



**DUNCAN'S FIRST NATION  
WRONGFUL SURRENDER CLAIM  
Public Edition September 2008**

<b>VIEW DOCUMENT</b>	<b>EXHIBIT</b>
	<p style="text-align: center;"><b>EXHIBIT 1</b></p> <p><b>Ex. 1:</b> ICC, Annotated Index to 3-volume set of Historical Document Collection, dated August 1995;</p> <p>ICC, Historical Document Collection, Volume 1 (of 3), dated August 1995;</p> <p>ICC, Historical Document Collection, Volume 2 (of 3), dated August 1995;</p> <p>ICC, Historical Document collection, Volume 3 (of 3), dated August 1995, which includes: (a) "The Administration of Indian Reserve Land Surrendered for Sale by Duncan's Band, 19-20 September 1928," submitted by Treaty and Aboriginal Rights Research of the Indian Association of Alberta, February 13, 1989 [the claim submission] (at ICC 605); (b) "Review of Specific Claim, Duncan Indian Band Land Surrender" by Specific Claims West, June 26, 1991 (at ICC 634); (c) Duncan's Indian Band paylists, 1910 to 1935 (at ICC 717);</p>
	<p style="text-align: center;"><b>EXHIBIT 2</b></p> <p><b>Ex. 2:</b> Videotape and transcripts of interview with Ben Basnett and John Testawits, February 25, 1995;</p>
	<p style="text-align: center;"><b>EXHIBIT 3</b></p> <p><b>Ex. 3:</b> Map 1 [no identification];</p>
	<p style="text-align: center;"><b>EXHIBIT 4</b></p> <p><b>Ex. 4:</b> Map 2 [no identification]</p>



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	<p style="text-align: center;"><b>EXHIBIT 5</b></p> <p><b>Ex. 5:</b> Report, "The Creation and Surrender of the Beaver and Duncan's Bands Reserves," by Neil G. Reddekopp, Indian Land Claims, Alberta Aboriginal Affairs (Paper #1, March 1996);</p>
	<p style="text-align: center;"><b>EXHIBIT 6</b></p> <p><b>Ex. 6:</b> Duncan's Band - 1928 Surrender Claim, Supporting Documents, Maps &amp; Information with Revised List of Materials" compiled by Department of Justice, Specific Claims, November 1996. Includes:</p> <ul style="list-style-type: none"><li>(a) Videotape of interview with Ben Basnett and John Testawits conducted February 25, 1995 (with transcript). [duplicate of Exhibit 2];</li><li>(b) "Interview of Elders John Testawits and Ted Knott taken at the Mile Zero Hotel, Grimshaw, Alberta, August 15, 1995" prepared by Kathleen Lickers, Associate Legal Counsel, Indian Claims Commission;</li><li>(c) Transcript of Indian Claims Commission Community Session, Brownvale, Alberta, September 6, 1995;</li><li>(d) Statutory declaration of Ben Boucher, sworn December 21, 1995;</li><li>(e) Statutory declaration of Ron Hall, sworn December 21, 1995;</li><li>(f) Letter from Agent Laird to Assistant Deputy and Secretary dated October 29, 1929 and related Band Council Resolution;</li><li>(g) Transcript of interview with Angela Testawits dated December 5, 1973, conducted and transcribed by Richard Lightning;</li><li>(h) Letter from Commissioner Graham to Secretary, dated July 17, 1929;</li><li>(i) Oil &amp; Gas Surrender, Wabaska Indian Band, December 30, 1948; Order in Council PC 2267 dated 9 May 1949 accepting surrender; letter from L. Basler, Assistant Indian Agent, Wabaska Reserve to G.S. Lapp, Superintendent, Lesser Slave Lake Agency dated January 6, 1949;</li><li>(j) Circular from Deputy Superintendent General Pedley to Indian Agent Gooderham dated July 28, 1904;</li><li>(k) Excerpts from Indian Agent Laird's diary in September 1928;</li><li>(l) Paylist for first advance payment made November 7, 1928;</li><li>(m) Paylist for second advance payment made January 28, 1930;</li><li>(n) Paylist for first interest payment made September 20, 1930;</li><li>(o) Paylist for second interest payment made January 28, 1931;</li><li>(p) Paylist for third interest payments made April and May 1931;</li><li>(q) maps 3 &amp; 4 [no identification];</li></ul>



