PETER CHAPMAN

DEC 2023

NEWSLETTER

"We pray Great Creator on behalf of all our Peter Chapman Band members; the Brittain's; the Head's; and the Whitehead's, to unify our people, bring us together as one, help us to institute our own Government, help us to take control of our own lands, and help us to reinstate our First Nation for the betterment of our children and grandchildren to come..." Chief Robert Head

Resurrecting Peter Chapman
The Cumberland 100A First Nation

In the year 2000,the combined membership of the James Smith Cree Nation, all 2700 members voted to restore and reinstate the three bands of JSCN, namely; the Peter Chapman Band; the James Smith Cree Nation; and the Chakastaypasin Band of the Cree Nation to their original and intended form. This means restore the bands to their status prior to the North West Rebellion of 1885 and prior to the 1902 invalid amalgamation between James Smith and Peter Chapman/Cumberland 100A.

The community vote or referendum gave political representation to the Peter Chapman band members. The Peter Chapman First Nation is populated by the membership with the last names of Brittain; Head and Whitehead and the descendants thereof. I invite you to review our historical facts, as presented at the Cumberland 100A Indian Claims Commission Inquiry:

Peter Chapman was a councillor for the Cumberland House Indian Band, and he signed Treaty 5 on behalf of Cumberland House Cree Nation. Shortly after treaty signing, Chapman realized the people will starve living in the Cumberland Delta with no Farm land to grow food. Council member Peter Chapman wrote letters to the Government of Canada requesting new reserve land for the purpose of farming, he wanted land near Fort a la Corne. In the early 1880's Peter Chapman struck out for Fort a la Corne with a total of seven families following. The 100A people began arriving in the Fort a la Corne area in the early 1880's, setting up camp beside the James Smith reserve. In 1887 Canada agreed to survey a new reserve named Cumberland 100A.

Cumberland 100A was created as a **new reserve for "the Indians of the Cumberland district"** by the **Government of Canada's Order in Council dated May 17th 1889**. At this point in history, the Cumberland 100A First Nation came into existence, and was a separate reserve from James Smith. The membership of the Cumberland 100A First Nation were paid "treaty annuities" from their own separate treaty pay list. Peter Chapman's vision and dream to support the people through farming became a reality. Canada officially supported Chapman's farming plans by creating a new reserve for the Peter Chapman Band.

The new land base was enormous covering township 46 and 47; equalling over 40,000 acres of land for the entire population of 325 Cumberland House band members who signed Treaty 5. The Land surveyed used the treaty six formula of 640 acres for each family of five and our new reserve was created and today is called Cumberland100A.

Surrender of 1902

Considering that all the members of Cumberland didn't make the move to the Fort ala Corne; and that only 125 people migrated to the new Cumberland reserve there became a vast land area for a low population. Thus, Government of Canada officials took advantage of the situation and obtained the signatures of two JS people and two Chak people on documentation for a sale/surrender of township 47. This surrender of 22,080 acres is Invalid and questionable because of the involvement of James A. Smart, Canada's Deputy Superintendent General. After the surrender, the land was re-sold for double the purchase price, and 10,000 acres of that land was purchased by James A. Smart himself.

During this time period James A. Smart was assisted by Pedley and White and all three were involved in a series of land surrenders across western Canada. In fact, Ocean Man and Pheasant Rump were reinstated after fighting a similar land surrender and amalgamation scheme orchestrated by this same group back in 1901.

Illegal Amalgamation of 1902

After the surrender of 1902 the Peter Chapman First Nation held 19,520 acres of land compared to James Smith Band with 17,792 acres of land. The INAC officials who took the surrender also wrote the documentation to include an amalgamation of Peter Chapman Band and James Smith Cree Nation. Those three people, Smart, Pedley and White took advantage of our situation and illegally joined James Smith and Peter Chapman in 1902. The Indian Claims Commission Inquiry into the Cumberland 100A case has stated the amalgamation of 1902 between James Smith Band and Peter Chapman Band/Cumberland 100A First Nation is invalid because **proper membership consent was never obtained or provided**. The only evidence to support amalgamation is a document which is not even signed by any Peter Chapman band members. Peter Chapman never came to Fort a la Corne to join James Smith; he came to start a new band and a new farming life for his people.

