to the attention of the Minister of the Interior by mining interests and that the Minister had asked for the views of the North West Territories Council. Fear was expressed that if it were decided to establish a radio station at Great Bear Lake the Minister would soon have to deal with applications for similar service elsewhere. However, it was pointed out that Great Bear Lake was on the route of travel between the Mackenzie river and Coronation gulf and that a station on McTavish Arm would form a connecting link approximately midway between the Coppermine and Norman stations. Major Burwash reported that the Dominion Explorers already had radio equipment on Great Bear Lake and after some discussion it was moved by Mr. Gibson, seconded by Mr. Finnie, that the National Defence Department be asked to arrange for temporary radio service at Great Bear Lake for this year, and that all the information available to the members of the North West Territories Council be placed at the disposal of that Department. Carried.

This discussion disposed of item "k" under "New Business".

- (d) Appointment of Dr. J. A. Urquhart, J.P.,  
having authority of two Justices of the  
Peace. -

The Secretary reported that the Commissioner of the North West Territories had written to the Department of Justice with respect to the appointment of Dr. Urquhart and it is expected a reply will be received within a few days.

- (e) Importation of Wood Alcohol (Canned heat)  
for Primus stoves -

The Secretary read, for the information of Council, a letter received from Revillon Freres, Montreal, dated the 12th instant, reporting the quantity of Primus Paste and Methylated Spirits being sent in to their posts at Mistake bay, Baker lake, and Repulse bay. Further information awaited.

(f) Whaling privileges in  
Cumberland sound -

Mr. Beaudry reported having discussed this matter with Mr. W. A. Found, Deputy Minister of Fisheries, and that Mr. Found had suggested it would be well to get further information from the Consul General of Norway as to the proposed plans of the Norwegians. He said that they had communicated with the Consul General and the information furnished was that it was not the intention to establish shore bases or use floating factories; also that the proposed undertaking was to be more or less of an experiment. Mr. Beaudry said that he went over the correspondence re the control claimed by Norway over her own fiords in order to see whether the same might not be applied in connection with the application under discussion. He also reported that negotiations had been carried on recently between Great Britain and Norway with a view to the recognition of Norway's sovereignty over fourteen of the larger Norwegian fiords. It was thought by some members of Council that in view of the negotiations with Norway it would be well to acquaint the Imperial authorities with the application recently submitted through the Norwegian Consul General as the action taken in connection with one matter might have a bearing on the other. Mr. Beaudry said he was making some further enquiries.

It was pointed out that the white whales in Cumberland sound were of considerable economic importance to the Eskimo in the district and after a full discussion it was moved by Mr. Gibson, seconded by Dr. Scott, that Council go on record as being in favour of the declaration of Cumberland sound as Territorial water for special reasons and that these reasons be brought to the attention of the Inter-Departmental Committee on Territorial Waters in connection with the Codification of International Law. Carried.

3. New Business -

(1) Application of Commander  
Otto Sverdrup for a  
pension -

The Secretary read a letter received from Dr. O. D. Skelton, enclosing two memoranda received from the office of the High Commissioner for the United Kingdom, Ottawa, indicating the view of the Norwegian Government on the negotiations regarding the Sverdrup islands; also a report prepared thereon by the Director of the North West Territories and Yukon Branch of the Department of the Interior (copies attached).

Following a brief discussion it was moved by Colonel Starnes, seconded by Mr. Finnie that as soon as the item of \$57,000 has been passed by Parliament the Norwegian authorities be informed that this money will only be available up to the end of the present fiscal year and on the previously approved conditions. Carried.

(a) Eskimo Ruins Ordinance -

The Secretary drew attention to the explanatory memorandum prepared for general distribution, copies of which had been appended to the Agenda for the present meeting. This memorandum was approved.

(b) Dog Ordinance -

The Secretary reported that Colonel Starnes had recommended that Mistake bay and Eskimo point come under the operations of the Dog Ordinance. Approved.

## (c) Killing Wood Buffalo -

Discussion deferred.

## (d) Anglican School - Shingle point -

The Secretary reported that a number of church societies had sent bales of clothing to the Anglican school at Shingle point for distribution to the needy natives and that the church authorities had applied for a refund of the freight charges. It was pointed out that while the Eskimo were being looked after by the Department of Indian Affairs it had been the practice of that Department to refund freight charges on such shipments. It was moved by Mr. Gibson and seconded by Colonel Starnes that the same practice be continued. Carried.

## (e) Status of Eskimo -

## (i) Liquor Permits -

Discussion deferred.

## (ii) Marriage Laws -

The Secretary referred to a case now before the Department where an Eskimo had reported to a local police officer that his wife, whom he had married in accordance with the usual native custom, had deserted him and was living with a white man; that the white man had made application to marry the native woman and that the Eskimo himself wished to know whether he would be committing bigamy if he married another native woman. Council thought that inasmuch as there had only been a native marriage that no reasonable objection could be taken if the native married someone else. It was also stated that this view was concurred in by certain church authorities.

## (f) Importation of Reindeer -

Progress reported.

