
INDIAN CLAIMS COMMISSION PROCEEDINGS

A PUBLICATION OF
THE INDIAN CLAIMS COMMISSION



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FROM THE CO-CHAIRS

This is the eleventh volume of the *Indian Claims Commission Proceedings*. We are pleased to present it on behalf of the Commissioners of the Indian Claims Commission. The volume includes three reports of the Commission and seven letters from the Minister of Indian Affairs and Northern Development, responding to the Commission's recommendations in other completed inquiries.

The first report is on the Commission's inquiry into Gamblers First Nation Treaty Land Entitlement claim. The main issue was whether the First Nation's treaty land entitlement should be determined according to a population count from 1877, as Canada maintained, or from 1883, as the First Nation contended. The Commission conducted an inquiry and released a report setting out its findings and recommendation in October 1998.

The second report involves a claim accepted by Canada for negotiation under the Specific Claims Policy without the need for a full inquiry. The Nekaneet First Nation claims agricultural, hunting, and fishing benefits under Treaty 4. At issue was whether Canada had an existing and outstanding obligation to provide the First Nation with farm implements, tools, and livestock.

This report is an example of the effectiveness of the Commission's planning conferences. Simply by bringing representatives of the First Nation and Canada together to discuss the claim in an open, informal manner, disputes between the parties may be resolved.

The final report published in this volume involves a claim put forward by the Moose Deer Point First Nation. The First Nation claims that annual presents and promises of land, protection, and equality made in 1837 to their forefathers, the Pottawatomi, as aboriginal military allies were not delivered. As a result of the promises, at least 3000 Pottawatomi released their rights to land and annuities in the United States to move to Canada, where they were eventually left without land or economic support. The Commission released a report outlining its findings and recommendations in April 1999.

Also contained in this volume of the *Proceedings* are copies of seven letters from the Minister of Indian Affairs and Northern Development with respect to the claims of the Muscowpetung, Pasqua, Standing Buffalo, Sakimay, Cowessess, Ochapowace, and Gamblers First Nations under the

FROM THE CO-CHAIRS

Specific Claims Policy. In the letters, the Minister writes that the Government of Canada accepts the Commission's recommendations regarding all these claims.

Daniel J. Bellegarde
Co-Chair

P.E. James Prentice, QC
Co-Chair

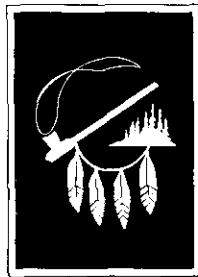
ABBREVIATIONS

BCCA	British Columbia Court of Appeal
BCR	Band Council Resolution
BCSC	British Columbia Supreme Court
CA	Court of Appeal
CCC	Canadian Criminal Cases
CLSR	Canada Land Survey Reports
CNLR	Canadian Native Law Reporter
CR	Criminal Reports
DIAND	Department of Indian Affairs and Northern Development
DLR	Dominion Law Reports
DLS	Dominion Land Surveyor
DSGIA	Deputy Superintendent General of Indian Affairs
FCTD	Federal Court Trial Division
ICC	Indian Claims Commission
ICCP	Indian Claims Commission Proceedings
IR	Indian Reserve
NA	National Archives of Canada
NR	National Reporter
NSCA	Nova Scotia Court of Appeal
NS Co. Ct	Nova Scotia County Court
ONC	Office of Native Claims
Ont. CA	Ontario Court of Appeal
OR	Ontario Reports
PAM	Provincial Archives of Manitoba
QB	Court of Queen's Bench
Que. CA	Quebec Court of Appeal

ABBREVIATIONS

RCAP	Royal Commission on Aboriginal Peoples
RSC	Revised Statutes of Canada
Sask. R	Saskatchewan Reports
SC	Statutes of Canada
SCC	Supreme Court of Canada
SCR	Canada Supreme Court Reports
SCW	Specific Claims West
SGIA	Superintendent General of Indian Affairs
TARR	Treaty and Aboriginal Rights Research
TD	Trial Division
TLE	treaty land entitlement
WWR	Western Weekly Reports

REPORTS



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