

AUG
ADULT

23 1991 Mathias Colomb Band

34

MISSISSIPPI RIVER
PUKATAWAGAN, MANITOBA
R0B 1G0

This amended by-law supersedes the previous by-law No.2 dated 16th day of November, 1960

The Council of the MATHIAS COLOMB Band of Indians at a meeting held Monday, August 19, 1991, makes the following by-law pursuant to paragraphs (c), (d), (q) and (r) of Section 80 of the Indian Act.

By-Law No. 2

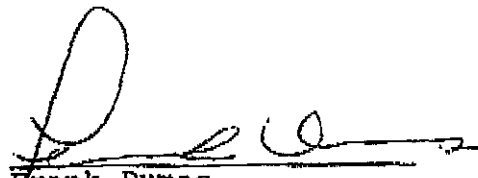
A by-law to provide for the regulation of the activities of boys and girls on the Pukatawagan Indian Reserve actually or apparently under 16 years of age.

- (a) No boy or girl on the Pukatawagan Indian Reserve actually or apparently under 16 years of age, shall loiter any place within the said Indian Reserve after ten o'clock in the afternoon.
- (b) No boy or girl on the Pukatawagan Indian reserve actually or apparently under 16 years of age, shall be in any place of entertainment, street, lane by-way or common within the said Reserve, or shall be in the course of returning from any place of entertainment off the said Reserve after the hour of ten o'clock in the afternoon unless accompanied by his or her parent or an adult appointed by a parent to accompany such child.
- (c) A boy or girl on the Pukatawagan Indian Reserve found violating the provisions of paragraph (a) or (b) may be warned and conducted home by a police officer.
- (d) A parent who permits his child to violate paragraph (a) or (b) shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding \$5,00 or imprisonment for a term not exceeding seven days, or both fine and imprisonment.

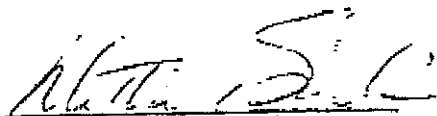
.../2

Signed by:


Chief Pascall Bighetty


Frank Dumas

Councillors:


Mathias Sinclair

Annaliese Dumas


Dominique Hart

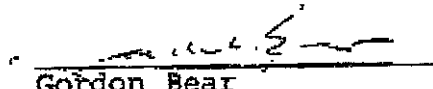

Solomon Linklater

George Castel

Shirley Castel

Ralph Caribou


Brian Bighetty


Gordon Bear

MEMORANDUM

CLASSIFICATION



TO
A

Regional Director - Manitoba

YOUR FILE No.
Votre dossier
217/3-10 (5)

OUR FILE No.
Notre dossier
128/3-10

DATE

January 27, 1966.

FROM
De

Superintendent - The Pas Agency

cc

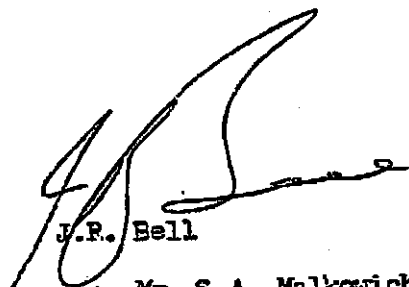
SUBJECT
Sujet

Curfew By-Law

Reference yours of October 25th and I would advise that Mr. Malkowich has now reviewed the Curfew By-Law with the Council of the Mathias Colomb Band.

Council wish to retain the By-law in its original form feeling that it does have the effect of making the parents realize their responsibility toward their children.

The By-Law has not been too energetically enforced of late, however, Council feel that with the appointment of a Supernumerary R.C.M.P. Constable for the Reserve, the By-Law will get the attention and action it deserves.


J.R. Bell
c.c. Mr. S.A. Malkowich

Supt. The Pas Indian Agency

128/3-10

217/3-10 (S)

Regional Director, Manitoba

November 8, 1965

Caries By-law

Thank you for your memorandum of October 27th. We agree with the opinions you express about the above noted by-law. We also agree that there appears to be no point in discussing this matter with those Bands who have not enacted these by-laws. As you suggest, the major problem seems to be that of having parents and Band Councils accept, and to carry out, their responsibilities.

