

Mr. C. J. [unclear]

5-62-1

FPV/AH

PLEASE ADDRESS
THE DEPUTY MINISTER OF JUSTICE
OTTAWA

OTTAWA

June 1st,

19 42.

J.R. 6881-42

Re: Inclusion of Musqueam Indian
Reserve in City of Vancouver

Dear Sir:

I beg to reply to your letter of May 26th asking to be advised whether the City of Vancouver was within its rights in including the above mentioned Indian Reserve within its limits without first having obtained the consent of the Dominion or the Indian band. By Chapter 17 of the Annual Statutes of British Columbia for the year 1928, the boundaries and limits of the City were extended so as to include, amongst other areas, that comprising the Musqueam Indian Reserve. This legislation was no doubt enacted with the approval of the City of Vancouver, but it is not correct in any legal sense to say that the City included the Reserve within its limits. The action was that of the provincial legislature.

The fixing of municipal boundaries and limits within a province is a provincial matter and properly the subject of provincial legislation, and I know of no ground on which the provincial act in question could be held to be unconstitutional.

I return your file herewith.

Yours truly,

F.P. Varese

Deputy Minister.

*copied
E.P.*
Encl.

The Deputy Minister,
Department of Mines and Resources,
O T T A W A.

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

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