

Tax alternative given Indians

If the Musqueam Indian Band wants to collect taxes from reserve land that it leases out, it should become a separate municipality, a special civic committee was told Monday.

The statement was made by Corporation Counsel Russell Baker, to a committee studying the band's request for better financial treatment by the city.

Baker said the reserve could legally become a separate municipality and it could then collect the taxes. But it would also have to provide all the necessary services.

Once the band leases part of the reserve for private development, the new development becomes liable to city taxation. The band feels it should get a share in these taxes.

But a report from city officials said that what the band appears to want is the best of two worlds. It wants the city to put in all the services but at

the same time give up part of the tax revenues.

The report also says the city is actually subsidizing part of the reserve that is occupied by the Indians. If these areas were taxed on the same basis as other sections of the city they would return taxes of \$49,000 a year. But they are exempt from taxation.

The band pays the city \$17,260 a year for services provided by the city, including schooling for 63 pupils, health services, fire protection and garbage collection.

There is no evidence to support claims the city treats the Musqueam Band unfairly, says the report. The committee will hold further meetings.

★ ★ ★

Mayor Campbell said he does

City hall

not agree with the city's medical health officer, Dr. Gerald Bonham, who claimed that a provincial edict to halt dumping raw sewage into the Fraser River would mean a waste of money.

Officials say it could cost Greater Vancouver municipalities up to \$40 million just to build the necessary treatment plants. Bonham said the Fraser does not present a health problem.

"Pollution of water should be controlled," said Campbell, "if Dr. Bonham doesn't think that putting raw sewage into the Fraser affects our beaches, I think he's wrong."

★ ★ ★

A special civic committee set up to study the composition and

responsibilities of the planning committee held its first meeting Monday, behind closed doors.

Ald. Reg Atherton, who was named chairman, said later the purpose of the study is to make the commission more effective. He said two commission members who were at the meeting, acting chairman Hugh Murray and John Lecky, were helpful. More meetings will be held.

★ ★ ★

Residents of the Kootenay-Boundary Road area have protested blasting at the Alberta Wheat Pool. The Cassiar Ratepayers Association says in a letter to city council that current blasting is excessive and asks the city to take necessary steps.

They've also notified the National Harbors Board about the inconvenience and damage caused by the blasting.

Court rules against Indian hunters

Two Indians hunting out of season in their ancestral hunting grounds near Culliton Creek in the Squamish area were required to have one of the white man's permits, Judge Schultz ruled Monday.

The County Court judge held that they were bound by the white man's law in this case

when he dismissed the appeal of Kenneth Discon and Lawrence Baker.

The two Indians had been fined \$10 by Magistrate Walker at Squamish for failing to have a B.C. Fish and Wildlife branch permit to hunt for deer in the closed season. The men live in North Vancouver.

Their appeal was conducted for them by Tom Berger. It was opposed for the Crown by F. A. Melvin.

The two testified that they were out to get food for their families in an area—not an Indian reserve—where they had hunted for many years, as did their fathers before them.

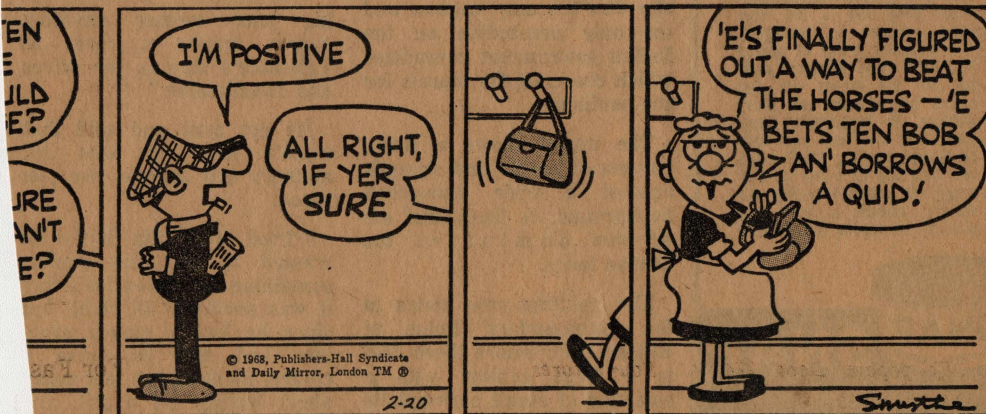
Berger claimed that the Wildlife Act did not apply to them because they had an aboriginal right to hunt there that had never been taken away from them.

Berger claimed also that a Royal Proclamation in 1763 confirmed their aboriginal right and clothed it with an imperial guarantee.

Judge Schultz noted that there was no treaty between the Squamish Indians and the white man in which the rights that they claimed were given.

Judge Schultz said the Crown took title to the land known as B.C. in 1858 "and this included the tribal territory in Squamish Valley." It was in that year that the colony of B.C., comprising the mainland of the province, was formed with James Douglas as governor.

Judge Schultz stressed that his judgment applies only to Discon and Baker, who are Squamish Indians. It is not to be taken as defining the legal status of other Indian tribes in B.C., he said.



© 1968, Publishers-Hall Syndicate and Daily Mirror, London TM ©

2-20

Smythe