[Handwritten Signature]
R.H. Connelly

WHR/es

MEMORANDUM

CLASSIFICATION

Regional Director - Manitoba

YOUR FILE No. 217/3-10 (8)
Votre dossier

OUR FILE No. 128/3-10
Notre dossier

DATE Oct. 27/65

Superintendent - The Pas Agency

FROM
De

SUBJECT
Sujet


Curfew By-law

Receipt is acknowledged of your letter of October 25th together with enclosure and I would advise as follows:

1. Bands in this Agency who have enacted a Curfew By-law, namely The Pas and the Mathias Colomb Bands, will be queried through the Band Council, on the points raised. Although Bands who have not enacted such a by-law could be asked for an opinion, I see little value in such an exercise as there is really nothing for them on which to base an opinion.
2. I personally see little point in the penalty clause providing for a jail sentence as well as a fine. Responsible parents are not a problem and irresponsible parents would, if convicted under the by-law, sooner take the jail sentence than pay the fine as it would
 - (a) allow them to be "guests of the Queen".
 - (b) give them another lever to ask for welfare assistance.

However, if only a fine is to be imposed and the fine is not paid, what is the alternative?

3. A curfew by-law is not, as I see it, a useful instrument. It is merely a method for parents and Band Councils to shirk their responsibility by palming this responsibility into the hands of the Supernumerary Constable or R.C.M.P.


J. R. Hall

c.c. Mr. P. Ficek
c.c. Mr. S.A. Malkowich

52397 OCT 28 1965

ALL SUPERINTENDENTS

217/3-10 (S)

Regional Director, Manitoba

October 25, 1965

Curfew By-Law

Attached is a copy of a memorandum received from the Secretaries of Branch Headquarters and dated October 20, 1965.

It seems to us that if you do decide to raise these points with Band Councils in your Agency you will likely wish to do so in the form of questions such as:

1. Is an offense under the by-law really serious enough to provide for more than a fine?
2. Is the by-law really enforceable; is it actually being enforced, and,
3. Is the existence of the by-law seeming to cause parents to fail their responsibility for the control and discipline of their children.

You may of course consider that there are other questions to be raised.

[Handwritten signature]
E. H. Connelly

SHB/ee
att

74

Regional Director, Manitoba

YOUR FILE No.
Votre dossier

OUR FILE No.
Notre dossier

1/3-10 (A.5)

DATE

October 20, 1965.

FROM
De

Secretariate

SUBJECT
Sujet

Curfew By-law

It is noted that a number of bands have made curfew by-laws under section 60 of the Indian Act which contain a penalty clause providing for a jail sentence as well as a fine. The social implications of a jail sentence in this context has been seriously questioned by the Social Programs Division and consequently it is felt that band councils should be asked to give second thought to the inclusion of a jail sentence in future by-laws of this kind. Sample curfew by-laws on hand at Branch Headquarters will be re-drafted excluding provision for a jail sentence.

Another point that has been raised in connection with the curfew by-law concerns enforcement. It has been pointed out that it is not realistic to make by-laws of this kind if the R.C.M. Police or supernumary constables are not in a position to enforce them. As indicated in section 6.26(d) of the Field Manual, band councils concerned should consult with the police before enacting curfew by-laws.

A further point raised by the Social Programs Division is the necessity for parental involvement in evaluating the need for a curfew by-law and parental awareness of responsibility in enforcing a curfew by (1) attempting to discipline their own children and (2) by co-operating to the fullest extent with persons authorized to enforce the curfew.

It will be appreciated if you would have these points brought to the attention of band councils in your Region.

C.I. Fairholm
C.I. Fairholm.

