



Sandy Bay Ojibway First Nation, Treaty Land Entitlement Inquiry

Public Edition - October 2007

To initiate a keyword text search in the Annotated Index (Exhibit 1a), or the Community Session Transcripts (Exhibit 5) press the Search icon.

VIEW DOCUMENT	EXHIBIT
	<p style="text-align: center;"><b>EXHIBIT 1: HISTORICAL DOCUMENTATION</b></p> <p><b>EXHIBIT 1:</b> ICC, Annotated Index and Historical Document Collection, revised December 2005;</p> <p>ICC Historical Documents, Addendum, (pp. 338-392), with Revised Annotated Document Index, dated 14 July 2000;</p> <p><b>←←← ← All original images are linked through ICC Annotated Index</b></p>
	<p><b>EXHIBIT 2:</b> Plan 782, “Plan of Township No. 18, Range 9, West of 1<sup>st</sup> Meridian (Sandy Bay Ind. Res.),” surveyed by C.P. Brown, Deputy Surveyor of Dominion Lands, August-September 1873, confirmed January 1, 1874, and certified as true copy April 19, 1906;</p>
	<p><b>EXHIBIT 3:</b> Jim Gallo, TARR Centre Manitoba, “Sandy Bay I.R. No. 5 – Interpretation of Reserve Clause of Treaty No. 1 – Preliminary Report,” circa 1981;</p>
	<p><b>EXHIBIT 4:</b> Roger Townshend, TARR Centre Manitoba, “Treaty Land Entitlement for the Sandy Bay Indian Band,” November 1982;</p>
	<p><b>EXHIBIT 5:</b> “Summary of Documentation – June 1983 – Sandy Bay Band – Treaty Land Entitlement Claims” (author and recipient unknown);</p>



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	<p><b>EXHIBIT 6:</b> Jim Gallo, Lands &amp; Trusts Services, Indian Affairs, Manitoba Region, “Note on the Relationship of the White Mud River and Portage Bands, 1871 - 1876,” November 16, 1995, with appendices A-C:</p> <p>Appendix A: “Portage Indians – Garrioch List”;</p> <p>Appendix B: “White Mud (Sandy Bay) Band Analysis”;</p> <p>Appendix C: “White Mud River Band,” chapter in <i>When the West was Borne: A History of Westbourne, and District – 1860-1975</i> [See Exhibit 11 for more excerpts from this book];</p>
	<p><b>EXHIBIT 7:</b> Public History Inc., “Sandy Bay Indian Reserve No. 5 - Outline History (Draft Version),” prepared for Lofchick, Jones &amp; Associates, November 14, 1997;</p>
	<p><b>EXHIBIT 8:</b> Rhys Jones, “Restatement of Sandy Bay Treaty Land Entitlement Claim,” prepared on behalf of the Sandy Bay First Nation, October 27, 1998;</p>
	<p><b>EXHIBIT 9:</b> Richard Wex, A/General Counsel, DOJ, and Paul Cuillerier, Director General, SCB, to David Osborn, ICC, and Rhys Jones, Lofchick, Jones &amp; Associates, November 12, 1998;</p>
	<p><b>EXHIBIT 10:</b> Theresa Ferguson, “Comments on Interpretations of ‘Entitlement Land,’” copy of draft paper presented at the Treaty Eight Centennial Conference, Grouard, June 1999;</p>
	<p><b>EXHIBIT 11:</b> History Book Committee, <i>When The West was Bourne: A History of Westbourne, and District - 1860 to 1985</i> (Westbourne-Longbourne History: Manitoba, 1985), excerpts;</p>
	<p><b>EXHIBIT 12:</b> Jim Gallo, TARR Centre Manitoba, “Properties Occupied and Cultivated Prior to Treaty,” September 28, 1978, with appended historical documents (not listed in the annotated index);</p>



