



**News Release**  
**Communiqué de presse**

*Ed -  
This is v. interesting. You  
may want to file it in  
Wiki book.  
Terry*

**ONTARIO  
NATIVE AFFAIRS  
SECRETARIAT**

**SECRÉTAIRE  
AUX AFFAIRES  
AUTOCHTONES  
DE L'ONTARIO**

December 5, 1990

**ONTARIO AND MANITOULIN ISLAND CHIEFS  
SIGN HISTORIC LAND CLAIM SETTLEMENT**

Bud Wildman, Minister Responsible for Native Affairs and Minister of Natural Resources, today signed an historic land claim agreement with the chiefs of five First Nations on Manitoulin and Cockburn Islands.

The agreement provides close to \$9-million in land and financial compensation for about 32,800 hectares (80,000 acres) of unsold reserve lands that were surrendered to the Crown by the native peoples in 1862, but were never paid for.

"This is the first land claim settlement ever reached in Ontario. We have done it without the participation of the federal government," Mr. Wildman said, adding that it marks an important turning point in the relationship between the Ontario government and native people.

The minister noted that the land claim settlement will benefit both the First Nation signatories and the economy and future of the whole Manitoulin area.

He said that Ontario is involved in a number of other negotiations on unsold, surrendered reserve lands, and that he expects the government to reach similar agreements in the future.



Ontario



Manitoulin settlement....2

Legislation introduced today will enable Ontario to transfer land to the First Nations in order that the agreement can be implemented, said Mr. Wildman.

Signing the agreement in Toronto today were Chief Patrick Madahbee, Ojibways of Sucker Creek; Chief Max Assinewai, Sheguiandah First Nation; Chief Stewart Roy, West Bay First Nation; Chief Norma Fox Wagosh, Cockburn Island First Nation; and Chief Joseph Endenawas, Sheshegwaning First Nation.

The previous government attempted to settle the land claim in July 1990 with six Manitoulin First Nations. At the last moment, community pressure resulted in one of the First Nations withdrawing, leaving the agreement in limbo. It expired on December 1, 1990.

The First Nation that withdrew, the Wikwemikong Unceded Indian Reserve First Nation and Band of Indians, was to sign the agreement on behalf of the former South Bay West First Nation.

The Wikwemikong First Nation did not sign the 1862 treaty and did not surrender any land. Therefore, it was not involved directly in the settlement but was representing the South Bay West First Nation which had amalgamated with Wikwemikong.

The new agreement signed today is virtually identical to that of last July, except that the South Bay West First Nation is recognized with the creation of a \$500,000 trust fund.

This fund will be the basis of any future negotiations with the Wikwemikong First Nation, on behalf of South Bay West.

The agreement includes a provincial contribution of \$4.5-million to a land acquisition fund. This amount represents one-half of the assessed market value of the land in question.

The province has also agreed to provide \$2.5-million for an economic development fund, and approximately \$1.62-million worth of Crown lands near or adjacent to reserve lands.



Manitoulin settlement.....3

The land claim agreement was negotiated by the United Chiefs and Councils of Manitoulin, the organization representing First Nations in the area. The UCCM, which will administer the funds, have also been reimbursed for their legal costs and negotiating expenses.

A lawsuit by the First Nations against the Government of Canada is pending because it has disclaimed any responsibility in the claim, is pending.

- 30 -

FOR FURTHER INFORMATION: Charles Ross  
Ontario Native Affairs  
Directorate  
TORONTO (416) 326-4766

Editors, please note: Background notes on the Manitoulin land claim are attached



## BACKGROUND INFORMATION

### ON THE

### MANITOULIN ISLAND LAND CLAIM SETTLEMENT

- o Manitoulin Island, and several other islands adjacent to it became an Indian Reserve in 1836, when the Indian people living on the islands signed a treaty with the Crown.
- o Under the 1862 Treaty of Manitowaning, the native peoples surrendered much of their reserve to the Crown. The proceeds of the surrendered lands were to be deposited in trust accounts, with the interest to benefit the members of the First Nations on the islands.
- o Some 32,800 hectares (80,000 acres) of the surrendered lands -- made up mainly of shoreline allowances, road allowances and the beds of lakes -- were never sold, and the native peoples did not receive compensation.
- o Two independent assessors were used to determine fair market value, in the fall of 1989.
- o The federal government has not agreed to participate in the settlement. It has taken the position that it bears no responsibility for paying compensation for the land nor for compensation for loss of use of the land. It is Ontario's position that the responsibility is joint.
- o The lands were surrendered to the Crown in 1862, before Confederation. After 1867, Indian affairs became a responsibility of the federal government, which was given jurisdiction over "Indians and lands reserved for Indians" in the British North America Act.
- o At the same time, Ontario was given ownership of Crown lands, such as surrendered Indian reserve lands. But the federal Department of Indian Affairs continued to sell surrendered lands on the islands.



Manitoulin background....2

- o The UCCM is continuing to proceed with its claim against the federal government for its share of the liability, including loss of use of the lands since 1862.
- o While the settlement agreement includes the transfer of some unsold Crown lands adjacent to, and near, reserves, to the First Nations, the UCCM also intends to use some of its settlement money to purchase additional land. The UCCM is also planning a number of economic development projects.
- o With their titles cleared up by the land claim settlement, shoreline allowances in both organized and unorganized municipalities will be available for development.
- o Negotiations for the Ontario Government were led by the Ontario Native Affairs Secretariat, with support from staff of the Ministry of Natural Resources.
- o The Secretariat is an office of the Ontario Government which conducts native land claim negotiations as one of its responsibilities. It is also responsible for aboriginal self-government negotiations, as well as the native affairs policies of the government.
- o Membership of The United Chiefs and Councils of Manitoulin is made up of First Nations at Sheguiandah, Sheshegwaning, Sucker Creek, West Bay and Whitefish River. The UCCM also represented the Cockburn Island First Nation and the Indians of the Wikwemikong Unceded Indian Reserve First Nation and Band of Indians in the negotiations.
- o The Cockburn Island First Nation has a reserve on Manitoulin Island. The Indians of the Wikwemikong Unceded Indian Reserve First Nation and Band of Indians represented South Bay West First Nation, which had amalgamated with Wikwemikong.
- o The agreement is particularly significant to the First Nations involved. While it is the first to be reached by Ontario and First Nations, it also involves the Island of the Great Manitou, long considered a special and spiritual place for Indian people.