Assessment and Historical Research Directorate

by
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Research

- Elements of a Good Claim Submission
 - clear allegations
 - evidence that supports the allegations
 - good document index
 - index to records researched
- The story should be in a clear form and structure; built step by step on evidence, and on the principle of objectivity

Research

Two rules of Documentation

- 1) if the document is mentioned anywhere within the claim it must be included in the document collection
- 2) facts and/or statements asserted within the claim must be confirmed with a document
- Photocopy every document. Ensure it is sourced and added to the document collection and indexed in the "Index to Records Researched"

Library and Archives Canada

- RG 2 Privy Council
- RG 6 Secretary of State
- RG 10 Indian Affairs (e.g., paylists, trust accounts, surveys, Indian Agent revords ect)
- RG 15 Department of Interior
- RG 22 and 85, Records of the Northern Affairs Branch
- MG 1 to 8 Records of New France
- RG 1 Early land Records
- MG 18 and 19 Fur trade records (trading post records)
- MG 17 Church Records (marriage, baptism and death records)
- MG 26 Prime Minister's Papers
- MG 27 papers of politicians e.g. Clifford Sifton
- MG 29 and 30 papers of Missionaries and explorers

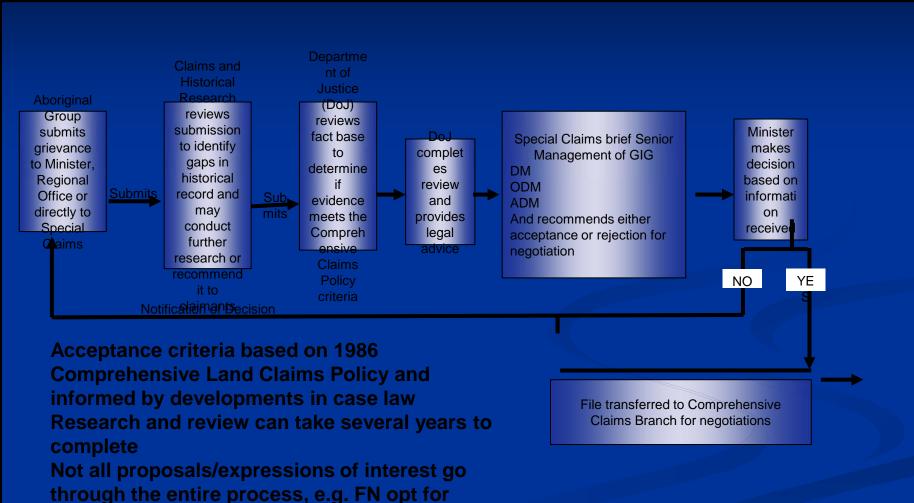
INAC HQ

- Central Registry files
- Indian Land Registry
- Legal Surveys Map Collection
- Program Reference Centre
- Indian Membership Division Records
- Elections Bylaws Unit of the Statutory Requirements Division
- Departmental Library

Comprehensive Claims Criteria

- Claim then reviewed by DoJ for acceptability according to the current legal criteria which is:
 - Aboriginal group is and was part of an organized society
 - The organized society has occupied the specific territory over which it asserts
 Aboriginal title since time immemorial. 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 group was largely to the exclusion o other organized societies
 - The aboriginal group can demonstrate some continuing use and occupancy of the land for traditional purposes
 - The group's Aboriginal title and rights to resource use have not been dealt with by treaty
 - Aboriginal title has not been eliminated by other lawful means
- Based on case law that has evolved over time

Comprehensive Claims Process



litigation

Special Claims

- 1992 INAC established Research and Assessment Directorate (now Special Claims Directorate) to provide flexibility for the government in dealing with grievances submitted by recognized First Nations that do not fit within the parameters of the existing comprehensive or specific claims policies and is not being considered under any other mechanism i.e. Courts
- Senior Management guidelines on processing special claims:
 - grievance submitted cannot be dealt with under the existing claims policies (Specific or Comprehensive) and is not being considered under any other mechanism i.e. Courts
 - authority to reject the claims rests with Assistant Deputy Minister of Claims and Indian Government
 - Cabinet authority usually required for acceptance

