

**ONTARIO COURT OF JUSTICE
(GENERAL DIVISION)**

B E T W E E N:

SIX NATIONS OF THE GRAND RIVER BAND OF INDIANS

Plaintiff

- and -

**THE ATTORNEY GENERAL OF CANADA
and
HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO**

Defendants

**DEMAND FOR PARTICULARS AND
REQUEST TO INSPECT DOCUMENTS**

THE PLAINTIFF, Six Nations of the Grand River Band of Indians, hereby requests full particulars of the allegations, and inspection (or copies) of the documents referred to, in the statement of defence of the defendant, Her Majesty the Queen in right of Ontario ("Crown in right of Ontario"), as follows:

1. With respect to the allegations in paragraph 1, provide particulars, identify documents, or provide a copy of the documents, as the case may be, of those particulars requested in paragraphs 6-57 and 59-91 of the

Plaintiff's Demand for Particulars of the Defendant, the Attorney General of Canada's statement of defence dated January 26, 1996, which was also served on the solicitors for the Crown in right of Ontario. (If the response simply is or will be an adoption of the defendant the Attorney General of Canada's answer in that regard, please so advise).

2. With respect to the allegations in paragraph 10, provide particulars of the occupation and use by the Mississauga Indians of the subject lands in 1763, and identify all documents pertaining thereto.

3. With respect to the allegations in paragraph 12, provide particulars of the express denial by the Six Nations that the lands that were granted to them by the Crown were inalienable by them otherwise than to the Crown, and provide particulars of the "many occasions" the Six Nations purported to grant or lease the lands, specify the dates of such grants or leases the lands contained therein, the parties to such grants or leases, the consideration therefor, and identify all the documents pertaining to such purported grants or leases.

4. With respect to the allegations in paragraph 16, provide particulars of the confirmation and agreement by the Chiefs of the Six Nations in 1791 that the Haldimand Proclamation Lands did not include any lands above the

Township of Nichol, specify the date of such confirmation and agreement, the parties to such confirmation and agreement, and provide a copy of any written record of such confirmation and agreement.

5. With respect to the allegations in paragraph 22, provide particulars that the leaders of the Six Nations were "knowledgable sellers of their lands for monetary compensation", specify the leaders of the Six Nations who were knowledgeable sellers, state how such leaders were knowledgable sellers of their lands for monetary compensation, and identify any documents which show the leaders of the Six Nations as knowledgable sellers of their lands for monetary compensation.

6. With respect to the allegations in paragraph 26, provide particulars of the dispositions, transactions or uses of the Six Nations Lands that were the subject of a lawful and valid absolute surrender by the Six Nations, and provide particulars of the valid statutory provisions authorizing such dispositions, transactions or uses, specify the date of and provide a description of the lands affected by such dispositions, transactions or uses, the parties to such dispositions, transactions, or uses, and the consideration for and receipt of the consideration of such dispositions, transactions, or uses, and identify all documents pertaining thereto.

7. With respect to the allegations in sub-paragraph 28(b), provide particulars of the acknowledgment by Joseph Brant that the Six Nations had no right to any payment from Canby or anyone else for the Crown Grant of Block No. 6 of the Simcoe Patent Lands, specify the date of such acknowledgement, to whom such acknowledgement was given, and, if such acknowledgement was recorded in writing, provide a copy of such written record.

8. With respect to the allegations in sub-paragraph 28(h), provide a copy of the absolute surrender by the Six Nations dated January 18, 1841.

Dated: January 31, 1996

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SIX NATIONS OF THE GRAND RIVER

- AND -

THE ATTORNEY GENERAL OF CANADA ET AL

ONTARIO COURT OF JUSTICE
(GENERAL DIVISION)

Proceeding Commenced at Brantford

**DEMAND FOR PARTICULARS AND
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