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	<p><b>EXHIBIT 13:</b> C.P. Brown, DLS, “Book 321 – Field Notes – Township 18 Range 9 West,” surveyed from August 26 to September 8, 1873;</p>
	<p><b>EXHIBIT 14:</b> Secretary of State for Canada, “Manual shewing the System of Survey adopted for the Public Lands of Canada in Manitoba and the North-West Territories, with Instructions to Surveyors, Illustrated by Diagrams,” First Edition, 30111 CLSR, 1871;</p>
	<p><b>EXHIBIT 15:</b> Survey/Photomap: “Sandy Bay Indian Reserve No. 5 – Province of Manitoba – N.T.S. Map Sheet Reference 62 J/10 – Township 18 and 19, Range 9 and 10 W.P.M.,” Legal Surveys Division, Geomatics Canada, Natural Resources Canada, 1998;</p>
	<p><b>EXHIBIT 16:</b> Public History Inc., “Sandy Bay Treaty Land Entitlement Claim – Additional Research – Final Report,” prepared for Lofchick, Jones &amp; Associates and the Sandy Bay First Nation, May 23, 2000, with appended historical documents (listed in the annotated index);</p>
	<p><b>EXHIBIT 17:</b> Samuel Doyle to Brad Morrison, “Sandy Bay TLE Claim - land area determination at Sandy Bay I.R. No. 5,” memorandum dated March 31, 2000, DIAND File WIN-E-4058-5-283;</p>
	<p><b>EXHIBIT 18 – FRANCIS FOLEY’S REVIEW OF SANDY BAY FIRST NATION’S TLE</b></p> <p><b>a:</b> Francis Foley, “Treaty Land Entitlement Review – Sandy Bay First Nation,” draft report prepared for SCB, DIAND, revised November 2000, with index of documents (for supporting documentation see Exhibits 18b-d);</p>
	<p><b>b:</b> Treaty Annuity Paylists: Portage Band, 1871-1875; Short Bear (Long Plain) Band, 1876-1878; Yellow Quill (Swan Lake) Band, 1876-1878; and White Mud River/Sandy Bay Band, 1874-1952;</p>



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	<p><b>c:</b> Historical documentation for draft report: incorporated into Exhibit 1 (except paylists, and records/correspondence re: withdrawal from and re-admission to treaty);</p>
	<p><b>d:</b> Records/Correspondence Concerning Withdrawal from and Re-admission to Treaty (this documentation is not listed in the annotated index);</p>
	<p><b>EXHIBIT 19:</b> Jim Gallo, Manager, Treaty Land Entitlement and Claims, INAC Manitoba, to Chris Angeconeb, Associate Legal Counsel, ICC, memorandum concerning Instructions to Surveyors, October 31, 2000, with supporting documentation (listed in the annotated index);</p>
	<p><b>EXHIBIT 20:</b> Public History Inc., “Sandy Bay Indian Reserve No. 5 – Road Allowances and Drainage Ditch,” preliminary report prepared for Sandy Bay Ojibway First Nation, October 25, 2000, with supporting documentation (not listed in the annotated index);</p>
	<p><b>EXHIBIT 21:</b> J. Lestock Reid, DLS, (copy of letter) to Alexander Morris, Lieutenant Governor of Manitoba, November 15, 1876, LAC, RG 10, vol. 3624, file 5217-1;</p>
	<p><b>EXHIBIT 22:</b> James F. Graham, Indian Superintendent, (copy of letter) to W.A. Austin, DLS, June 18, 1881, LAC, RG 10, vol. 3745, file 29546;</p>
	<p><b>EXHIBIT 23</b> <b>ICC RESEARCH UNIT, “QUALITY OF LAND REFERENCES FOR INDIAN RESERVES IN TREATIES ONE, TWO AND FOUR,” OCTOBER 22, 2001, WITH APPENDICES A-D:</b></p> <p><b>Appendix A:</b> Records Researched;</p>



