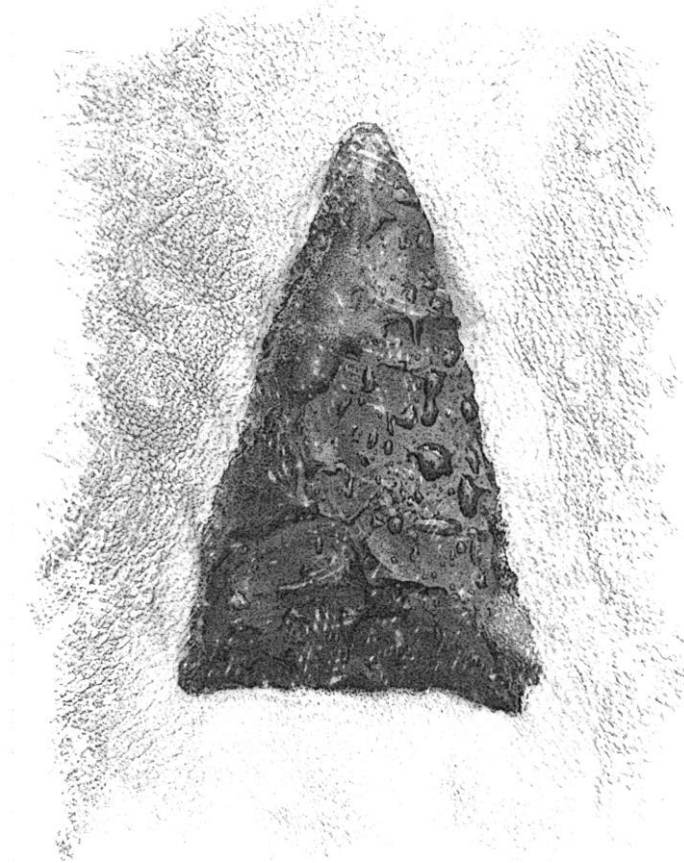


Kanienkehaka of Kana:tso
Assertion of Indigenous Law
and
Crown-Indigenous Relations and Northern Affairs Canada



By Jason Rotisken:rakehte Arbour

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Affirmation:

The Kanatso:ronon are a Kanienkehaka sub-nation whose traditional territory includes, and is not limited to, the geographical region of Ottawa, Ontario, and Gatineau, Quebec. The Kanienkehaka of Kana:tso have obtained archaeological evidence, as well as documented records of past events and times that support the assertion of Indigenous, property, and civil rights. Before written record, legal and living memory, the Kanatso:ronon hunted and harvested on their inherited geographical hunting grounds. The Kanienkehaka of Kana:tso were an organized society of Indigenous families who inhabited and controlled their own Indian village. The Kana:tso village was recorded historically and furnished medical supplies by the Department of the Secretary of State, "Indian Branch." The historical rights bearing village precedes and followed petitioned Indian Reserves, a creation of the Crown under the Indian Act. The Kana:tso habitation was last found and recorded on the north shore of the Ottawa River, south of Laurier Ave, adjacent their ancestral burial ground in Gatineau, Quebec. Slighting spiritual significance, the village burial ground was unearthed and desecrated in 1843.

To support advancing European settlement, the historical rights bearing community was unlawfully disbanded. A Provincial Court eviction date was dictated for April 15th, in 1903. The Crown of England was entrusted with the fiduciary responsibility to protect the sub-nation's rights, interest, and inherited land at Kana:tso. The Crown had failed in protecting the vested interest of this Indigenous sub-nation. After disbanding, the Indigenous community struggled to continue culturally, spiritually and have their fundamental rights acknowledged. Subsequently, certain afflicted Kanatso:ronon moved blocks away in the Township of Hull, while others remained adjacent the Ottawa River on the property of the Kana:tso Indian village. The historical habitation of Kanatso:ronon now supports Jaques Cartier Park, as well as the Museum of History and is presently controlled by the National Capital Commision. The historical hunting grounds of the Kanatso:ronon now supports the present-day cities of Ottawa, Ontario, and Gatineau, Quebec.

Joseph Cole, portrayed on the right, was an identified Kana:tso community member who was born on the Indigenous village circa 1872, following an exceedingly severe epidemic of Smallpox, just a few years thereafter confederation. Joseph was raised by kin Kanatso:ronon in Hull and learned much about his traditional lands. After the sub-nations disbanding in 1903, Joseph Cole, his wife, and offspring continued to live at his residence south of Laurier Ave, adjacent the Ottawa River.