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	<p style="text-align: center;"><b>EXHIBIT 7</b></p> <p><b>Ex. 7a:</b> Excerpt from Alexander Morris, The Treaties of Canada with the Indians (Coles reprint, 1917), p. 46 (regarding the signing of Treaty 3);</p>
	<p><b>Ex. 7b:</b> W. Henry Rogers, Chief, Research Division, Department of Indian Affairs, Departmental Secretariat Docket No. 3548, dated September 29, 1975;</p>
	<p><b>Ex. 7c:</b> Circular from Deputy Superintendent General Frank Pedley to J.H. Gooderham, Indian Agent, Macleod, N.W.T., dated July 28, 1904 (two versions) [duplicate of Exhibit 6 Tab (j)];</p>
	<p style="text-align: center;"><b>EXHIBIT 8</b></p> <p><b>Ex. 8:</b> "The Alienation of Indian Reserve Lands during the Administration of Sir Wilfred Laurier, 1896-1911: Michel Reserve #132" by Tyler &amp; Wright Research, August 1978.</p>
	<p style="text-align: center;"><b>EXHIBIT 9</b></p> <p><b>Ex. 9a:</b> Copy of a Consent of Band to Transfer dated February 17, 1937 with signature of Duncan's chief, Joseph Tustawits;</p>
	<p><b>Ex. 9b:</b> Copy of signatures from surrender dated September 1928, with signature of Duncan's chief, Joseph Tustawits;</p>
	<p><b>Ex. 9c:</b> Copy of Surrender Affidavit dated September 19, 1928, with signature of Duncan's chief, Joseph Tustawits;</p>



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	<p style="text-align: center;"><b>EXHIBIT 10</b></p> <p><b>Ex. 10a:</b> "Claim of the Duncan's Indian Band Re: Wrongful Surrender of Indian Reserve 151H," prepared by Ackroyd Piasta Roth &amp; Day, Barristers, November 1995;</p>
	<p><b>Ex. 10b:</b> Draft One, "Submission of Duncan's Indian Band to: Specific Claims West re: Wrongful Surrender of Duncan's Indian Reserves # 151 and 152B - 151G" prepared by Ackroyd Piasta Roth &amp; Day, Barristers, February 1996;</p>
	<p style="text-align: center;"><b>EXHIBIT 11</b></p> <p><b>Ex. 11:</b> Letter from Michel Roy, Director General, Specific Claims Branch, Indian and Northern Affairs Canada, to Chief Donald Testawich, Duncan's First Nation and Jerome Slavik, Ackroyd Piasta Roth &amp; Day, January 31, 1997;</p>
	<p style="text-align: center;"><b>EXHIBIT 12</b></p> <p><b>Ex. 12a:</b> Curriculum Vitae and Evidence of J.E. Chamberlin in <i>Apsassin et. al. v. the Queen</i>, November 13, 1986;</p>
	<p><b>Ex. 12b:</b> Curriculum Vitae and Rebuttal evidence of Hubert Ryan, Registrar of Indian Lands and Chief, Land Entitlement, Indian and Northern Affairs Canada, January 5, 1987;</p>
	<p style="text-align: center;"><b>EXHIBIT 13</b></p> <p><b>Ex. 13:</b> Letter from Jerome Slavik, Ackroyd Piasta Roth &amp; Day, to Ron Maurice of the Indian Claims Commission; Bruce Becker, DIAND Legal Services; and Francois Daigle, Department of Justice, DIAND Legal Services;</p>
	<p style="text-align: center;"><b>EXHIBIT 14</b></p> <p><b>Ex. 14:</b> Letter from Bruce Becker, Counsel, DIAND Legal Services, to Jerome Slavik, Ackroyd, Piasta, Roth &amp; Day, May 28, 1997;</p>



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	<p style="text-align: center;"><b>EXHIBIT 15</b></p> <p><b>Ex. 15:</b> The following exhibit represents an addendum to the original document collection (Exhibit 1). Authorized by the Commissioners in December 1998, this research was conducted by ICC Research Staff between January 4, 1999, and January 20, 1999. The bound materials were forwarded to the parties on February 17, 1999. Please see correspondence file for more details.</p> <p><b>Volume 1:</b> Duncan's Band Paylists (from DIAND Genealogical Unit);</p> <p><b>Volume 2:</b> Confirmation Research Document Collection (RG 10);</p> <p><b>Volume 3:</b> Records of Annuity Payment Proceedings, 1913 - 1939, comprised of agent's diaries, reports, and general correspondence regarding the payment of annuity monies in the Lesser Slave Lake Agency, Alberta during the years noted;</p> <p><b>Volume 4:</b> Confirmation Research Document Index (in conjunction with Volume 2) and Paylist Comparison Database, an amalgamation of specific information contained within the separate versions of the Duncan's Band Annuity Paylists (Volume 1), cross-referenced with data contained with the various reports contained within Volume 3, with particular attention to male voting members.</p>

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	<p style="text-align: center;"><b>Oral Submissions</b></p> <p>Transcript of Oral Submissions, held in Edmonton Alberta dated November 25 &amp; 26, 1997.</p>
	<p>Transcript of Oral Submissions, dated September 6, 1995.</p> <p>Part 1</p> <p>Part 2</p>



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	<p style="text-align: center;"><b>Written Submissions</b></p> <p style="text-align: center;">Submissions on behalf of The Government of Canada, dated November 1997.</p>
	<p style="text-align: center;">Submissions on behalf of Duncan's First Nation, dated November, 1997.</p>
	<p style="text-align: center;">Inquiry Report for the BLOOD TRIBE / KAINAIWA INQUIRY - 1889 AKERS SURRENDER Inquiry Report.</p> <p style="text-align: center;">English</p> <p style="text-align: center;">French</p>