Conclusion

The Peter Chapman First Nation people have inherent rights that cannot be taken away by any government or person; these rights include the right to self-determination; the right to self-government; and the right to promote, protect and participate in our own language, culture and traditions. Our people created the Cumberland 100A land base by moving to the Fort ala Corne area, and our leaders work tirelessly to reestablish our Peter Chapman First Nation.

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LAND CLAIMS

The area of land claims recently came back to life with the hiring of a new lawyer named Cynthia Westaway a director of the Indian Claims division of Borden Ladner Gervais or BLG law firm in 2008. Cynthia began her legal career working for the Department of Justice, Government of Canada before changing sides and representing First Nation clients. Cynthia created her own office called Westaway law group located in Ottawa which partnered with First People's Law in 2023.

After a year of painstaking research for the original accepted information and documentation from our three claims of the James Smith Cree Nation, Cynthia and her team were able to reproduced and update our claims with fresh legal arguments. Today we have new legal precedents which define a higher "duty of the Crown" than what existed 20 years ago.

The three Bands of the JSCN each filed a land claim for consideration and possible negotiations with the Government of Canada. The following is a short synapsis of each claim.

Claim #1: JSCN TLE – The James Smith Indian Band #370 was shorted 5 families on treaty signing day as some of the membership was away that day and JS also disputes the quality of land they received. This claim is a TLE shortfall of 3000 acres and was accepted by the Indian Claims Commission and by Canada for Negotiations in 2018. The joint negotiations table with Canada and JSCN studied the loss and concluded the claim value as being worth 70 million.

Claim#2: CHAK - The Chakastaypasin Band IR #98. The Govt of Canada forced the Chakastaypasin Indian Band off their lands shortly after the Riel Rebellion of 1885. The Chak people were forcibly removed from their home totalling almost 17,000 acres of Indian Reserve #98 lands which were then was sold off by the Govt of Canada to the settlers. The majority of the CHAK members moved to Fort ala Corne and were forced to amalgamate into the #370 JSCN in 1902. This claim was evaluated at the negotiation table with Canada to be worth 330 million.

Claim #3: Cumberland 100A/Peter Chapman Band – The PC Band 100A claim is a claim for a specific loss of land. Our ancestors were forced to sell all of township 47 as part of the invalid surrender and amalgamation of 1902 with CHAK and JSCN #370. The Govt of Canada and our legal team negotiated the value of our loss to be worth 200 million.

Claim #4: Historical Amalgamation
The Government of Canada included 100 million additional settlement monies into the global settlement offer made to JSCN #370 to cover all the claims listed above from #1 to #3. Finally a small token amount of 13.8 million was added to offset the cost of high interest rates.

Past Land Claims Efforts

1. Various Law Offices (Ron Cherkewich, Dubuc Osland, and a few other law firms) from across Canada worked on the JSCN land claims process over the years, and the band generally could not afford to proceed, even though we come really close back in the 1990's.

2. Bill Selnes from Melfort was finally hired to re-submit a land claim prior to the 1999 which was basically rejected by the Government of Canada.

3. The Indian Claims Commission was established to address land claims in Canada that were rejected for settlement. The three claims of the JSCN were included in the hearing process for the Commission and Bill Selnes represented our cases.

4. The Indian Claims Commission considered the following:

A. JSCN - Treaty Land Entitlement – FEB 2007
B. JSCN – Chakastaypasin IR98 Inquiry – MAR 2005
C. JSCN – TLE REPORT ON ISSUE #9 AMALGAMATION – MAR 2005
D. JSCN – IR 100A REPORT – MAR 2005

5. Commission Findings are as follows:

A. JSCN – TLE - The Commission found that the shortfall of 5 persons is valid, but the amalgamation with Peter Chapman created an offsetting land surplus.
B. JSCN – Chak Inquiry - The Commission found that Canada owes a legal, fiduciary and treaty obligation to owners of IR 98 to negotiate on the sale and surrender of the reserve lands.
C. JSCN – Amalgamation - The Commission found that the amalgamation was invalid and illegal. Unfinished treaty business like the division of assets and the reinstatement of our band was never considered by the commission.
D. JSCN – 100A - The Commission found that the legal, fiduciary and treaty obligations are owed to the Cumberland House Cree Nation because their consent was never sought or granted on the sale and surrender of the Cumberland 100A lands.