52167 OCT 21 65

JOK

INQUIRE EXIT DETAILS SEARCH DESCRIPTION REPORTS
BAND GOVERNANCE MANAGEMENT SYSTEM (Ver 2.0) BYK2000

INAC By-law Inquiry Screen
MODE:F
By-law System No .. 1949 Band No.. 311 MATHIAS COLOMB
By-law Band No 2 Manitoba
By-law Type RG Regulatory
By-law Title LAW AND ORDER
By-law Description BYLAW RESPECTING CURFEW (AMENDMENT)

-law Remarks

Status Code	Description	Effective Date
EN	Enacted	1991/08/19
REC	Received	1991/09/16
EX	40 Day Expiry Period	1991/10/19
EF	Effective	1991/10/19

BAND BY-LAW TRUE COPY CERTIFICATION FORM

CANADA

Province of MANITOBA

TO WIT

I, JAMES GALLO (Name), ALDERMAN (Capacity)

residing at WINNIPEG MANITOBA, make oath and swear that the paper writing on (to) which this affidavit is endorsed (attached) is a true copy of a document produced and shown to me and purporting to be the original by-law number 42 of INDIAN COUNCIL Band of Indians made pursuant to the Indian Act and signed by CHIEF AND COUNCIL and dated AUGUST 19, 1991 the said copy having been compared by me with the said original document. And that the original document was delivered to my hand on the 10th day of OCTOBER, 1991.

James Gallo
(Signature)

Sworn to before me at WINNIPEG, REGIONAL OFFICE, this 10th day of OCTOBER, 1991. Commissioner of Oaths in and for the Province of MANITOBA.

M. C. Commissioner of Oaths
February 3, 1992.
[Signature]

AUG
AOUT 23 1991

Mathias Colomb Band

34

MISSISSIPPI RIVER
PUKATAWAGAN, MANITOBA
ROB 1G0

This amended by-law supersedes the previous by-law No.2 dated 16th day of November, 1960

The Council of the MATHIAS COLOMB Band of Indians at a meeting held Monday, August 19, 1991, makes the following by-law pursuant to paragraphs (c), (d), (q) and (r) of Section 80 of the Indian Act.

By-Law No. 2

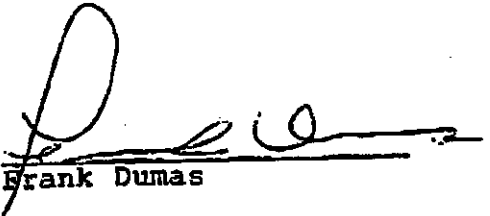
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- (b) No boy or girl on the Pukatawagan Indian reserve actually or apparently under 16 years of age, shall be in any place of entertainment, street, lane by-way or common within the said Reserve, or shall be in the course of returning from any place of entertainment off the said Reserve after the hour of ten o'clock in the afternoon unless accompanied by his or her parent or an adult appointed by a parent to accompany such child.
- (c) A boy or girl on the Pukatawagan Indian Reserve found violating the provisions of paragraph (a) or (b) may be warned and conducted home by a police officer.
- (d) A parent who permits his child to violate paragraph (a) or (b) shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding \$5,00 or imprisonment for a term not exceeding seven days, or both fine and imprisonment.

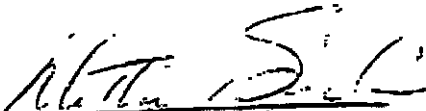
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Signed by:


Chief Pascall Bighetty


Frank Dumas

Councillors:


Mathias Sinclair

Annaliese Dumas


Dominique Hart

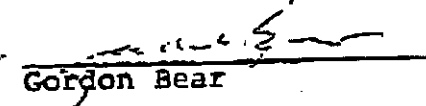

Solomon Linklater

George Castel

Shirley Castel

Ralph Caribou


Brian Bighetty


Gordon Bear



Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada

1100 - 275 Portage Avenue
WINNIPEG, Manitoba R3B 3A3

Your file Votre référence

Our file Notre référence

October 10, 1991

E-4216-311 (RT11)

Chief and Council
Mathias Colomb Band
MISSINIPPI RIVER
Pukatawagan, Manitoba
ROB 1GO

Dear Chief and Council:

RE: MATHIAS COLOMB BAND BYLAW NO.2 RESPECTING CURFEW (AMENDMENT)

Please find attached herewith your original bylaw for your records.