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	<p><b>Appendix B:</b> Annotated Index to Historical Documentation;</p>																																				
	<p><b>Appendix C:</b> Historical Documentation:</p> <table border="0"> <tr><td>Tab 1</td><td>Other / Miscellaneous</td></tr> <tr><td>Tab 2</td><td>Brokenhead (Treaty One)</td></tr> <tr><td>Tab 3</td><td>Fort Alexander (Treaty One)</td></tr> <tr><td>Tab 4</td><td>Ebb &amp; Flow (Treaty Two)</td></tr> <tr><td>Tab 5</td><td>Fairford (Treaty Two)</td></tr> <tr><td>Tab 6</td><td>Keeseekoowenin / Riding Mountain (Treaty Two)</td></tr> <tr><td>Tab 7</td><td>Lake Manitoba / Dog Creek (Treaty Two)</td></tr> <tr><td>Tab 8</td><td>Lake St. Martin / The Narrows (Treaty Two)</td></tr> <tr><td>Tab 9</td><td>Little Saskatchewan (Treaty Two)</td></tr> <tr><td>Tab 10</td><td>O-Chi-Chak-Ko-Sipi / Crane River (Treaty Two)</td></tr> <tr><td>Tab 11</td><td>Skownan / Waterhen (Treaty Two)</td></tr> <tr><td>Tab 12</td><td>Day Star (Treaty Four)</td></tr> <tr><td>Tab 13</td><td>Gordon (Treaty Four)</td></tr> <tr><td>Tab 14</td><td>Kinistin (Treaty Four)</td></tr> <tr><td>Tab 15</td><td>Muscowpetung (Treaty Four)</td></tr> <tr><td>Tab 16</td><td>Pine Creek / Duck Bay (Treaty Four)</td></tr> <tr><td>Tab 17</td><td>Sakimay (Treaty Four)</td></tr> <tr><td>Tab 18</td><td>Yellow Quill / Nut Lake (Treaty Four)</td></tr> </table>	Tab 1	Other / Miscellaneous	Tab 2	Brokenhead (Treaty One)	Tab 3	Fort Alexander (Treaty One)	Tab 4	Ebb & Flow (Treaty Two)	Tab 5	Fairford (Treaty Two)	Tab 6	Keeseekoowenin / Riding Mountain (Treaty Two)	Tab 7	Lake Manitoba / Dog Creek (Treaty Two)	Tab 8	Lake St. Martin / The Narrows (Treaty Two)	Tab 9	Little Saskatchewan (Treaty Two)	Tab 10	O-Chi-Chak-Ko-Sipi / Crane River (Treaty Two)	Tab 11	Skownan / Waterhen (Treaty Two)	Tab 12	Day Star (Treaty Four)	Tab 13	Gordon (Treaty Four)	Tab 14	Kinistin (Treaty Four)	Tab 15	Muscowpetung (Treaty Four)	Tab 16	Pine Creek / Duck Bay (Treaty Four)	Tab 17	Sakimay (Treaty Four)	Tab 18	Yellow Quill / Nut Lake (Treaty Four)
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	<p><b>Appendix D:</b> Secondary Sources, including:</p> <p>Office of the Treaty Commissioner for Saskatchewan, “Reserve Establishment on the Prairies,” section in draft “Research Methodology for Treaty Land Entitlement (TLE),” 1994, pp. i &amp; 36-47;</p> <p>D. Aiden McQuillan, “Creation of Indian Reserves on the Canadian Prairies, 1870-1885,” in <i>Geographical Review</i>, vol. 70, no. 4 (October 1980), pp. 379-396;</p> <p>Richard H. Bartlett, “The Establishment of Indian Reserves on the Prairies,” 3 CNLR [1980], pp. 3-55;</p> <p>M. Viminitz, Chief Surveyor, Land Titles Office, Saskatchewan, “Water Boundaries,” in <i>Legal Principles and Practice of Land Surveying</i> (Ottawa: Surveys and Mapping Branch, Dept. of Mines and Technical Surveys, 1961);</p>																																				
	<p><b>EXHIBIT 24 – TREATY LAND ENTITLEMENT GUIDELINES</b></p> <p><b>a:</b> DIAND, “Draft – Historic Treaty Land Entitlement (TLE) Shortfall Policy Validation Criteria and Research Guidelines,” October 1998;</p>																																				



