

University of British Columbia Library Rare Books and Special Collections

Finding Aid - Delgamuukw v. British Columbia Exhibit Archive (RBSC-ARC-1749)

Generated by Access to Memory (AtoM) 2.6.4 Printed: January 26, 2023

Language of description: English

University of British Columbia Library Rare Books and Special Collections

Irving K. Barber Learning Centre

1961 East Mall

Vancouver

British Columbia

V6T 1Z1

Telephone: 604-822-2521

Fax: 604-822-9587

Email: rare.books@ubc.ca

<http://rbsc.library.ubc.ca/>

<http://rbscarchives.library.ubc.ca/delgamuukw-v-british-columbia-exhibit-archive>

Delgamuukw v. British Columbia Exhibit Archive

Table of contents

Summary information	3
Administrative history / Biographical sketch	3
Scope and content	3
Arrangement	4
Notes	4
Access points	5
Physical condition	4
Series descriptions	5
, Wet'suwet'en Nation Trial Exhibits, 1984 - 1997	5
, Gitxsan Nation Trial Exhibits, 1984 - 1997	6
, Supporting Court Materials, 1984 - 1997	7

Summary information

Repository:	University of British Columbia Library Rare Books and Special Collections
Title:	Delgamuukw v. British Columbia Exhibit Archive
Reference code:	RBSC-ARC-1749
Date:	1984-1997 (date of creation)
Physical description:	28m of textual records and other materials
Language:	English
Dates of creation, revision and deletion:	

Administrative history / Biographical sketch

Note

The results of the Delgamuukw v. British Columbia Trial are considered a turning point in treaty negotiations, land use policy, and the recognition of the legal concept of Aboriginal title. The case concluded on December 11, 1997, and the Supreme Court of Canada observed that aboriginal title is an ancestral right protected by the Constitution Act of 1982. The action was brought forward by the 51 appellants, all Hereditary Chiefs either of the Wet'suwet'en Nation or Gitksan Nation, and who individually or on behalf of their Houses and its members, claimed one or more separate specific portions of the 133 individual hereditary territories in Northwest British Columbia, totalling 58,000 square kilometres.

Custodial history

UBC Library and Rare Book and Special Collections acquired the collection in August 2014.

Scope and content

The Exhibit Archive consists of the evidence submitted by 51 Plaintiffs regarding the land claim area, and materials submitted by the Defense relating to the underlying title of the Crown to these lands. Textual records include correspondence, by-laws, land titles and drafts, research documents, affidavits, cross-examination transcripts, legal documents and reports, published material, genealogy charts, collections of sacred oral traditions, copies of records from the Hudson's Bay Company and early settlers, written accounts of oral histories, trap-line data, expert testimonies of anthropologists, historians, linguists, biologists, and archaeologists, including all the background materials used by lawyers in the case. Other

non-textual materials include maps and overlays, photographs, sound recordings of oral histories and songs, and audio-visual materials.

Notes

Title notes

Physical condition

Some rolled maps are water-damaged and crumbling. Some photocopied materials relating to the correspondence between early settlers and used as background research material in the case may be illegible.

Immediate source of acquisition

70 boxes of material and the oversized exhibits were transferred from the British Columbia Supreme Court in August 2014, made possible by a Consent order dated April 22, 2014.

Arrangement

When transferred to RBSC, the court exhibits were arranged in 70 boxes along with oversized exhibits and rolled maps. Records were marked with a court exhibit stamp, which shows the date the exhibit was submitted and whether the submission was from the Defence or Plaintiff. An exhibit can encompass a single document or ranges to a binder with several tabs. Records were not necessarily ordered by ascending exhibit number within the boxes. When the materials were rehoused, the original order that the exhibits were in according to the 70 boxes was maintained. The Item-level Inventory lists the current location of each exhibit. Exhibits with no exhibit numbers were assigned Rare Books and Special Collections in-house identifiers with the prefix "unmarked DK-TX", "unmarked DK-PH" or "unmarked DK-RM".

Restrictions on access

Currently exhibits under schedule "A", "B", "C" are restricted. Only unscheduled exhibits (those designated as "D" or "Open") are available to the public. The Gitksan exhibits are restricted until a culturally appropriate access protocols is developed in consultation with the Gitksan First Nations. The Wet'suwet'en exhibits (all schedule B exhibits and schedule C exhibits pertaining to the Wet'suwet'en Nation) may be accessed with written permission from the Office of the Wet'suwet'en. Contact information may be obtained from the RBSC archivist.

Conditions governing use

Materials may not be redistributed. Research or Personal use must be indicated. Photocopies for research must be stamped, and any products from the research must be shared with the Nations involved.

Finding aids

Detailed inventory available.

