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# New Credit's lawyer

NEW CREDIT — Harry LaForme seems less confident than he was two years ago, but he is as brash as ever.

Mr. LaForme, a member of the Mississaugas of the New Credit and the band's lawyer, has been negotiating its claim to valuable land in Mississauga since 1985. It has been a marathon, but he swears he will never quit.

Mr. LaForme's ancestors occupied one mile on each side of the Credit River from 1805 to 1820 after signing treaties with Upper Canada. When white settlers encroached, prompting the band to move to its current site, one of the first reserves in Canada, it surrendered its land to Upper Canada in trust. The land, except one tract of 200 acres east of the river and straddling what became the Queen Elizabeth Way, was to be leased or sold and the band was to receive the proceeds.

The 200 acres was also sold, starting in 1850, and only 54 acres was left by the time of Confederation. It was sold, too.

The Mississaugas filed their claim to the land

in 1983 and the government agreed two years later to negotiate compensation for what was sold after Confederation, according to its policy.

"There was a wrongful act in selling the land. The government recognizes its lawful obligation," Phil Gibson, a lawyer for the Justice Department, admitted during a meeting in December, 1984.

Just recognizing the mistake was a victory because the band has asked about it a number of times since 1850 and the issue has not been addressed. An arbitration board dealing with annuity claims in Ontario in 1895 refused to consider the claim.

The land was appraised at more than \$9 million undeveloped. Mr. LaForme called it "one of the greatest opportunities in the history of the band."

He was wrong, at least so far.

After negotiating for more than a year, the government announced in April, 1986, that it doubted the validity of the claim and would negotiate at only 50 per cent. New evidence was found,

# says he won't give up

the band was told first. The same evidence was evaluated again, it was told later.

The government refused, at the same time, the band's request for arbitration.

It withdrew its previous offers and suspended negotiations three months later, saying it must decide if it is still willing to settle the claim.

Policy is being reviewed, the band was told. There would be a decision in November.

Mr. LaForme doesn't know if the review includes the entire policy, just New Credit's claim or similar claims. His sources in the government told him they don't know what is happening. He is wondering if anything is happening.

He met Indian Affairs Minister William McKnight last in June. "Whether it's this summer or next fall, I don't know. He doesn't give us a time any more."

Mr. McKnight is reviewing more than the Mississaugas' claim, Specific Claims Director J. R. Goudie said. But Mr. Goudie refused to describe exactly what is being reviewed.

"The intention is to have a decision by the end of the year," he added. But he does not know when to expect it.

The delay in this case is because of confusion about the need for a surrender — the official word for the band's approval — to sell the 54 acres, he said.

The government believes the deal for the sale of the land was completed before 1868, when the requirement for a surrender was established. The band approved the deal and received the proceeds. However, the transaction was not completed and the patent not issued until after 1868, so it appears that there was a sale without a surrender.

Mr. LaForme might have learned from the band's previous claim to 25 acres near Hagersville. He settled it almost three years ago but the band did not receive the \$289,000 compensation until last year. Mr. LaForme called the government every week until he discovered it had deposited the money in the band's account without notifying the band.