Yours truly,

Les Sumter
Head, Treaties and Statutory Requirement

Lands, Revenues and Trusts
Indian and Northern Affairs Canada
Manitoba Region

Enc.

cc:

Canada

*** SAMPLE CURFEW BY-LAW**

** Please note that this is a sample by-law only. Any submission of a by-law which is based on this sample by-law does not automatically ensure that the bylaw will be allowed to come into force. The by-law must be considered in its entirety before such a determination can be made. Neither the Minister nor the Department of Indian and Northern Affairs guarantees the present or future validity or enforceability of a by-law which is based on this sample bylaw.*

_____ Band
By-law No. 19_____
BY-LAW RESPECTING A CURFEW FOR CHILDREN
or
The _____ Band
By-law Number _____
BEING A BY-LAW TO REPEAL AND REPLACE
BY-LAW NO. _____
ENACTED ON THE _____ DAY OF _____ 19____

WHEREAS paragraphs 81(1)(c), (d), (q) and (r) of the Indian Act, R.S.C., ch. I-5 empowers the Council of a Band to make by-laws for the observance of law and order, the prevention of disorderly conduct, matters ancillary thereto, and a penalty for the violation thereof;

AND WHEREAS the Council of the _____ Band of Indians is of the opinion that children should not remain unattended and without adult supervision in public places during the evenings, for the welfare and safety of those children and also for the welfare of the Reserve community;

AND WHEREAS the Council of the Band did enact By-law Number _____ on the ____ day of _____, 199_, and wishes to repeal the said By-law Number _____ and replace it with this by-law; *(this recital should only be included if you are repealing an already existing by-law)*

THEREFORE, the Council of the _____ Band of Indians enacts a by-law as follows:

Short Title

1. This by-law may be cited as the "_____ Reserve Curfew By-law".

Interpretation

2. In this by-law

"*child*" means any person who is under the age of _____ years;

"*community social event*" means a wedding, winter carnival, sports event, religious celebration, or other social event recognized as such by the Council of the _____ Band;

"*parent*" means a father, mother, tutor, guardian or person having the custody or care in law or in fact of a child;

"*peace officer*" means a peace officer as defined in section 2 of the Criminal Code, R.S.C. 1985, c. C-46;

"*prohibited hours*" means that period of time between the hour of *eleven o'clock in the evening* of one day and the hour of *six o'clock in the morning* of the following day during the calendar months of June, July, August and September of each year; and between the hour of *nine o'clock in the evening* of one day and the hour of *six o'clock in the morning* of the following day during the remaining calendar months of each year;

"*reserve*" means the _____ Indian Reserve No. ____.

Prohibition

2. No parent shall permit his child to be in any public place during the prohibited hours unless such child:

- a) is accompanied by his parent;
- b) is accompanied by a person who is eighteen (18) years of age or over, with the authorization of that child's parent;
- c) is attending or is directly returning home from a community social event;
or,
- d) is authorized by resolution of Council.

Powers of the peace officer

3. A peace officer who finds a child who is or, in the absence of evidence to the contrary, appears to be under the age of _____ years, in a public place during the prohibited hours contrary to section 2 may warn such child to immediately

return to the child's residence and, if after so warning, the child refuses or neglects to return to his residence forthwith, the peace officer may use such reasonable force as is necessary to escort such child to the child's residence.

Meeting with parents

- 4. (1) If, after the warning referred to in section 3, the warning is disregarded by the child, or if the child is found disobeying this by-law a second time within a period of thirty (30) days, the parent or parents of such child may be directed, by resolution of the Council, to meet and discuss the situation with the Council or anyone appointed by the Council through Band Council Resolution for that purpose.
- (2) A copy of the resolution of the Council referred to in subsection 4(1) shall be sent by first class mail or delivered by hand to the child's parent not less than seven (7) clear days prior to the proposed meeting.

Penalty

- 5. A parent who permits his child to be in any public place during the prohibited hours, contrary to section 2, commits an offence and is liable on summary conviction to a fine not exceeding twenty (\$20.00) dollars or imprisonment for a term not exceeding seven (7) days or to both fine and imprisonment.

Repeal

(The following section 6 is to be incorporated into this by-law only if you already have a by-law respecting curfew in place for your community that you wish to repeal.)

- 6. By-law number _____ enacted on the _____th day of _____, 19____, and being a By-law respecting curfew, be and the same is hereby repealed.

