

File
13167-15B

Ottawa, Ontario,
May 14, 1942.

Memorandum to: The Deputy Minister.
Re Musqueam Indian Reserve.

Your attention is directed to the report of Indian Agent F.J.C. Ball under date of May 4th, 1942, hereunder.

Musqueam Indian Reserve consisting of approximately 150 acres lies immediately contiguous to the City of Vancouver. It is low lying land and in addition to an Indian population of approximately 40 heads of families there are almost as many Chinese tenants utilizing small parcels of highly productive market gardening land. This Department has under permit approximately 124 acres of this land to Chinese gardeners who pay us annually a sum in excess of \$4,000.

The City of Vancouver claims the right to tax these Chinese tenants alleging that the said Musqueam Indian Reserve is within the city limits of the City of Vancouver. It would appear that they urge in support of their claim that the Musqueam Indian Reserve was by provincial charter included within the boundaries of the City of Vancouver, and while this Branch is not in a position to deny it, it would appear to us that the contention of the City of Vancouver should be put to the proof. It is our understanding of the title that the Indian reserve is vested in His Majesty the King in the Right of Canada and if so it is difficult to understand how by charter of the Provincial Legislature the Indian Reserve could legally be made part of the Corporation of the City of Vancouver.

If you will consult Agent Ball's memorandum you will note that he advises that if the right of the City of Vancouver to tax these Chinese tenants is unchallenged it will result in their giving up operations on the Musqueam Reserve and the consequent loss of

revenue.....

Indian Affairs. (RG 10, Volume 8090, File 987/32-4-2-2
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