The Indian Claims Commission findings are considered recommendations and are not binding on the Government of Canada. The Government of Canada decided not to accept the Commission's findings in all the cases submitted under James Smith Cree Nation as of 2007.

Peter Chapman Land Claims

April 29, 2015 the AANDC letter stated that the Peter Chapman IR 100A specific claim meets the Minimum Standard established by the Minister of Aboriginal Affairs pursuant to the Specific Claims Tribunal Act.

Peter Chapman Land Claims Con't

On June 10, 2019 the AANDC letter stated that the Peter Chapman specific claim on Cumberland 100A was not accepted for negotiations but that we the PC people are invited to participate as historical beneficiaries on the Cumberland House negotiations. Canada later reversed the decision and entered into specific claims negotiations with Peter Chapman Band as part of JSCN for the loss of our land base in 1902 and the Invalid Amalgamation.

July 2022 the PC Band interests and claims are under negotiations with Canada on three different areas as follows:

A. Invalid Amalgamation – 1902 Amalgamation of PC Band into JSCN
B. Cumberland 100A – loss of 20,000 acres in the 1902 Amalgamation
C. Agricultural Benefits – lack of farming implements provided to all first nations of Canada.

The invalid amalgamation or 100A claim is basically in the final year of negotiations, the PC Band worked on various land evaluation reports to feed into the process including a Current Market Value report and a Loss of Use report. The next steps are for Canada to clarify the findings and draft up the proposal for our government of Canada to consider as a settlement offer on the claims.

All the claims of the James Smith Cree Nation (JSCN) will be settled at the same time under a "global offer" that Canada will make to the #370 JSCN as represented by JSCN and by CHAK and by Peter Chapman. We have a quorum system for the overall leadership here at #370 JSCN comprising of the one Chief and two Council members from each of the three bands of James Smith, Chak and Peter Chapman Band to authorize any #370 overall BCRs and band business.

James Smith Land Claim

April 29, 2015 the AANDC letter stated the JSCN Treaty Land Entitlement Shortfall specific claim submission meets the Minimum Standard established by the Minister of Aboriginal Affairs pursuant to the Specific Claims Tribunal Act.

June 10, 2019 the AANDC letter stated that the James Smith Cree Nation TLE claim was accepted for negotiations on the basis of five families not registered on treaty day!

Feb 2022 the JSCN was notified by Canada that their newly filed AG Benefits claims was accepted for negotiations.

July 2022 the negotiations continue and we expect a global offer to come in within the next two years. The legal firm representing JSCN is Maurice Law.

Chakastaypasin Land Claim

As of April 29, 2015 the AANDC letter stated that the Chakastaypasin Surrender of IR 98 specific claim submission meets the Minimum Standard established by the Minister of Aboriginal Affairs pursuant to the Specific Claims Tribunal Act.

As of June 10, 2019 the AANDC letter stating that the Chakastaypasin Band of the Cree Nation specific claim on the loss of IR 98 was accepted for negotiations and the claim on the Agricultural Benefits was accepted for negotiations as well.

As of July, 2022 the negotiations continue and the council waits for the offer from Canada to settle the long Outstanding CHAK land claims noted above.

Conclusion on Land Claims

As of October 23, 2025 the three land claims under JSCN #370 are completed and accepted by the membership through legal referendum which passed on 90% approval. The total global settlement offer of 713.8 million is broken down by the following evaluations conducted with Canada and Band along with our legal representatives and they relied upon expert analysis to derive the amounts.