Other notes

- **Publication status:** published
- **Physical description:** Includes 4630 Document Exhibits, 584 Photographs, 474 Maps and 54 Overlays, 14 Audio Cassette Tapes, and 118 VHS Tapes
- **Rights:** Testimonies or materials submitted by individuals belonging to the Gitksan or Wet'suwet'en Nations are considered the intellectual and cultural property of the Gitksan or Wet'suwet'en.

Access points

- Multiple media (documentary form)
- Cultural groups (subject)
- Family and personal life (subject)
- First Nations (subject)
- Geographic features (subject)
- Government (subject)
- Land, settlement and immigration (subject)
- Law and justice (subject)

Series descriptions

Wet'suwet'en Nation Trial Exhibits

Creator: Delgamuukw Trial

Date: 1984 - 1997 (date of creation)

Scope and content:

At trial, the Wet'suwet'en people were represented by the 13 Wet'suwet'en Hereditary Chiefs, whose territories during that time lay mainly in the watersheds of the Bulkley and parts of the Fraser-Nechako River systems and their tributaries. The original claims were altered and replaced with claims for aboriginal title and self-government, and eventually the individual claims by each House were amalgamated into two collective claims, one on behalf of the Wet'suwet'en Nation and the other for the Gitksan Nation. The Wet'suwet'en Exhibits consists primarily of records relating to Wet'suwet'en history, territory, and traditions. Series also includes Plaintiffs' expert witness evidence, Wet'suwet'en genealogy information, photographs, oral histories, maps, letters, interviews and commission evidence.

Physical description: Textual records and other materials

Language of the material:

English

Note:

Some Wet'suwet'en Exhibits are cross-listed as Gitxsan Exhibits.

Access points:

- Multiple media (documentary form)
- British Columbia (place)

Restrictions on access:

The Wet'suwet'en exhibits (all schedule B exhibits and schedule C exhibits pertaining to the Wet'suwet'en Nation) may be accessed with written permission from the Office of the Wet'suwet'en. Contact information may be obtained from the RBSC archivist.

Conditions governing use:

Materials may not be redistributed. Research or Personal use must be indicated. Photocopies for research must be stamped, and any products from the research must be shared with the Wet'suwet'en Nation.

Publication status:

published

Physical description:

949 Exhibits

Rights:

Testimonies or materials submitted by individuals belonging to the Wet'suwet'en Nations are considered the intellectual and cultural property of the Wet'suwet'en people.

File / item list

Gitxsan Nation Trial Exhibits

Creator: Delgamuukw Trial

Date: 1984 - 1997 (date of creation)

Scope and content:

51 Gitxsan appellants represented all but 12 of the Gitxsan Houses during the Delgamuukw Trial. The Gitxsan territories lay all within the land claim area, in the northern and central Skeena, Nass and Babine Rivers and their tributaries. The original claims were altered and replaced with claims for aboriginal title and self-government, and eventually the individual claims by each House were amalgamated into two collective claims, one on behalf of the Wet'suwet'en Nation and the other for the Gitxsan Nation. The Gitxsan Exhibits consist of Plaintiffs' expert witness evidence relating to the

Gitxsan people, their territories and traditions. Series includes genealogy information, photographs, oral histories, maps, letters, interviews, and commission evidence.

Physical description: Textual records and other materials

Language of the material:

English

Note:

Some Gitxsan Exhibits are cross-listed as Wet'suwet'en Exhibits.

Access points:

- Multiple media (documentary form)
- British Columbia (place)

Restrictions on access:

Some Exhibits are restricted as set out in the court order as "Schedule A". See Item-level Inventory.

Conditions governing use:

Materials may not be redistributed. Research or Personal use must be indicated. Photocopies for research must be stamped, and any products from the research must be shared with the Gitxsan Nation.

Publication status:

published

Physical description:

1845 Exhibits. Some Wet'suwet'en Exhibits are cross-listed as Gitxsan Exhibits.

Rights:

Testimonies or materials submitted by individuals belonging to the Gitxsan Nations are considered the intellectual and cultural property of the Gitxsan people.

File / item list

Supporting Court Materials

Creator: Delgamuukw Trial

Date: 1984 - 1997 (date of creation)

Scope and content:

Series consists primarily of evidence presented by expert witnesses and background research materials that the lawyers used in the Delgamuukw Trial case. There are mainly submissions by the Defendants, including affidavits, maps, Department and Ministry annual reports, extracts from various news sources, census documents, and historical materials relating to the land claim area in British Columbia.

Transcripts of cross-examinations, data sheets, proclamations and ordinances, Land Title Office documents, and early settlers' correspondence are also included.

Physical description: Textual records and other materials.

Language of the material:

English

Access points:

- Multiple media (documentary form)
- British Columbia (place)

Restrictions on access:

Some Estate files are restricted as set out in the court order as “Schedule C”. See Item-level Inventory

Conditions governing use:

Materials may not be redistributed. Research or Personal use must be indicated. Photocopies for research must be stamped.

Publication status:

published

Physical description:

3054 Exhibits.

File / item list