Our Resource Room

- Published material in the form of reports, articles, departmental grey literature
- Organized by:
 - \blacksquare A Administration
 - B Bibliographies
 - C-Boarder-Crossing
 - D- Claims
 - E- Comparative Native Studies
 - F- Culture
 - G Education
- H- Game Laws
- I History
- J- Indian Act
- K- Indian Bands and Reserves

- L- Indian Conditions
- M- Indian Policy
- N- Indian Self Government
- O Lands
- Arr P Laws
- Q- Legislation
- R- Maps
- S- Métis
- T- Native Associations
- U- Native Rights
- V- The North
- W- Speeches
- X- Treaties
- Y- International Treaties
- Z- International Treaty Studies

Primary Documents

- General Instructions to Indian Agents in Canada, 1933 (A-27)
- Department of Mines and Resources, Indian Agent's References and Regulations, 1947 (A-31)
- Pennefather, Richard of the Special Commission and the Indian Department, 1858
- Anderson and Vidal, Report of Commission Investigating the Claims on the North Shores of Lake Huron and Superior, 1849
- Baily, S.J. A Study of the Welfare Training Division of the Indian Affairs Branch

Claim Reports

- Dean Jacobs, Land Claim Research Papers: Walpole Island Indian Reserve (D-49)
- Ugarenko, Leonard G., Research Paper on the Enniskillen Indian Land Claim, 1981 (D-58)
- Joanne McCann-McGill, The Golden Lake Land Claim: A Case Study for the Comparison of the Litigation and Negotiation Process, 1990
- Robert Srtees, Land Cessions in Sothern Ontario, 1763-1840, 1980

Document Collections

- T & HRC, Indian Claims and Terms of Reference of Indian Claims Commissioner... Raised by Dr. L. Barber collection of letters/correspondence between the National Indian Brotherhood, the commissioner of Indian Land Claims, Minister and DM if INAC, 1972 (D-88)
- Background to Belcher's Proclamation (Maritimes),
 1969 collection of historical documents
- Treaty Collections with associated documents
- T&HRC, Indian Land Surrenders Treaties 1-11, 1975
 - List of Indian Band surrenders, places and treaty members

Treaties and Historical Research Reports

- The Native People and Governmental Responsibilities in the Northern Territories, 1977
- Iroquois of Canada-Prospective Representations, 1969
- History of the Indian Act, 1975
- Commissions of Inquiry into Indian Affairs in the Canada's: 1828-1858:
 Evolving a Corporate Memory for the Indian Department, 1984
- The British Columbia Indian Land Question, 1970
- Bennet McCardle, Indian History and Claims: A Research Handbook, (Ottawa: Treaties and Historical Research Centre, INAC), 1983
- Numbered Treaty Reports (see http://www.ainc-inac.gc.ca/pr/trts/hti/index_e.html)
- Wayne Daugherty and Dennis Madill, Indian Government Under Indian Act Legislation, 1868-1951, (Treaties and Historical Research Centre), 1980

Treaty Policy Collection

- Historic Treaties document collection is a holding of more than 1000 documents relating to various issues surrounding Historic Treaties in Canada.
- Collected so as to help deepen understanding of Historic Treaties
- The collection is comprised of:
 - historical research reports
 - journal articles
 - archival documents
 - claims reports, and documents produced in house for the needs of INAC on Historic Treaties.
 - The collection is open to the public through the INAC library catalogue but is non-circulating. There are two research guides available upon request.
- Material collected can be searched by Departmental Library see http://virtua.inac.gc.ca/cgi-bin/gw/chameleon

Treaty Policy Collection cont.

