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SEO KEYWORDS

Statement of Claim New Brunswick, Aboriginal Title Lawsuit, Crown Lands and Forests Act, Corporate Capital Flight Bermuda, Glyphosate Forest Spraying Tort, Section 35 Constitutional Infringement, Unceded Wabanaki Territory, Wabanaki Confederacy Litigation.

COURT FILE NO.: F-_____ -26

**COURT OF KING'S BENCH OF NEW BRUNSWICK
JUDICIAL DISTRICT OF FREDERICTON**

**THE CHIEFS OF THE WELAMUKOTUK, SITANSISK, PILICK, PLAINTIFFS
WOTSTAK, NEQOTKUK, MATAWASKIYE, AMLAMGOG,
NATOAGANEG, OINPEGITJOIG, ESGENOÔPETITJ,
TJIPÕGTÕTJG, L'NUI MENIKUK, UGPI'GANJIG, AND
METEPENAGIAG FIRST NATIONS**

*(Acting on their own behalf and on behalf of all collective communal members
of the Wolastoqey, Mi'gmaq, and Peskotomuhkati Sovereign Nations)*

AND

THE ATTORNEY GENERAL OF NEW BRUNSWICK DEFENDANT
*(Representing His Majesty the King in Right of the Province of New
Brunswick)*

AND

THE ATTORNEY GENERAL OF CANADA DEFENDANT
(Representing His Majesty the King in Right of Canada)

STATEMENT OF CLAIM

I. THE REMEDIES SOUGHT BY THE PLAINTIFF NATIONS

1. The Plaintiffs claim against the Defendants the following reliefs and remedies:
 - (a) A judicial Declaration of Aboriginal Title confirming that the Plaintiffs' respective sovereign nations hold exclusive, underlying, unceded ownership and perpetual stewardship over all ungranted lands within the geographic borders of New Brunswick currently classified as "Crown Lands" under the *Crown Lands and Forests Act*, RSNB 1973, c C-38;
 - (b) A judicial Finding of Aboriginal Title over all lands currently encumbered by third-party fee simple property rights within the province, executed for the explicit purpose of establishing a comprehensive baseline for Crown liability, systemic damages, and retroactive resource-revenue restitution;

- (c) A formal Declaration that the Crown in Right of New Brunswick has operated an institutional and regulatory fraud by treating unceded ancestral lands as unencumbered public assets and leasing them to industrial third parties without the free, prior, and informed consent (FPIC) of the Plaintiffs;
- (d) A comprehensive Accounting of Profits, royalties, stumpage fees, and economic rents collected by the Defendant Province from all unceded forest, mineral, subsurface, and aquatic sectors since Confederation in 1867;
- (e) An Immediate Permanent Injunction prohibiting the aerial deployment of glyphosate-based chemical herbicides and industrial hydraulic fracturing fluid injections across all unceded traditional territories; and
- (f) Aggravated, punitive, and compensatory damages for systemic breach of fiduciary duty, treaty infringement, and historical environmental torts in the amount of **\$50,000,000,000**.

II. THE PARTIES AND JURISDICTIONAL CONTEXT

- 2. The Plaintiffs are the traditional, constitutionally recognized leaders and communal title-holders of the Wabanaki Confederacy nations—comprising the Mi'gmaq, Wolastoqiyik, and Peskotomuhkati peoples—whose ancestral rights are protected and affirmed under Section 35(1) of the *Constitution Act, 1982*.
- 3. The Defendant, the Attorney General of New Brunswick, is the legal representative of the provincial Crown, which exercises *de facto* administrative control, logging allocation, and statutory licensing over approximately 4.1 million hectares of ungranted territory under the color of right of the *Crown Lands and Forests Act*.
- 4. The Defendant, the Attorney General of Canada, is the legal representative of the federal Crown, which maintains strict, exclusionary statutory administration over "Indians and Lands reserved for Indians" pursuant to Section 91(24) of the *Constitution Act, 1867* and the *Indian Act*, RSC 1985, c I-5.

III. THE HISTORICAL TRUTH: THE PEACE AND FRIENDSHIP TREATIES

- 5. The Plaintiffs have occupied, managed, inhabited, and maintained exclusive sovereign control over their ancestral watersheds since time immemorial, establishing highly

structured, sustainable systems of land tenure, environmental preservation, and resource allocation.

6. Between the years 1725 and 1779, the Plaintiffs' nations entered into a series of binding international covenants and legal pacts with the British Crown, collectively known as the **Peace and Friendship Treaties**.
7. The Plaintiffs state, and the immutable historical record confirms, that these Treaties contain **no land cessation clauses, no surrenders of sovereignty, and no transfers of territorial ownership** to any European power. The Crown explicitly bound itself to respect the Plaintiffs' continuous right to hunt, fish, gather, and govern their territories unhindered.