GLOBAL SETTLEMENT OFFER ACCEPTED BY THE MEMBERSHIP BY LEGAL VOTE

JAMES SMITH TLE (3000 ACRES)	**$ 70 MILLION**
CHAK IR 98 (16,000 ACRES)	**$ 330 MILLION**
PC BAND (20,000 ACRES)	**$ 200 MILLION**
1902 AMALGAMATION	**$ 100 MILLION**
INTEREST OFFSET	**$ 13.8 MILLION**
TOTAL	**713.8 MILLION**

NOTE A: JAMES SMITH AND CHAK AND PETER CHAPMAN ALL RECEIVED A 50 MILLION ADVANCE PAYMENT IN MARCH OF 2024 WHICH LARGELY WENT INTO ADVANCE PAYMENTS TO MEMBERSHIP OVER THE PAST 18 MONTHS. THIS IS THE MONEY THAT PETER CHAPMAN BAND USED TO BUILD THE HOMELANDS OF THE PETER CHAPMAN NATION LOCATED ON THE VERY SOUTH PORTION OF OUR 100a LAND BASE.

NOTE B: JAMES SMITH AND CHAK AND PETER CHAPMAN ALL INCURRED NEGOTITION COSTS ABOVE THE GOVERNMENT OF CANADA ALLOTMENT WHICH WERE PAID THROUGH LITIGATION LOANS. EACH BAND ARRANGED THEIR OWN LITIGATION LOAN FUNDING AND THE GLOBAL SETTLEMENT AGREEMENT

APPROVED BY THE VOTE OF THE MEMBERSHIP ALLOCATED 30 MILLION MORE TO EACH BAND FOR THE PURPOSE OF PAYING OFF THE NEGOTIATION LOANS. THE REMAINING AMOUNT WOULD FLOW IN THE BANDS COMMUNITY TRUST FUND.

JAMES SMITH CREE NATION CREATED A JS SOVERIGN WEALTH FUND.

PETER CHAPMAN CREATED A PC COMMUNUITY TRUST FUND.

CHAKASTAYPASIN CREATED A CHAK LEGACY TRUST FUND.

FINALLY, IF YOU CALCULATE THE ADVANCES OF 90 MILLION TO EACH OF THE JAMES SMITH CREE NATION; THE CHAKASTAYPASIN BAND OF THE CREE NATION; AND THE PETER CHAPMAN BAND AND DEDUCT THE 180 MILLION FROM THE SETTLEMENT LIKE ILLUSTRATED:

GLOBAL SETTLEMENT	**713.8 MILLION**
LESS JSCN ADVANCES	-50 MILLION
	-30 MILLION
LESS CHAK ADVANCES	-50 MILLION
	-30 MILLION
LESS PCB ADVANCES	-50 MILLION
	-30 MILLION
TOTAL REMAINING	**473.8 MILLION**

LESS INTEREST ON THE ADVANCES OF 3.8 MILLION GIVE OR TAKE

THE 473.8 MILLION (LESS INTEREST ON THE 150 M ADVANCES) WILL BE HELD IN A PRE SETTLEMENT TRUST UNTILL THE DEAMALGAMATION PROCESS IS COMPLETED.

ALL THESE CLAIMS ARE DERIVED FROM OUR DIRECT LOSSES AND THE STEM FROM THE WRONGFUL AND INVALID AMALGAMATION. THE FINAL STEPS IN THE WHOLE LAND CLAIMS PROCESS ARE:

#1) DIVISION OF ASSETS

#2) DESIGNATION OF LANDS

#3) COMMUNITY VOTE

THE FUNDS NOTED ABOVE ARE ALL PART OF THAT DE AMALGAMATION PROCESS AND WILL BE DISPERSED ONCE WE COMPLETED OUR WORK. THE ENTIRE COMBINED MEMBERSHIP OF #370 WILL BE REQUIRED TO VOTE ON THE DIVISION OF ASSETS AND THE FINAL ALLOCATION AGREEMENT. A JOINT WORKING GROUP CALLED THE DE-AMALGAMATION TEAM IS CONDUCTING REGULAR MEETINGS TO MOVE THE WORK AHEAD. COMMUNITY CONSULTATIONS WITH EACH BAND HAVE OCCURRED AND THE MEMBERSHIP IS AWARE OF THE DIRECTION WE ARE HEADING.

PLEASE CONTACT MYSELF AT OUR PETER CHAPMAN HOMELANDS OFFICES FOR MORE INFORMATION.

