

@GCnewsroom Tweet (INET POSTWEB publishes):

The Mohawks of the Bay of Quinte and the #GC are pleased to announce the partial settlement of a longstanding specific claim regarding the alienation of hundreds of acres of reserve land. @GCIndigenous

News release

For immediate release

Mohawks of the Bay of Quinte and Canada take a step toward reconciliation with partial settlement of historic claim

October 3, 2022 — The Mohawks of the Bay of Quinte, Tyendinaga Mohawk Territory, Ontario — Crown–Indigenous Relations and Northern Affairs Canada

Today, Chief R. Donald Maracle with the Council of the Mohawks of the Bay of Quinte and the Honourable Marc Miller, Minister of Crown-Indigenous Relations, announced the conclusion of a partial settlement agreement regarding the Culbertson Tract Specific Claim.

The specific claim arises from the unlawful 1837 alienation of 923.4 acres of unsurrendered land, known as the Culbertson Tract, in breach of the Simcoe Deed (which the Mohawks of the Bay of Quinte assert to be a treaty). Canada and the Mohawks of the Bay of Quinte have reached a full and final settlement of a 299.43 acre portion of the Culbertson Tract Specific Claim. Through an arrangement with the fee simple owner on a willing buyer/willing seller basis, this land will be confirmed as reserve land.

Today's partial settlement agreement is without prejudice to the balance of the Culbertson Tract Specific Claim. Canada and the Mohawks of the Bay of Quinte look forward to continuing those negotiations.

Achieved through dialogue and cooperation, this historic settlement agreement will help address an illegal alienation of reserve land. The Government of Canada is committed to working with the Mohawks of the Bay of Quinte in the spirit of partnership and reconciliation.

Honouring Canada's legal obligations to First Nations and working collaboratively to renew relationships are key to righting historical wrongs to advance reconciliation with Indigenous Peoples in Canada.

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Canada 

Quotes

“This is a significant day for our community and in our history. Our original Mohawk Tract has been greatly reduced by surrenders and other alienations, many of which are suspicious and, in this case, simply illegal. With the signing of the Culbertson Tract Partial Settlement Agreement, we have demonstrated that it is possible to reverse this trend and to reaffirm administration and control of our land illegally taken from us. We look forward to continuing the work on having the remaining 623.4 acres of the Culbertson Tract restored to the Mohawks of the Bay of Quinte.”

R. Donald Maracle
Chief, Mohawks of the Bay of Quinte

“This historic settlement with the Mohawks of the Bay of Quinte shows what we can achieve when we work together to reach shared solutions guided by the values of respect and partnership. We acknowledge Canada’s failure to protect your community’s right to your land, and we reaffirm our commitment to addressing this wrong. This settlement is an important step forward to help create new opportunities for the Mohawks of the Bay of Quinte to advance their ongoing work to improve community well-being.”

The Honourable Marc Miller
Minister of Crown–Indigenous Relations

Quick facts

- In 1793, the Mohawk Tract was granted to the ancestors of the Mohawks of the Bay of Quinte by the Simcoe Deed (which the Mohawks of the Bay of Quinte assert to be a treaty) in recompense for the losses sustained by the Mohawks as a result of their ongoing loyalty to the British Crown during the American War of Independence. A particular procedure was specified for surrenders and sales of any of that Tract.
- Since 1793 the original Mohawk Tract has been reduced to less than one-third of its original size.
- In 1995, the Mohawks of the Bay of Quinte submitted a specific claim alleging that the Crown, not having obtained a surrender for the Culbertson Tract, breached its fiduciary and treaty duties to the Mohawks of the Bay of Quinte by illegally transferring the Culbertson Tract in 1837 (the “Culbertson Tract Specific Claim”).

- In November 2003, Canada accepted the Culbertson Tract Specific Claim for negotiation under its Specific Claims Policy, though negotiations were paused in 2007 due to incompatible positions.
- In 2017, the parties resumed negotiations to settle a portion of the Culbertson Tract Specific Claim consisting of 299.43 acres without prejudice to negotiating a settlement for the balance of the Culbertson Tract Specific Claim.
- The membership approved the partial settlement agreement in a ratification vote certified on November 4, 2021, and no appeals on the ratification vote were received.
- Pursuant to a separate agreement with the fee simple owner of the 299.43 acres, that land will be acquired by BMO acting as trustee and in due course confirmed as reserve land, subject to the completion of environmental remediation.
- The settlement will provide the First Nation with compensation totaling \$30,974,864 and includes a route for the confirmation of approximately one third of the Culbertson Tract as reserve land.
- Council will consult the community on the disposition of the settlement funds and the future use of the partial settlement land.
- Negotiations on the balance of the Culbertson Tract Specific Claim will continue.

Associated links

[Mohawks of the Bay of Quinte | Mohawks of the Bay of Quinte \(mbq-tmt.org\)](http://mbq-tmt.org)
[Specific claims \(rcaanc-cirnac.gc.ca\)](http://rcaanc-cirnac.gc.ca)

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