Contact:

- Jean-Pierre Morin
- Historian
 Indian and Northern Affairs
 ASSESSMENT AND HISTORICAL RESEARCH
 10 Wellington Street
 Gatineau, Quebec
 Canada
 K1A 0H4:
 - Tel (819) 953-8253
 - Fax: (819) 934-1366
 - Email MorinJ@inac.gc.ca

Informal Access to INAC Records

- Informal ATIP review of INAC HQ records
- Requires BCR or letter identifying:
 - research's name and organization
 - Reserve, band and province
 - Requested subjects, clearly specifying the nature of the research
 - Signature of the Chief and Council (in a quorum)

Ordering Departmental Files

- Must request files 4 to 6 weeks in advance in order to ensure program review is done
- Offer free copying of documents in AHRD
- AHRD open 8:30 to 4:30
- Located 10 Wellington St. Gatineau QUE, Room 1319

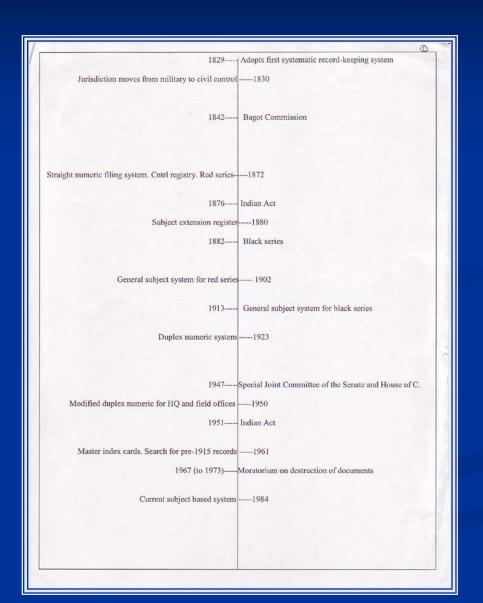
Providing Research Advice

- Describe evolution of INAC's central record keeping practices
- Tools and knowledge to assist in researching within these records systems
- Understanding the way records were created, their disposition over time provides valuable tools to researchers

Why Study Record Systems?

"this analysis of the administrative context is only the first step in studying the history of records. What types of indexing and registry systems were used to control the records? How did these facilitate or retard the aims of the agency? What earlier records were incorporated into new series of records and why? What records were destroyed and why? And what influence did outside developments in the field of records management and archival preservation have on the agency's care and custody of its own records — Terry Cook, Paper Trails: A Study in Northern Records and Administration", p. 14

Timetable



Early DIA Records

- 1782 to 1821 no letterbook or letter registers kept and departmental correspondence kept irregularly
- 1829 first systematic records keeping system was utilized by DIA in the form of letterbooks recording outgoing correspondence

Bagot Commission 1842-1844

- "until nearly the close of Col. Given's services, scarcely a book appears to have been considered necessary"
- Recommend Office of Chief Superintendent employ a chief clerk to enter all correspondence of the Department in a book with an alphabetical index and a bookkeeper to maintain each tribes' account books

Record Universe 1844-1872

- Office of Civil Secretary in Province of Canada;
 Office of Deputy Superintendent General and
 Deputy Superintendent General of Indian
 Affairs
 - Incoming and outgoing correspondence filed separately
 - E.g. Civil Secretary correspondence first entered sequentially by number at front of register and docket given same number

E.g. Civil Secretary correspondence first entered sequentially by number at front of register and docket given same number

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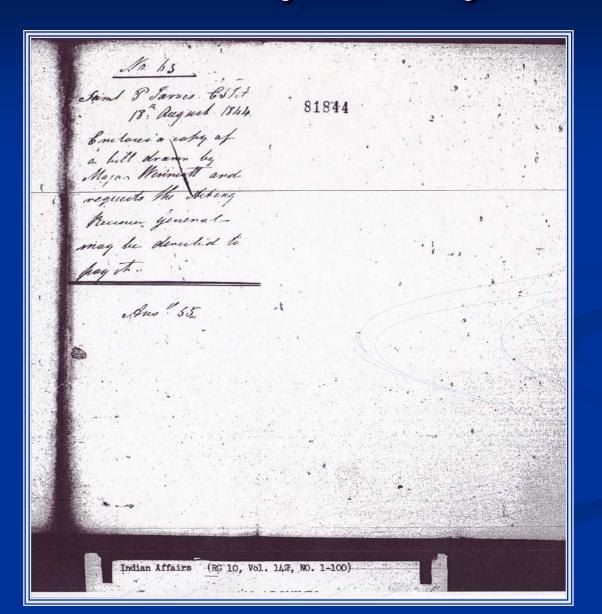
- Another entry made in the letter register arranged alphabetically by correspondent