## (g) Trading Posts - Mouth of Burnside river -

The Secretary read a letter received from the Fur Trade Commissioner of the Hudson's Bay Company, Winnipeg, in which exception was taken to the decision of Council in connection with their application for permission to establish a trading post at the mouth of Burnside river. Mr. Finnie said that the Company originally made application for permission to establish a trading post at the south end of Bathurst inlet, that Mr. W. H. B. Hoare had reported that caribou crossed at this point and that under the circumstances the application of the Company was rejected; also that instead the Company was granted permission to establish a post north of Goulburn island. Mr. Cory felt that in view of the action taken by the Dominion Explorers in establishing a base at Burnside river without authority from the Department it would be extremely hard for the Department to justify refusing the Hudson's Bay Company permission to establish a trading post at the same point. It was pointed out that Major Burwash had recommended that the Hudson's Bay Company be permitted to establish a post at the mouth of Burnside river but that the exportation of fish from this post be not permitted.

After a careful discussion it was moved by Mr. Finnie, seconded by Mr. Gibson, that this recommendation be approved, and that the decision be conveyed to the Hudson's Bay Company and the Canalaska Trading Company, Limited.

(i) Eskimo girls - "Towtonie" Mistake bay,  
"Meranah" Baker lake.

The particulars of this case were briefly reported to Council and it was pointed out that Colonel Starnes was making the necessary investigation. However, it was moved by Mr. Gibson, seconded by Mr. Finnie, that notwithstanding the fact that the case had not come up for trial that it would be well for the Department of the Interior to communicate with the mining interests and other concerns operating in the Territories and point out that it had been reported to the Department that employees of two of these Companies had been accused of serious offences against native girls who were minors, and that in all such cases all parties found guilty would be severely dealt with. Carried.

(j) Anglican Mission at Lake Harbour,  
Baffin island -

The Secretary read a letter dated the 10th May, 1930, from Archdeacon Fleming referring to the proposal to build a hospital this year at Pangnirtung instead of Lake Harbour and making application for free transportation on the "Beothic" of building material, equipment and supplies required for the hospital. It was pointed out that there is a distinct difference between the transportation by the Federal Government of materials for the construction of a hospital and those used in the construction of a mission; and after some consideration it was moved by Mr. Finnie and seconded by Colonel Starnes that Archdeacon Fleming's application for free transportation of hospital material and equipment be approved on the understanding that the location of the hospital would be Pangnirtung.

It was also decided that Bishop Turquetil be informed that it has been decided that in future when material to be used in the construction of a hospital could be taken North without over-crowding the ship, and when that material could be delivered without seriously interfering with the Government expedition to take same along free of charge, it being understood that the material would be delivered to the boat by the church authorities and that the material was to be used for hospital purposes only.

Council then adjourned.

*J. Finnie*  
.....  
Secretary.

*A. Starnes*  
.....  
Commissioner.

Office of the Minister of Marine and Fisheries  
of Canada  
Ottawa.

28th April, 1930

My dear Colleague:-

I have your favour of the 9th April, with regard to the question of the establishment of radio stations at Herschel Island and Coppermine in the Arctic, and at Chesterfield Inlet, on the west side of Hudson Bay, and would say that my Department is particularly interested in the establishment of stations at Coppermine and Chesterfield, in that weather observations from these vicinities are very essential in connection with preparing weather forecasts for the Hudson Bay route.

In addition, stations at these points would serve as a useful "aid to navigation" to the limited number of ships plying in those waters.

In view of this and the fact that your Department and the R.C.M.P. maintain permanent establishments at these two points, I think the erection of the stations is justified, and I am accordingly submitting a recommendation to the Treasury Board that an item be included in this year's supplementary estimates of the Department of Marine for stations at Coppermine and Chesterfield.

As regards Herschel Island, the need for a station at this point would not appear to be urgent; as far as this Department is concerned, your station at Aklavik, one hundred miles away, already provides satisfactory weather reports for that area, and unless you see objection, I think this item might very well stand over for another year.

Believe me, my dear Colleague,  
Yours very truly,

(Sgd.) P.J.A. Cardin

The Honourable Charles Stewart,  
Minister of the Interior,  
Ottawa.

File 737 (6) N. W. T.

AT THE GOVERNMENT HOUSE AT OTTAWA

Friday, the 2nd day of May, 1930.

PRESENT:

THE DEPUTY OF HIS EXCELLENCY THE  
GOVERNOR GENERAL IN COUNCIL.

P.C. No. 920.

**T**HE Deputy of His Excellency the Governor General in Council, on the recommendation of the Minister of the Interior, is pleased to order that the regulations respecting Game in the Northwest Territories as established by Order in Council dated the 15th day of May, 1929 (P.C. 807), and amended by the Order dated the 20th day of November, 1929, (P.C. 2265), be and they are hereby further amended by the addition of the following paragraph:—

5 (a) Notwithstanding the foregoing paragraph (5) no officer or employee of or under the Government of Canada shall, directly or indirectly, in his own name or in that of any other person, engage in trading or trafficking in game within the meaning of these regulations.