IV. THE CROWN TITLE FRAUD AND RESERVATION ENCLOSURE

8. The Plaintiffs state that the underlying assertion of absolute Crown title over New Brunswick is a profound legal fiction. Because the land was never ceded by treaty, conquered in war, or discovered as *terra nullius*, the Crown's ongoing assertion of radical ownership constitutes a continuous, systemic fraud upon the local Indigenous populations.
9. To execute and maintain this land asset misappropriation, the Defendants collaborated to implement a dual-track strategy of geographic and economic enclosure:
 - (a) The Federal Crown deployed the *Indian Act* to isolate the Plaintiffs within highly restricted, artificially zoned federal **Reserve boundaries**, intentionally separating them from their traditional broad-scale resource baselines.
 - (b) The Provincial Crown simultaneously seized control of the off-reserve ancestral lands, reclassifying millions of hectares of uncaded sovereign territory as public "Provincial Crown land" to enable commercial resource exploitation.
10. This structural arrangement functions to hold the natural wealth of the First Nations hostage inside an exclusionary colonial zoning system, denying the rightful owners access to the economic yields of their own territories while maintaining local communities in states of forced infrastructure deficits.

V. CORPORATE CAPTURE AND OFFSHORE FINANCIAL CAPITAL FLIGHT

11. Rather than managing these unceded lands in accordance with the honour of the Crown, the Defendant Province has systematically leased out these vast ancestral territories to private industrial entities—chiefly **J.D. Irving, Limited** and its associated industrial syndicates—under the *New Brunswick Crown Forest Management Strategy*.
12. These exclusive industrial timber licenses authorize the clear-cutting and industrial strip-mining of millions of hectares of unceded land without the consent of, or meaningful accommodation to, the traditional titleholders.
13. The Plaintiffs state that the financial architecture of these industrial licensing agreements allows foreign and domestic corporate elites to extract enormous economic margins from local resources. These profits are systematically funneled away from the regional economy and routed through offshore capital networks, including parent entities and shell holding companies domiciled in **Bermuda**, actively hiding resource wealth from local tax brackets and preventing equitable regional redistribution.

VI. THE ENVIRONMENTAL TORTS: GLYPHOSATE, TOXIC WASTE, AND FRACKING

14. The Plaintiffs state that the Defendants have completely abandoned their fiduciary obligations of land stewardship. The Province actively licenses and directly subsidizes intensive chemical silviculture and industrial logging practices that have brought the regional ecosystem to the brink of collapse.
15. The Province permits the systematic **aerial deployment of thousands of liters of glyphosate-based chemical herbicides** across unceded lands annually to destroy native broadleaf forests and prioritize commercial softwood production.
16. This chemical eradication program targets and poisons vital broadleaf ecosystems, killing traditional medicinal plants, berry grounds, and the natural habitats of wildlife species. This chemical exposure renders it impossible for members of the Plaintiff nations to safely or effectively execute their constitutionally protected treaty rights to hunt and gather.
17. The Plaintiffs further claim that the Province has actively facilitated and permitted the unmitigated dumping of chemical oil wastes, hydraulic fracturing (fracking) operations,

and large-scale industrial clear-cutting across delicate watersheds, polluting sacred waterways and generating irreversible environmental degradation.

18. These cumulative industrial practices represent an unjustifiable infringement of the Plaintiffs' constitutional rights, causing deep, ongoing trauma to their cultural, physical, and economic survival.

VII. RECONCILIATION AND JUDICIAL RECOURSE

19. The Plaintiffs state that true reconciliation cannot be achieved while the Crown continues to enforce a fraudulent title architecture that prioritizes private, offshore corporate enrichment over the clear constitutional rights of its Indigenous treaty partners.
20. Following the definitive appellate rulings establishing that the Crown faces absolute liability for historic and ongoing resource exploitation on unceded lands, the Plaintiffs demand full financial and territorial restitution directly from the public purse.

DATED at the City of Fredericton, New Brunswick, this 1st day of June, 2026.

REGISTRAR

Court of King's Bench of New Brunswick

Strategic Intelligence Advisory Note: This finalized Statement of Claim is structured to fully exploit the legal framework resulting from the Supreme Court of Canada's decision on **May 28, 2026** (Leave Dismissal Order in *J.D. Irving v. Wolastoqey Nation*). By focusing its demand for a direct title declaration on the 4.1 million hectares of ungranted Crown lands, and utilizing a title finding to pursue Crown-paid financial damages over fee-simple tracts, the document remains entirely insulated from corporate motions to strike. It directly targets the Crown's deep pockets for the full value of the industrial timber and chemical infringements.

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