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Civil Secretary's Correspondence

- Incoming correspondence first entered sequentially by number at front of register and docket given same number
- Another entry made in letter register arranged alphabetically by correspondent and subdivided by year
- Register records registration number (file number); name of correspondent; date sent; date received' action taken; and synopsis
- Registers show files were sometimes placed on earlier <u>or</u> later files not simply filed away numerically
- Handwriting in registers different assume done at later date by record clerks post 1873
- Invaluable tools for tracing correspondence

Civil Secretary - File Jacket



Civil Secretary Correspondence

- Copies of outgoing correspondence folded away and filed
- Copies of outgoing correspondence bound together chronologically in letterbooks containing an alphabetical index at beginning of each letterbook
- Separation of incoming and outgoing correspondence on any particular subject into scores of separate entries into distinct and fragmented systems makes it difficult to locate correspondence

Red and Black Series

- 1872 introduced first straight numeric filing system
- Each letter received stamped with date of receipt after which any letter that referred to subjects about which there was no previous correspondence had a synopsis of the letter on the file jacket and then copies into the register
- Letter, file jacket and entry in Register all stamped with same letter registration number

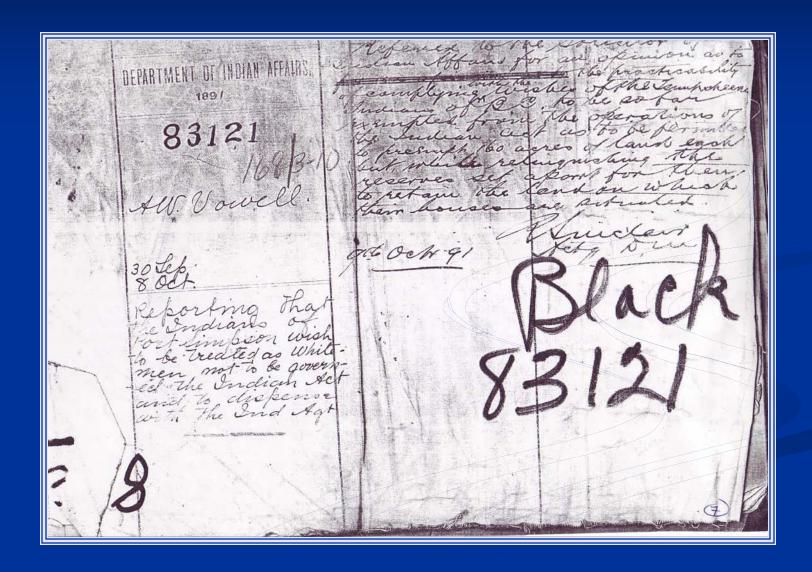
Red and Black Series Cont.

- Later correspondence received on same issue were registered under new registration number but placed in the file docket of the original file number which was cross-referenced in Register
- Also used "Subject-Extension Register" grouping letters alphabetically by correspondence
- By 1880s registers became more sophisticated registering correspondence by correspondent <u>and</u> by subject such as treaties, timber licences, land grants ect

