

Mr. Wilson Duff,
Department of Anthropology,
The university of B.C.
Vancouver 8, B.C.

Cassiar Cannery, Caspaco,
Skeena River, B.C.
Sept 12, 1973.

Sir:

This is to acknowledge receipt of your letter of the 18th. ultimo and to inform you that I am very pleased to note its contents.

Upon my return to Kitwancool, I will consult with the two chiefs, the wolf and the Frog, and whatever move we consider we shall be very pleased to let you know.

I wish to thank you for the most important settlement you have established with the Authorities concerned regarding Mr. Walter Derrick situation.

Yes, Mr. Duff, I am very pleased to note that you will continue.

Yours Most respectfully,
Peter Williams, President of Kitwancool,
Box 134, Kitwanga, B.C.

Peter Williams

THOMAS R. BERGER

BARRISTER & SOLICITOR

TELEPHONE 684-7581

209 INNS OF COURT
678 HOWE STREET

VANCOUVER 1, B. C.

23rd August, 1968.

Prof. Wilson Duff,
Department of Anthropology,
University of British Columbia,
Vancouver 8, B.C..

Dear Wilson,

I was up in Prince Rupert earlier in the month and discussed with members of the Nishga Tribal Council the whole question of the limits of their claim.

The original claim made by the Nishgas, and the claim being made in their present action against the Attorney-General, is not as large as you indicated in the map you sent to me in June. According to the original petition, and as set out in the Statement of Claim I filed earlier this year, the Nishga claim goes along the boundary line to the height of land lying between the Nass River and the Skeena River, thence in a line following the height of land surrounding the valley of the Nass River and its tributaries, to and including the height of land surrounding the northwest end of Meziaden Lake, thence in a straight line to the northerly end of Portland Canal, etc.. Thus there does not appear to be any conflict at all between the Kispiox claim and the Nishga claim.

As far as the Kitwancool claim is concerned, it may be that it can be resolved in this way: The Nishga claim that the area in question is part of their territory. But they do admit that the Kitwancool have certain historical rights, i.e. the right to take oolichans, because of the long history of the 'grease' trail. They also say that the Kitwancool are, of course, part of the Gitskan nation, and properly belong to the Skeena valley, not the Nass valley. I also spoke with Dick Woods of Prince Rupert, whose father was manager of the cannery at Cascade, and whose mother was a Nishga. Mr. Woods is in his late 70's, but he acted as interpreter for the Nishgas in the early years of the century when their petition was going forward. He told me, and he is still alert, that there was never

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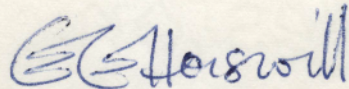
Prof. Wilson Duff

23rd August, 1968.

any suggestion by the Gitskan at that time that they were in fact entitled to claim any part of the territory which was included in the Nishga claim. He did say that the Kitwancool were some of them even then living in the Upper Nass.

I will be calling you about this some time next week, and I hope we can get together and have a talk about it.

Yours sincerely,



pp Thomas R. Berger

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NISHGA TERRITORIES

The map shows the territories to which, on the basis of the historical and anthropological evidence, the Nishga have an indisputable claim. The following notes are necessary to explain how the boundaries have been drawn.

1. The Tsimshian-Nishga boundary:

- a. The Tsimshian of Port Simpson and Metlakatla have always had seasonal rights to fish for eulachons in the springtime at the mouth of the Nass. Their traditional fishing areas were approximately in the area outlined by the broken line. This right was contested before the Indian Reserve Commissions, with the result that the Tsimshian still retain rights to Red Bluff Reserve (IR 13) in this area.
- b. The boundary on Portland Inlet has also long been in dispute. Both have traditional claims, based on occupation during some period in the past, to Kwinamass Bay and River (I have shown such overlapping claims by drawing the boundary along the river itself rather than showing the area as belonging to one group or the other). These claims were also contested before the Reserve Commissions, and both groups were given reserves in the area: the Nishga got IRs 15 and 16; the Tsimshian got IRs 45, 46, and 40 - the latter being two miles north of Kwinamass Bay.
- c. Both have traditional claims to Pearse Island. The Reserve Commission allotted a reserve at the south end of the island (IR 41) to the Tsimshian, and one at the north end of the island (IR 43) to the Nishga. Both have also made claim to Hidden Inlet, on the Alaskan side of Pearse Canal, but the International Boundary makes the claims now irrelevant.
- d. The natural boundary between territories on the Nass and the Skeena is the height of land dividing the watersheds of the two rivers.

2. Portland Canal:

Nishga territory included both sides of Portland Canal, and the rivers which flow into its head. Much of this territory was cut off by the International Boundary. Observatory Inlet and Alice Arm were also Nishga territory.

3. The Nishga-Kitwancool boundary:

The Kitwancool tribe has claims based on occupation and conquest to the Cranberry River, a tributary of the Nass, and to a large segment of the Nass River itself from the mouth of the Kinskuch up to Meziaden Lake and beyond. I have drawn the boundary line along the Kinskuch and Kiteen rivers, because both groups have traditional claims of some degree of validity to these valleys.

Wilson Duff,
Associate Professor of Anthropology,
University of British Columbia,
December 19, 1968.