Joseph Cole shared a collective inherited right through the traditional customs of his ancestor's, which includes culture, righteousness, and land at Kana:tso. Joseph Cole was not included in the Provincial Court disbanding proceedings, nor was Joseph Cole invited to refute loss. Due to the lack of accord and treaty with the remaining Kanatso:ronon. Joseph Cole's family still holds Indigenous, property and civil rights to Kana:tso and surrounding lands. This assertion is supported by Kainerekowa, as well as English law, the law still in Canada and Quebec, for resolving any arguments over property and civil rights. As predecessor's, Joseph Cole's descendants also inherit the rights insured by traditional customs of Kainerekowa and the Royal Proclamation of 1763.

The remaining Kanatso:ronon have organized in asserting their legacy. Mr. Jason (Rotisken:rakehte) Arbour has been appointed Chief and Legal Representative for the Kanatso:ronon by right the holders of Kana:tso.

Impelled and delegated, Chief Rotisken:rakehte Arbour began correspondence and presentations with traditional and temporary neighboring Iroquoian and Algonquian sub-nation Chiefs. Chief Arbour attended social awareness assemblies and included every available considerate source to respectfully inform Indigenous people and Canadian citizens of his family's arrested heritage.

Chief Arbour's due diligence was not limited to; Iroquois Caucus Councils x2, Several Traditional Pipe Ceremonies at Kana:tso's Victoria Island, Longhouses Presentations at Kahnawá:ke and Oshwé:ken, Meetings with Kitigan-Zibi Grand Chief Gilbert Whiteduck, Kanehsatà:ke Grand Chief Serge Simon, Pikwakanagan Grand Chief Kirby Whiteduck as well as Spiritual Elder William Commanda. Following function, obligation and protocol, Chief Arbour was advised by traditional and temporary councils to engage with AANDC.

Attending a rally at Parliament Hill in 2014, Chief Arbour noticed Carolyn Bennett and introduced himself. In 2014 Carolyn Bennette was the Aboriginal Affairs Critic for the Liberal Political Party of Canada. Chief Arbour spoke about his endeavor. Carolyn Bennett was interested and invited Chief Arbour to explain more later at her office. In a letter acknowledging the later official meeting, MP Carolyn Bennett praised Chief Arbour and advised him to convey his compilation and concerns to the Department of Indigenous Affairs.

Without question, Chief Arbour followed the written recommendations from the Indigenous Affairs Critic. On Jan 22, 2015, Chief Arbour gave written notice to the PM of Canada, Stephen Harper, as well as the Minister of Indigenous Affairs Bernard Valcourt. The legal notice informed Crown representatives of the existence of Indigenous, property and civil rights, and that the Kanatso:ronon will be asserting their legacy.

In May of 2015, Mr. Joe Wild, Senior Assistant Deputy Minister of Indigenous Affairs, respectfully responded in writing on behalf of Minister Valcourt and supplied Chief Arbour the key aspects needed to support the current comprehensive claim process. Mr. Wild explained at first, claimants needed to prepare the material to support the assertion, alongside the group's general geographical area to their traditional territory. The Deputy Minister also said, *"in order for comprehensive land claims to be accepted, claimants would need to demonstrate the following:"*

- the Aboriginal group was and is an organized society;
- the organized group has occupied a specific territory over which it asserts Aboriginal title from time immemorial, and the traditional use and occupancy of the territory must have been sufficient to be an established fact at the time of assertion of sovereignty by European nations;
- the occupation of the territory by the Aboriginal party was largely to the exclusion of other organized societies;
- the Aboriginal group can demonstrate some continuing current use an occupancy of the land for traditional purposes;
- the group's Aboriginal title and rights to resource use have not been dealt with by treaty; and
- Aboriginal title has not been eliminated by other lawful means.

Further noted requirements were:

- clear articulation of claim;
- evidence supporting the claim;
- a good document index;
- an index to records research;
- the number of Aboriginal bands in the claim;
- the population of the claimant group;
- the geographic area of the claim; and
- a plan to address potential disputes arising from overlapping claims with neighboring Aboriginal groups.

In closing, the Senior Assistant Deputy Minister of Indigenous Affairs, states, *"claim negotiations are not intended to prejudice any Aboriginal rights that any neighboring Aboriginal group may have."*

To accommodate and prove the Crown representative requirements, Chief Arbour undertook research, compiled his diverse collection of supportive documents and labeled it a "Recognition Requisition." The compilation included a Provincial Court Judgment (# 550-61-019736-103) dated, May 4th, 2012, that convinced the courts on a question of fact of the historical rights bearing community adjacent the Ottawa River. The Recognition Requisition also included old Bytown Gazette clippings, cartographic material, census collections, medical records, church notes, fire reports, Indian Affairs files, as well as a wider variety of supporting evidence.

