



**HAUDENOSAUNEE SIX NATIONS
LAND RIGHTS DEPARTMENT**



September 28, 2007

Mayor John K. Oosterhof
Township of East Luther Grand Valley
P.O. Box 249
5 Main St. North
Grand Valley, ON
L0N 1G0

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TOWNSHIP OF EAST LUTHER GRAND VALLEY

PER _____

Dear Mayor Oosterhof:

Depending on your knowledge of Canadian History, you may or may not know that the very lands you may share an interest, are the original lands of the Six Nations of the Grand River as promised and secured to us by the Haldimand Treaty of October 25th 1784 as Allies of The Crown. Please refer to APPENDIX "A". These very lands were established within our 1701 Beaver Hunting Grounds and are defined as six miles on each side of the Grand River from Lake Erie to that rivers source as illustrated in APPENDIX "B"

Mayor Oosterhof, The Haudenosaunee Six Nations (HSN) of the Grand River Indians have practiced diplomacy and restraint while we have sought justice from The Kings and Queens of England, Governor Generals of Canada, Prime Ministers of Canada and Premiers of Ontario since 1784 to the present date. Recently, we have all witnessed the assertion of Native Land Rights at Oka in 1990, in 1995 at Ipperwash and last year here within our Haldimand Treaty Lands at Caledonia. Furthermore, it is on record by all parties of Government, that Canada has not lived up it its lawful obligation to protect Native Peoples lands and resources and that Canada's Policy to settle our Land Rights is a failure.

Within our Haldimand Treaty Lands there remains 275,000 acres to be granted us to fulfill the terms of the Treaty. This will be honoured. 302,907 acres were to be occupied by non-natives via 999 year mortgages that would secure for HSN sufficient revenues for our perpetual care and maintenance. This will be honoured. In 5 different locations throughout the Haldimand Tract, a total of 19,180 acres were set aside for 21 year term leases. These lands will again be leased. Tens of Thousands of acres in life leases were approved to individuals with reversion back to us upon their death. The return of these lands will take place. An estimated 51,976 acres were to be in addition to our present day Six Nations Indian Reserve #40 to compensate HSN for unlawful occupation upon our lands by squatters. HSN expect nothing less than for the Crown to live up to this promise and increase the size of our Territory accordingly. To this day, thousands of acres of our lands remain unpaid but are being used by persons other than the HSN. A Lot by Lot investigation into these lands is occurring to investigate why we are left with less than 5% of our original land holdings.

SIX NATIONS OF THE GRAND RIVER TERRITORY

P.O. Box 812, Ohsweken, ON N0A 1M0 • Phone: (905) 765-6624 • Fax: (905) 765-0851 • Email: hsnlandrights@hotmail.com

Canada has failed to prove legal surrenders for Hundreds of Thousands of acres of HSN lands they arbitrarily took to sell in a scheme to raise monies for the Crown's own use and without HSN's consent. The investigation into the theft of HSN funds by Indian agents will continue. Investigation why the Crown spent HSN monies in the works of the Grand River Navigation Company: the Welland Canal and Desjardin Canal Company's; Cayuga Bridge Company, used HSN funds to build roads, bridges, turnpikes and railways without any benefit to HSN; financed the Municipal Council of Haldimand, the Districts of Simcoe and Niagara and the City of Toronto will continue.

The Crown fraudulently invested HSN funds in the Upper Canada Building Fund, Churches, Upper Canada Bank Stock, Law Society of Upper Canada, McGill College, the Countries War Losses, the Governments General Debts, Canada's Public Debts and for Canada's many Public Works, without any benefit to HSN whatsoever. These investigations and for the many other misappropriations will continue and be resolved.

The Government of Canada has known of these land and financial wrong doings for no less than a century and has acknowledged many of these actions as illegal by its agents and requiring restitution. To date these negotiations have been long and systematically drawn out by Canada with very little progress towards resolving the past illegal acts by the Crown. While Canada stalls, the HSN lands at issue are being developed and natural resources extracted giving your residents a false sense of security.

Out of frustration the Six Nations Elected Band Council commenced Action 406/95 by issuing a Statement of Claim against Canada and Ontario in the Brantford Court on March 7, 1995. The Statement of Claim sets out the legal and factual allegations which support a claim for an accounting and a declaration that the Crown is liable to account to HSN for all of our monies and lands and to replace all assets or value thereof which they cannot account for. In September 2004 the Six Nations Elected Band Council placed these legal proceedings in abeyance in a sincere attempt to reach an out of court settlement. Those negotiations have gone nowhere.

In February 2006 the HSN people united and said enough is enough and stopped the unlawful development on our disputed lands now referred to as "Douglas Creek Estates" at Caledonia. We are certain you know the outcome of that situation.

For yet another year, we are back at the table attempting to resolve HSN outstanding Land and Treaty Rights through peaceful negotiations. These talks are being held at a history making Haudenosaunee Confederacy of Chiefs Council and Six Nations Elected Band Council joint table to negotiate with both Canada and Ontario. Canada has put an offer of \$125 million on the table and we look at that as a start in an attempt to compensate us. The amount offered is nowhere near a just compensation for 30,800 acres in Moulton Township, the 5,233 acres in the Burtch Tract, the Six Nations funds embezzled into the Grand River Navigation Company and not to mention the Douglas Creek Estates issues on the Hamilton-Port Dover Plank Road. These issues for the offer Canada has made would have us surrender all interest i.e. hunting/fishing and land entitlement. But once again while Canada and Ontario prolong these negotiations HSN lands and

resources within the Haldimand Treaty continue to be at risk through unauthorized use and development within and by your Municipality.

Canada and Ontario have both failed to consult with HSN as to your Municipality's development and use of our lands under dispute. In failing to consult with HSN, both Canada and Ontario are disregarding the laws as defined by the Supreme Court of Canada and have failed to protect investors, developers, your Municipality and your residents.

Once again HSN are faced with the dilemma of taking all legal and peaceful steps necessary to protect our rights until these matters are finally resolved. This action may include setting aside any licenses and/or permits that may have been issued in error based on the complete failure to consult with HSN and receive our consent to proceed. We only hope it doesn't come to that as the Treaties we entered into with your Governments are based on Honour, Truth, Friendship and Respect for our different Laws; which differences must be resolved through Peaceful Negotiations.

With the foregoing having been placed before you, HSN welcome the opportunity to discuss these issues with yourself and those developers hoping to share our lands. I will gladly assist in arranging such a meeting with yourself and the HSN negotiators. In the interim we suggest that you contact the list of persons as identified on APPENDIX "C" and express your Municipality's concerns to them as well.

In Peace and Friendship,



Trevor Bomberry,
Haudenosaunee/Six Nations Coordinator

cc. Chief Allen McNaughton
Cayuga Sub-Chief Leroy Hill
Six Nations Band Councillor George Montour
Six Nations Band Councillor Ava Hill
Confederacy Legal Representative Aaron Detlor