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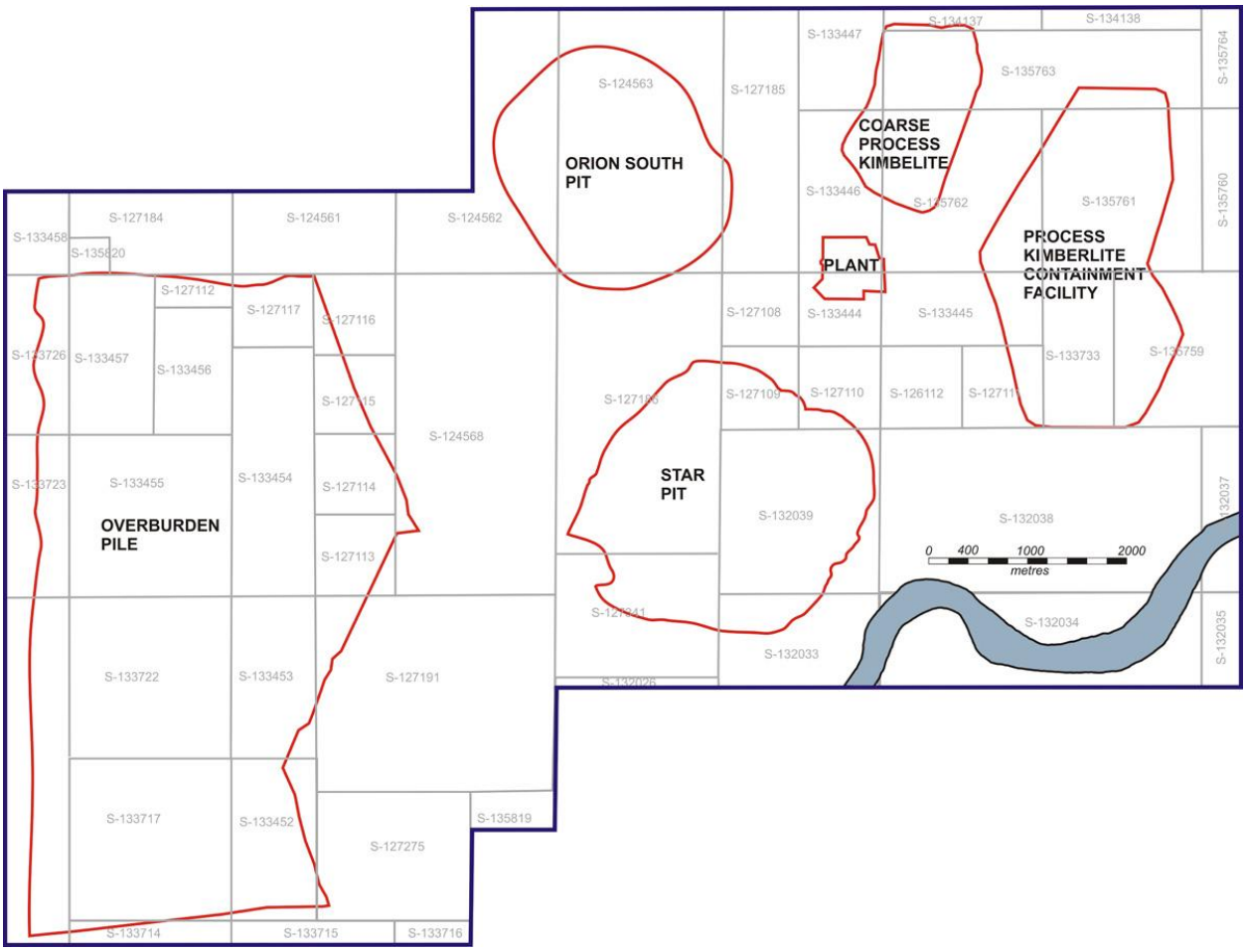
CHIEF ROBERT HEAD

DIAMOND MINE



Source: http://shoregold.com/properties/star-orion/

June 2022 – the company RIO TINTO, the majority exploration investor for the entire project made the decision to withdraw from any further exploration activity on this project.

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