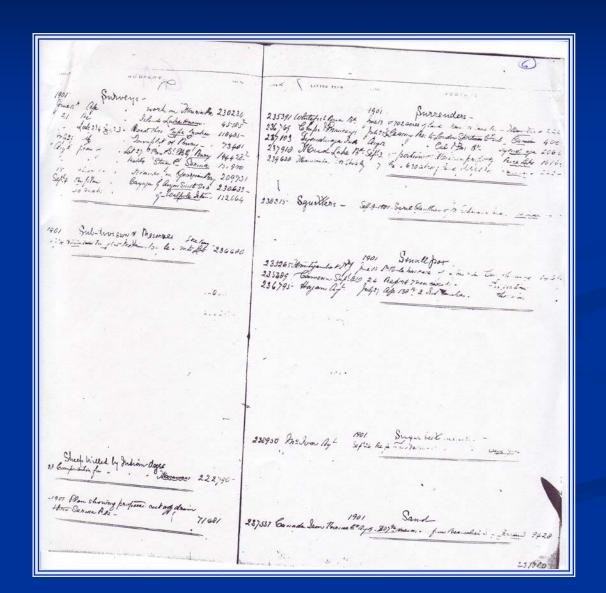
Red and Black Series cont

- Red Series run from 1872 to 1923 (registration numbers 1 to 588500)
- 1882 introduce Black Series register and index for records in Western Canada and Maritimes
- Black Series indexes run from 1882-1919 (letters 1-529438)
- After 1907 Maritimes registered in Red Series
- Earliest Red Series Registers provide search tool enabling researcher to link Civil Secretary or Deputy Superintendent Office records with those migrated into Red Series
- Deputy Superintendent's Records physically migrated into Red Series
- Civil Secretary only cross-referenced in registers

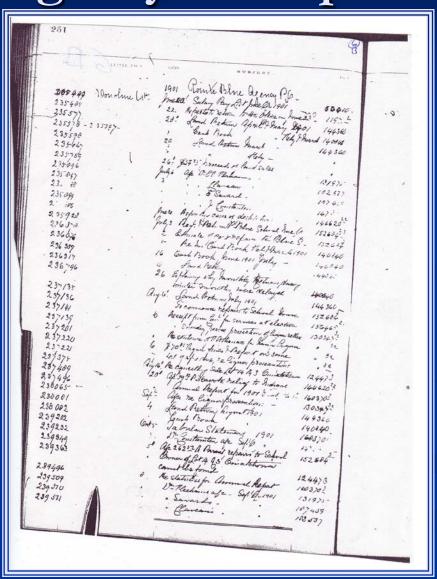
File Jacket



Subject Extension Register



Subject Extension Register – Example of Agency correspondence



Letter Register

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Red and Black Series

- Evolves from straight numeric system as DIA attempts to introduce subject system into the system to assist in retrieval
- 1902 files on general routine administrative nature to voluminous and at letter 254000 in Red Series adopt General Subject System (#s 254000 to 254022)
- 1919 do same in Black Series (#427000s)
- Other subject e.g. schools Spanish River Day School #151725-10 Admission and discharges
- Was foundation of duplex numeric system

General Subject System (#s 254000 to 254022

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General Subject System (#s 254000 to 254022

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Duplex Numeric System

- Introduced 1923 as more flexible file system to organize and retrieve large volume of correspondence generated by DIA headquarters
- Allow DIA to gain broad overview of complicated issues by having necessary correspondence together
- Create five system: Thousand; First; Engineering and Construction; School and Land Sale Series

Thousand and First Series

Thousand Series File e.g. 13000 (Leases) Carleton Agency (107) = 13107First Series Lesser Slave Lake (131) e.g. 62 (Membership) = 62-131

Thousand Series

- Subject system for "main subjects" that related to reserves
- Reflects subjects DIA considered most important e.g. Surveys & Reserves; location tickets; rights of way; surrenders ect
- File number consists of agency responsibility code and agency responsibility code within
- E.g. Leases 13000
- Carleton Agency 107
- file number 13107 (Leases Carleton Agency)

First Series

- Utilized for subject of a secondary nature e.g accidents; truant officers; beef; dog licences; noxious weeds
- File number consists of two elements, a subject block (e.g. Membership 62) and Agency Responsibility Code (Lesser Slave Lake 131)
 - File number 62-131 (Membership Lesser Slave Lake)
 - Change in responsibility codes from Red and Black

Duplex Numeric

- Until 1923 Red and Black Series Agency Responsibility Centre Codes were separate entities with Red Series codes running from 1 to 100 and Black Series 1 to 66
- 1923 Red Series remain same and Black Series old codes incorporated into 100s
 - E.g. Assiniboyne Agency No. 2 becomes 102
 - Department continues to use Registers and Subject Extension Registers perpetuating old East and West split