(Signed) E. J. LEMAIRE,  
Clerk of the Privy Council.

To the Honourable

The Minister of the Interior.

Published in *The Canada Gazette* of 7th June, 1930, Vol. 63, No. 49, for the fourth consecutive week.

Department of the Interior  
Canada

NORTH WEST TERRITORIES AND YUKON

File No. 571-6

Ottawa,  
25th April,  
1930.

MEMORANDUM -

R. A. Gibson, Esq.,  
Acting Deputy Minister.

Condition No. (i) which the Norwegian Prime Minister now wishes incorporated in the proposed agreement between the Canadian government and Commander Otto Sverdrup is entirely new. Mr. Bordewick did not raise it when here, nor was it mentioned in any subsequent correspondence. The understanding clearly was that if the Canadian government paid Commander Sverdrup \$67,000.00 in compensation for his services in the Canadian Arctic in the years 1898-1902, he would turn over to the Canadian government all notes, documents, maps and reports relative to his explorations and would, in addition, secure from the Norwegian government a recognition of Canada's claim to the Sverdrup islands.

The fishing rights in the waters surrounding these islands are of no value in a commercial sense as no ship can come into these waters or anywhere near them on account of impossible ice conditions which prevail throughout the entire year. It would, therefore, seem to be something of a ridiculous proceeding to incorporate any agreement with reference to fishing privileges.

The matter of giving the Norwegians the right to land on the islands would be a very distinct privilege. It would convey a right which conceivably might some day be of very considerable importance. It undoubtedly would be interpreted to mean the right to land on the islands with aeroplanes. The Sverdrup islands are a part of a huge game preserve and to permit the Norwegians to land on the islands as a matter of right would unquestionably be prolific of misunderstandings and disputes in the future. Perhaps the best evidence of the undesirability of granting special privileges to the Norwegians in any settlement that may be effected is found in the case cited by the Norwegian Prime Minister himself, that of the right claimed by the Norwegians to fish and hunt along the east coast of Greenland. The net result of this privilege claimed by the Norwegians is the strange relationship of the Norwegian and Danish authorities over that very matter. I am very strongly of the opinion, therefore, that the Norwegian government's recognition of Canada's claim to the Sverdrup islands should be unconditional.

With regard to Condition No. (ii) it was decided, you will remember, that if exception were taken by the Norwegian government to a reference to these islands as being in the Canadian sector, we would not press that viewpoint. I would say, therefore, with respect to this condition that as it seemingly is objectionable to the Norwegian government to recognize the sector as being Canadian, that contention might be dropped.

(Sgd.) O. S. Finnie

Office of  
The Under-Secretary of State  
for External Affairs  
Canada.

Ottawa,  
23rd April,  
1930.

My dear Mr. Cory:

With further reference to the negotiations regarding the Sverdrup Islands, I enclose two memoranda received from the Office of the High Commissioner for the United Kingdom dated the 18th March and the 2nd April, respectively, indicating the point of view of the Norwegian Government.

Yours sincerely,

(Sgd.) O. D. Skelton.

W. W. Cory, Esquire,  
Deputy Minister of the Interior,  
OTTAWA.

Office of the High Commissioner  
for the United Kingdom,  
Wellington Chambers, Ottawa.

MEMORANDUM.

In conversation with His Majesty's Minister at Oslo the Norwegian Prime Minister stated that his Government was ready to recognize the Canadian claim to the Otto Sverdrup Islands on the following conditions:-

(i) That the fishing rights and the right to land on the islands or in the waters around them should be retained by Norwegian subjects.

(ii) That specific mention be made of the Islands and that no recognition of any sector should be implied.

The Prime Minister maintained that Norwegians had the right to fish and hunt across the coast of Greenland and that it might be of importance to them to be allowed to pursue whales and seals in the neighbouring districts in which the Otto Sverdrup Islands lie. At the same time he thought that the first condition, outlined above, was more a formality than anything else, since he knew of no fishing or hunting in the vicinity of the Sverdrup Islands. When making these observations the Prime Minister asked for a written communication regarding the arrangement proposed. Consequently a formal exchange of Notes seems desirable when and if an agreement is made with the Norwegian Government.

His Majesty's Government in the United Kingdom would be glad to receive the views of His Majesty's Government in Canada concerning the conditions set forth by the Norwegian Prime Minister.

Ottawa,  
2nd April,  
1930.

Office of the High Commissioner  
for the United Kingdom,  
Wellington Chambers, Ottawa.

MEMORANDUM.

The contents of Dr. Skelton's letter of the 25th February has been made known to His Majesty's Minister at Oslo who has been asked to expedite a settlement along these lines through the Norwegian Prime Minister. It is, however, feared that a request for inclusion of a reference to the Islands as being in the Canadian sector of the Arctic would cause difficulties with the Norwegian Government. In view of Dr. Skelton's statement that it was not wished to press the matter if the request were not acceptable to the Norwegian Government this demand has been omitted.

18th March,  
1930.