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	<p><b>b:</b> Richard Yen, Senior Policy Advisor, Policy Unit, Specific Claims Branch, to Kathleen Lickers, Commission Counsel, Indian Claims Commission, September 13, 2002;</p>
	<p><b>EXHIBIT 25:</b> D.J. Hall, “‘A Serene Atmosphere’? Treaty 1 Revisited,” <i>Canadian Journal of Native Studies</i>, vol. IV, no. 2 (1984), pp. 321-358;</p>
	<p><b>EXHIBIT 26:</b> “Sandy Bay First Nation Inquiry: Treaty Land Entitlement Analysis,” summary of agreements and disagreements between Sandy Bay First Nation and Canada regarding TLE population, prepared by the ICC, October 28, 2004, with 4 appendices:</p> <p><b>Appendix 1:</b> Email of September 8, 2004 from Rarihokwats, Research Consultant for the First Nation, outlining First Nation’s position in regard to Potential New Adherents;</p> <p><b>Appendix 2:</b> Email of October 28, 2004 from Rarihokwats, Research Consultant for the First Nation, outlining First Nation’s position in regard to a relative of Band Member Saswis;</p> <p><b>Appendix 3:</b> Excerpts from A.C. Garrioch, <i>The Correction Line</i>;</p> <p><b>Appendix 4:</b> Comments from Rarihokwats, Research Consultant for the First Nation, outlining First Nation’s position in regard to Potential New Adherents;</p>
	<p><b>EXHIBIT 27 – PLANS OF TOWNSHIP NO. 18, RANGE 9, WEST OF THE PRINCIPAL MERIDIAN</b></p> <p><b>27a:</b> Plan of Township No. 18, Range 9, West of the Principal Meridian, surveyed by C.P. Brown in 1873 (with note attached), from the unannotated township plan collection of the Provincial Archives of Manitoba, A0076, GR 126, G10687, submitted by Canada, December 2004;</p>
	<p><b>27b:</b> Copy of Plan of Township No. 18, Range 9, West of the Principal Meridian, surveyed by C.P. Brown in 1873, from the annotated township plan records of the Provincial Archives of Manitoba, NR 0212, GR 2404, G10665, submitted by Canada, December 2004;</p>
	<p><b>EXHIBIT 28:</b> Declarations and Affidavits by Members and Acquaintances of the Le Vasseur Family, sworn before Commissioner Roger Goulet in 1887, submitted by Sandy Bay First Nation, November 21, 2005;</p>



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	<p><b>EXHIBIT 29:</b> Supplementary Historical Documentation submitted by Canada on December 12, 2005 in response to the October 21, 2001 ICC Report Entitled “Quality of Land References for Indian Reserves in Treaties One, Two and Four”;</p>
	<p><b>EXHIBIT 30:</b> Historical Documentation Relating to Pre-Treaty Land Holdings, submitted by Sandy Bay First Nation, December 16, 2005;</p>
	<p><b>MATERIALS ADDED FOR THE ORAL HEARING:</b></p> <p><b>EXHIBIT 31:</b> Map Showing the Townships Surveyed in the Province of Manitoba and North-West Territories in the Dominion of Canada (Johnston Map), J. Johnston, Chief Draftsman, Department of Interior, December 3, 1871;</p>
	<p><b>EXHIBIT 32:</b> Donald Gunn, “Notes of an Egging Expedition to Shoal Lake, West of Lake Winnipeg,” <i>Annual Report of the Board of Regents of the Smithsonian Institution</i>, Washington: Government Printing Office, 1868;</p>
	<p><b>EXHIBIT 33:</b> Louis Richard Scip Application, February 2, 1887, no file reference available;</p>
	<p><b>EXHIBIT 34:</b> Louison Lacoite Scip Declaration, March 11, 1886, LAC, RG 10, vol. 3723, file 24303-1;</p>
	<p><b>EXHIBIT 35:</b> Memorandum from Spragge, Deputy Superintendent to Indian Office, “Memo in connection with the official letter of 8 March 1872 within the survey of Indian Reserves made under Treaties No. 1 &amp; 2 in the Province of Manitoba and North West Territories”, March 23, 1872, LAC, RG 15, D-11-1, vol. 228, file 755 (1872) and;</p>



