

13167-15B

Ottawa, Ontario,  
June 6, 1942.

EX-10

Dear Sir: Re Musqueam Indian Reserve.

Under date of May 4th, 1942, we received a communication from Indian Agent F.J.C. Bell reporting a meeting of the Musqueam band held on June 1st at which the band protested the City of Vancouver's right to tax Chinese tenants of the Indian holdings on the Musqueam Reserve. In order that you may have all the facts as reported by Agent Bell before you we are enclosing a copy of his report.

The crux of the matter would appear to be whether or not the Province of British Columbia had the right to include an Indian reserve within the Vancouver city limits. This point was referred to the Department of Justice who express the opinion that the province was acting within its constitutional powers when by British Columbia statute, 1928, Cap. 17, the Musqueam Indian Reserve was included within the city limits of Vancouver. This fact coupled with the judgment of Judge Ellis that the corporation had the right to tax the interest of the occupants of the land appears to settle the question and the Chinese tenants are, therefore, subject to taxation by Vancouver.

There are two significant statements on our files made by Indian Agent Bell - one to the effect that the Chinese tenants have expressed the intention of moving off the reserve at the end of the current year if the right of the City of Vancouver to tax them is sustained, and the second that the taxes have become almost as large as the rents we receive.

With.....

*DL*  
*J.M.*  
Major D.M. MacKay,  
Indian Commissioner for B.C.,  
Post Office Box 70,  
Vancouver, B.C.

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