At a scheduled face to face meeting on Monday, October 30th, 2017, a delegation of Kanatso:ronon presented AANDC representatives the Recognition Requisition. The presentation was accepted and progressed well. As a result, Director General, Negotiation Central Treaties and Aboriginal Government, David Millette, suggested the Kanatso:ronon collaborate on a joint research project fully funded by AANDC. The collaboration was recommended to address any outstanding questions of fact and help fill in any gaps in the presented documentation. The Kanatso:ronon agreed that further research would be noteworthy and accepted AANDC's proposal.

On May 31st 2018, Kelly McCann, Claims Assessment and Treaty Mechanisms Directorate of Indigenous Affairs and Northern Development Canada, supplied Chief Arbour a list of research corporations said "qualified" to undertake further research. Chief Arbour and the Kanatso:ronon selected "The History Group" from the furnished list of individuals and research companies.

A meeting was scheduled for July 5, 2018, to assign research questions. Several questions were recommended and approved. Shortly thereafter, AANDC commissioned the statement of work, outstanding research questions, and contracting documents to The History Group.

On March 27th, 2019, Jodi Pegg, Research Consultant for The History Group Inc (THG), presented her final report (NCR#11152546 – v1) to both receiving parties. Jodi Peggs report was labeled, *Research Questions: Kana:tso Kanienkehaka Claims Assessment and Treaty Mechanisms Directorate, Crown-Indigenous Relations, and Northern Affairs Canada*. The research consultant's narrative was 47 pages in length; however, a large three ring binder of assorted documents were included to promote the History Group's narrative.

Chief Arbour received the large three ring binder of assorted documents from Canada Post and began to analyze AANDC's joining research. After viewing (NCR#11152546 – v1) meticulously, Chief Arbour noticed inconsistencies, factual errors, misrepresentations, and an inattention to pertinent notable detail. Most questions sought-after in THG's report are still unanswered because, AANDC's History Group Inc did not find the historical documents asked. Further history group research regarded the sought-after records destroyed in fires, while others record of events were destroyed by the Department of Indian Affairs itself. Indigenous Affairs said certain medical and death records are unavailable because the *"Treasury of Canada historically instructed Indian Affairs to destroy all infectious disease records after a ten-year period."* However, no letter instructing any destruction of records was supplied to substantiate AANDC's statement.

Immeasurable amounts of relevant documented information that support Kanatso:ronon rights have been obstructed systemically from omitting records and destroying them. THG`s (NCR#11152546 – v1) report showed some relevant documentation that has been added to the primary compilation of fact, but at the same time, THG hindered and ignored prima facie evidence from their own reference list of authorities. The inattention to prima facie evidence supports research incompetence or partisanship to the supervisory powers at CATMD/AANDC/CIRNAC.

Conflicting viewpoints and the disregard for certain irrefutable facts have forced the Kanatso:ronon to disengage with Crown representatives, until the discrepancies are openly debated, and moral ethics respecting facts are displayed. The Kanatso:ronon assertion of law and portfolio of fact remain in the purview of the Prime Minister of Canada Justin Trudeau and several of his Cabinet Ministers.

Pending and pursuing the acceptable principle of conduct, Chief Arbour wrote a letter to Her Majesty the Queen requesting a Royal Commission on the Kana:tso affairs. Chief Arbour also wrote to several Canadian institutions and mainstream media organizations that say they have been reviewing and addressing false identity claims to Indigenous heritage. Chief Arbour has respectfully invited the Faculties of Education, Aboriginal Studies, and Law, from the University of Ottawa, Queens, and others who say their institutions vigorously promotes First Nation`s people, culture, history, and rights.

Chief Arbour`s proposition supports the analyzation of Crown/Indigenous correspondence, archaeological evidence, questions of fact, law, and the current due process for advancing Indigenous law in Canada.

The Crown, aka, AANDC is leaving all outstanding assertions and land claims to be discussed between First Nations themselves. The Kanatso:ronon assertions and evidence raises questions of historical importance that can only be appreciated, thereafter a special standard of review. Therefore, Chief Arbour has respectfully invited Algonquin and Kanienkehaka professors and representatives to take part in this historically important matter.

Unfortunately, there has been no response to our respectful request for scrutiny from the universities or the mainstream media organizations, APTN and CBC Indigenous. However, an assistant professor of Indigenous studies at Ottawa University, who is also Algonquin of Ontario negotiating representative, is aware of the invitation but has refused to address the facts due to personal prejudice.

Concluding this Indigenous Affair summary, Chief Arbour will continue to work diligently pursuing Kanatso:ronon Indigenous, property, and civil rights, public scrutiny, opinion, as well as respect, peace, power, and righteousness.

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Kanienkehaka of Kana:tso

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