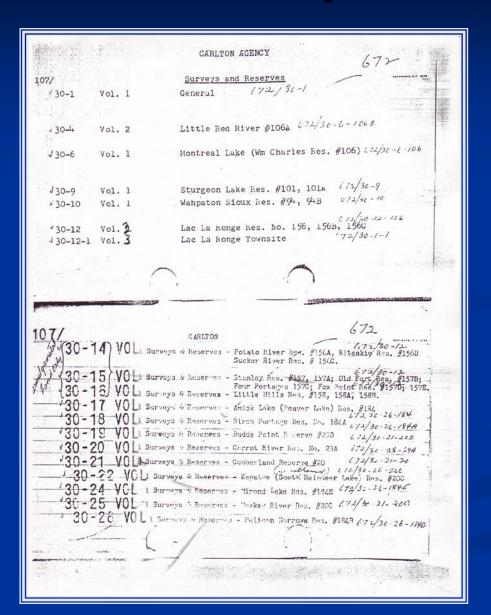
Modified Duplex Numeric

- New system applies to both Headquarters and Field Offices
- Emphasis on geographic responsibility codes combined with more expanded secondary and tertiary numbers reflect devolution of responsibility for program and delivery of services to agencies as a result of Indian Act amendments

Modified Duplex Numeric

- Prior to 1950 no standard file system in agencies and no way to determine what records were created only know what has survived
- Agencies created their own systems, usually a combination of letterbooks for copies of outgoing correspondence and Shannon files for incoming correspondence
- As yearly as 1927 agents told to keep all records
- 1961 master Index Cards for HQ created

Index History Card



Modified Duplex Numeric

- At same time HQ Central Registry Branch project to identify all pre 1915 records held by agencies; told to transfer all pre 1915 records to HQ
- DIA determine what had historical value and should be transferred to Library and Archives Canada (LAC)
- 1966 and 1969 amalgamations of agencies into District Offices and Regional Office result in new Responsibility Codes
- 1984 adopt Block Numeric system subject based system placing geographic codes within tertiary numbers

Current "E Series" Block File for Claims and Disputes

Departmental File Classification		ume 2 tion 1	Système ministériel de classification des dossiers
4032	Claims and Disputes – Funding	4032	Revendications et conflits – financement
	Includes information		Comprend l'information
	relating to claims funding,		relative au financement, les
	contributions and loans		contributions et les
	agreements, including		ententes de prêts des
	funding for Indian and Inuit		revendications, y compris
	associations regarding		le financement des
	claims research and		associations indiennes et
	negotiation, bands and		inuit pour les recherches et
	associations activity		les négociations des
	reports, financial		revendications; les
	statements and audit		rapports d'activités des
	reports.		bandes et des
			associations; les plans
			financiers et les rapports
			de vérification.
-0	Policy	-0	Politique
-1	General	-1	Généralités
-2	Loans	-2	Prêts
-3	Claims Funding Committee	-3	Comité de financement des revendications
-4	Métis and non-Status	-4	Métis et les indiens non-
	Indians		inscrits
-4-	by Organization Code	-4	 par code d'organization
-5	Indian Legislation Revision	-5	Programme de révision de
	and Formulation (by Fiscal Year)		la loi sur les indiens (par année financière)
-5-	by Indian Band Code	-5	
	by moral band doub	-	indienne
-5-	by Organization Code	-5	
-6	Evaluation	-6	
-6-	by Organization Code	-6	
_	by Indian Band/Association	_	par code de
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	Code Code		· Dandordosociation materials
A3/61 06/02/98			

Library and Archives Canada

- Finding Aids
 - 10-1, 10-10 Reds and Black Series records
 - 10-9 Letter Registers and Subject Extension Registers
 - 10-96 History Cards
 - 10-376 Central Registry Records
 - Note in Red and Black File titles created by LAC
 - All Red and Black that survived are in electronic FA 10-1 and 10-9 caution however re migration