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	<p><b>EXHIBIT 36:</b> Affidavits/Declarations of Indians of St. Peters Band, LAC, RG 15, vol. 152, file M.A. 3284;</p> <p><b>A:</b> Miscopiues or “Red Bird”, June 17, 1879;</p>
	<p><b>B:</b> Che-ea-che-way-ay or “Passing in as the Hill,” June 17, 1879;</p>
	<p><b>C:</b> Ne-te-are or “Grey Eyes,” June 17, 1879.</p>

VIEW DOCUMENT	DOCUMENT DESCRIPTION
	<p><b>MANDATE CHALLENGE</b></p> <p>Submission on Behalf of the Sandy Bay Ojibway First Nation, February 3, 1999.</p>
	<p>Reply Submission on Behalf of the Government of Canada, April 12, 1999.</p>





<b>VIEW DOCUMENT</b>	<b>DOCUMENT DESCRIPTION</b>
	<p data-bbox="302 217 1032 252"><b>LONG PLAIN FIRST NATION'S REQUEST TO INTERVENE</b></p> <p data-bbox="493 330 1300 403">Submission on Behalf of the Long Plain First Nation, December 17, 2004.</p> <p data-bbox="493 594 1208 628">Supplemental Authorities of the Long Plain First Nation.</p>
	<p data-bbox="493 844 1268 916">Submission on behalf of the Sandy Bay Ojibway First Nation, January 17, 2005.</p>
	<p data-bbox="493 1171 1312 1244">Submission on Behalf of the Government of Canada, January 17, 2005.</p> <p data-bbox="493 1360 1317 1395">Canada's Book of Authorities Application Hearing June 14 2005.</p>
	<p data-bbox="493 1647 1040 1682">Transcript of Oral Hearing - June 15, 2005.</p>

<b>VIEW DOCUMENT</b>	<b>DOCUMENT DESCRIPTION</b>
	<p data-bbox="302 2032 618 2067"><b>WRITTEN SUBMISSIONS</b></p> <p data-bbox="493 2150 1273 2222">Written submission on behalf of Long Plain First Nation's re: Playlist Analysis, August 15, 2005.</p>



VIEW DOCUMENT	DOCUMENT DESCRIPTION
	<p>Submission on Behalf of the Sandy Bay Ojibway First Nation, January 31, 2006.</p>
	<p>Reply Submission on Behalf of the Long Plain First Nation, February 28, 2006.</p>
	<p>Submission on Behalf of the Government of Canada, May 16, 2006.</p> <p>Canada's Book of Authorities May 16, 2006.</p>
	<p>Reply Submission on Behalf of the Sandy Bay Ojibway First Nation, May 30, 2006.</p>

VIEW DOCUMENT	DOCUMENT DESCRIPTION
	<p><b>ORAL HEARING</b></p> <p>Transcript of Oral Hearing, June 29-30, 2006.</p>



VIEW DOCUMENT	DOCUMENT DESCRIPTION
	<p data-bbox="302 217 537 252"><a href="#">INQUIRY REPORT</a></p> <p data-bbox="492 333 1279 403">SANDY BAY OJIBWAY FIRST NATION TREATY LAND ENTITLEMENT INQUIRY JUNE 2007.</p> <p data-bbox="492 537 1170 645">PREMIÈRE NATION OJIBWAY DE SANDY BAY ENQUÊTE SUR LES DROITS FONCIERS ISSUS DE TRAITÉ JUIN 2007.</p>