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Squamish Nation 1977 Omnibus Trust Action

Trust Action Claims NOT Settled

INTRODUCTION

This Bulletin has been prepared to assist Squamish Nation members in understanding the various claims that are currently made against the government of Canada. The claims identified in this Bulletin were all originally included in the Squamish Nation Omnibus Trust Action in 1977.

Several other claims were included in the Trust Action but have, in the intervening years, been resolved.

KITSILANO IR 6 Claim

(see Background Guide on the left)

ISSUES

Entire Lands of Kitsilano IR6

Canadian Pacific Railway Lands on Kitsilano IR6

LOCATION

RELATED

> [BULLETIN 6](#)
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Approximately 86 acres of land

Located at the south end of Burrard Street Bridge

This parcel includes part of Vanier Park, the southern road access to Burrard Street Bridge, the Molson Brewery, the Armoury, a high rise building, the CRP Railway line and other parcels of land



CLAIM RELATES TO

The wrongful taking of parts of the reserve by railways at the turn of the century

The illegal taking of the entire reserve by the Provincial government in 1913

The failure of the Federal government to protect the Squamish Nation interest in the reserve in 1913 and in subsequent years

The role of the Federal government in facilitating the loss of the reserve throughout this century

HOW IT WAS LOST

In 1877, Kitsilano IR6 was allotted to the Squamish Nation by the Joint Indian Reserve Commission

Between 1877 and 1913 railways took 2 parcels of land from the reserve for railway purposes including the land that is now in the possession of the Canadian Pacific Railway

In 1913, the Provincial government put tremendous pressure on the residents of Kitsilano IR6 in order to force them to sell the reserve to the Province. Kitsilano residents finally agreed to sell the

After the sale, the Province put all Kitsilano residents on a scow and towed them to the North Shore and to the Squamish Valley, after which the Province burned their homes

The Province at no time obtained a surrendered as required by the Indian Act

The Federal government at no time intervened to prevent the Province from purchasing the reserve or moving the residents off the reserve

Between 1913 and 1946 the Federal government permitted various other parties to use the lands of Kitsilano IR6 and, indeed, used parts of the reserve for its own purposes

During this same period, the Federal government put pressure on the Squamish Nation to surrender the entire reserve

In 1946, the Federal government succeeded in obtaining a surrender by deceiving the Squamish Nation as to the obligations the Squamish Nation had to the Province

After 1946, the Federal government sold the reserve by various parcels and obtained some of this land for its own use

CURRENT STATUS OF ISSUE

Kitsilano IR6 was included in the original 1977 Trust Action

In 1981 the Kitsilano claim was separated and filed as a separate lawsuit

In 1989 a separate lawsuit was filed in relation to those lands in the possession of the Canadian Pacific Railway

In 1996 the Kitsilano trial began

The Kitsilano trial was completed in February, 1999 and the Squamish Nation is now awaiting a ruling from the Judge

In June, 1999 the CPR Action went to trial and was completed in July, 1999. The Squamish Nation is now awaiting a ruling in this trial



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