

Report to Roseau River Anishinabe First Nation December 2025

**Prepared by
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This report will provide a summary of the following matters:

1. Agricultural Treaty Benefits Claim;
2. Treaty Annuities Claim;
3. Treaty Land Expansion Claim; and
4. Capital and Revenue Accounts Mismanagement Claim.

1. AGRICULTURAL TREATY BENEFITS CLAIM

The claim relates to the Crown's failure to fulfill the treaty agricultural benefits owed to the First Nation under the terms of Treaty 1 (commonly referred to as a cows and ploughs claim). The treaty benefits include, amongst other things, agricultural implements and tools, buggies, farm animals and livestock, seed wheat, potatoes and garden seeds.

Joan Holmes & Associates were retained and prepared a *Treaty One Benefits Report*. The Report supports the conclusion that the Crown failed to provide the Nation with the benefits promised to them and even when the Crown did provide some of the benefits, it was of low quality or not suitable for the intended use.

A Claim Submission was prepared and was received by the Specific Claims Branch on October 10, 2023, for processing under Canada's Specific Claims Policy. The Specific Claims Branch has until April 10, 2027 to determine whether or not the Claim will be accepted for negotiation.

2. TREATY ANNUITIES CLAIM

Under the written terms of Treaty 1, the Crown promised to provide various monetary and other benefits to those adhering to treaty. These benefits included a one-time present of three dollars for each person belonging to the signatory bands and an annual payment of three dollars to each person (paid in articles or cash). By Order in Council P.C. 424, dated April 30, 1875, a memorandum of "Outside Promises" was appended to the treaty. The Order in Council settling the "Outside Promises" raised the annual payment (annuity) to \$5 per person. This claim relates to the Crown's failure to provide these monetary benefits owed to the First Nation.

Joan Holmes & Associates was retained to research and investigate the provision of annuities and gratuities, and produced a research report entitled *Roseau River Anishinabe First Nation – Provision of Annuities, Gratuities and Salaries Under Treaty 1*,

dated April 2025. This Report concluded that there was a shortfall in the annuities and gratuities paid to Roseau River Anishinabe First Nation.

An initial draft of the Claim Submission has been prepared. Once the Claim Submission has been approved by the Nation, the Claim Submission will be submitted to Canada for processing under the Specific Claim Policy. The Specific Claims Branch will then have 6 months to assess whether the Claim Submission meets the Minimum Standards and to officially file the claim, and an additional 3 years to determine whether or not the Claim will be accepted for negotiation.

3. TREATY LAND EXPANSION CLAIM

This claim relates to the amount of land to be provided to Roseau River Anishinabe First Nation under the terms of Treaty 1 and whether the amount of land should have been increased over time to reflect the needs of the First Nation. The claim is based on an oral promise that was made by a Crown agent at the time of negotiating the terms of Treaty 1. Specifically, the Crown agent stated:

“The First Nation would receive “so much land on the Roseau River as will furnish one hundred and sixty acres for each family of five, or in that proportion for larger or smaller families”

and:

“[w]henver his children get more numerous than they are now, they will be provided for further West. Whenever the reserves are found too small the Government will sell the land, and give the Indians land elsewhere”

Joan Holmes & Associates was retained to research this claim and prepared a research report entitled *Roseau River Anishinabe First Nation – Land Expansion Claim*, dated November 2024. The research focused on a detailed review of the records describing the negotiations of 1871 and explored the implementation of the Treaty 1 provision for reserves.

An initial draft of the Claim Submission has been prepared. Once the Claim Submission has been approved by the Nation, the claim submission will be submitted to Canada for processing under the Specific Claim Policy. The Specific Claims Branch will then have 6 months to assess whether the Claim Submission meets the Minimum Standards and to officially file the claim, and an additional 3 years to determine whether or not the Claim will be accepted for negotiation.

4. CAPITAL AND REVENUE ACCOUNTS MISMANAGEMENT CLAIM

The *Indian Acts* in force from time to time included specific provisions pertaining to the use of trust money held by the Government of Canada on behalf of Indian bands, such as money in the Roseau River capital and revenue (sometimes also referred to as “interest”) accounts. The provisions of the *Indian Acts* pertaining to these trust account

funds generally included information on what the funds could be spent on and what the authority required for each type of expenditure. There were three types of authority named in the various Acts:

1. The Superintendent General of Indian Affairs (later Minister of Indian Affairs);
2. The Governor in Council; and
3. The Band Council.

This claim involves a historical analysis of the capital and revenue account records of Roseau River. The purpose of the analysis would be to categorize each individual expenditure from the accounts for Roseau River as either "Allowable" or "Not Allowable", based upon whether there was a provision in the *Indian Act* effective at the time allowing for such an expenditure and if the provision allowing the expenditure was subject to conditions of authorization, whether the conditions of that authorization were met. If there was no provision allowing for the expenditure, or if the conditions of authorization were not met, the expenditure would be categorized as "Not Allowable" and would be the subject of the claim.

Joan Holmes & Associates was retained and completed an initial research and categorization report; however, it has been determined that revisions are necessary and additional information will need to be included in the Report. More specifically, it would be beneficial for the Report to reference what provision of the Indian Act authorized each expenditure, whether there was an authorization condition on each expenditure, whether the condition was met, and what document was reviewed to determine if that condition was met.

An initial draft of the Claim Submission has been prepared; however, this Claim Submission will need to be updated once the Report has been revised. Once the final Claim Submission has been approved by the Nation, the Claim Submission will be submitted to Canada for processing under the Specific Claim Policy. The Specific Claims Branch will then have 6 months to assess whether the Claim Submission meets the Minimum Standards and to officially file the claim, and an additional 3 years to determine whether or not the Claim will be accepted for negotiation.