THIS BY-LAW IS HEREBY made at a duly convened meeting of the Council of the _____
Band this ___ day of _____, 19__.

Voting in favour of the by-law are the following members of the Council:

- _____ (Witness)
- (Member of the Council)
- _____ (Witness)
- (Member of the Council)
- _____ (Witness)
- (Member of the Council)

BY-LAW NO. 2



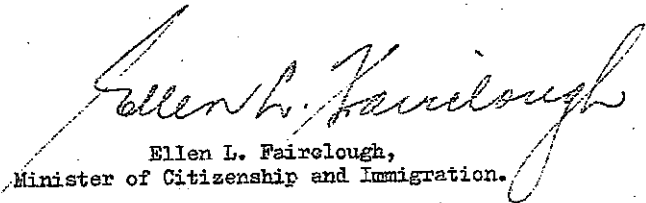
CANADA

MINISTER OF CITIZENSHIP AND IMMIGRATION

I HEREBY declare the following by-law made by the Council of the Matthias Colomb Band of Indians in the Province of Manitoba, at a meeting held October 13, 1960, to be in force:

By-law No. 2 - A by-law to provide for the regulation of the activities of boys and girls actually or apparently under sixteen years of age on the Fukatawagan Indian Reserve, Province of Manitoba.

Dated at Ottawa this 16th day of November, 1960.


Ellen L. Fairclough,
Minister of Citizenship and Immigration.

The Council of the MATRIAS COLOMB Band
of Indians at a meeting held October 13th, 1940,
makes the following by-law pursuant to paragraphs (c), (d), (q)
and (r) of Section 80 of the Indian Act.

By-law No. 2

A by-law to provide for the regulation of the activities
of boys and girls on the PUKATAMAGAN Indian Reserve
actually or apparently under 16 years of age.

- (a) No boy or girl on the PUKATAMAGAN Indian Reserve
actually or apparently under 16 years of age, shall loiter
any place within the said Indian Reserve after 7 o'clock
in the evening.
- (b) No boy or girl on the PUKATAMAGAN Indian Reserve
actually or apparently under 16 years of age, shall be in
any place of entertainment, street, lane, by-way or common
within the said Reserve, or shall be in the course of
returning from any place of entertainment off the said
Reserve after the hour of 7 o'clock in the evening
unless accompanied by his or her parent or an adult
appointed by a parent to accompany such child.
- (c) A boy or girl on the PUKATAMAGAN Indian Reserve
found violating the provisions of paragraph (a) or (b)
may be warned and conducted home by a police officer.
- (d) A parent who permits his child to violate paragraph (a)
or (b) shall be guilty of an offence and shall be liable
on summary conviction to a fine not exceeding \$5.00 or
imprisonment for a term not exceeding seven days, or both
fine and imprisonment.

Isaac Little
Chief.

Henry Frank Dater
Councillor.

Jack Bighley S.A. 110
Councillor.

Jackie Smith 17 P 25 C 43
Councillor.

Lester Bighley 2051V PD
Councillor.

Councillor.

Councillor.

BY-LAW NO. 2



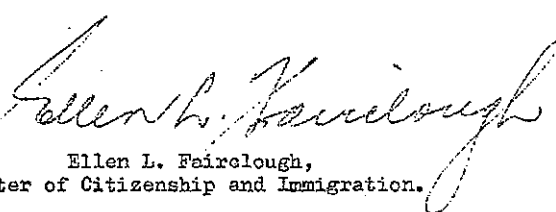
CANADA

MINISTER OF CITIZENSHIP AND IMMIGRATION

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By-law No. 2 - A by-law to provide for the regulation of the activities of boys and girls actually or apparently under sixteen years of age on the Pukatawagan Indian Reserve, Province of Manitoba.

Dated at Ottawa this 16th day of November, 1960.


Ellen L. Fairclough,
Minister of Citizenship and Immigration.

The Council of the MATRIAS COLCMB Band
of Indians at a meeting held October 13th, 1914,
makes the following by-law pursuant to paragraphs (c), (d), (q)
and (r) of Section 80 of the Indian Act.

By-law No. 2

A by-law to provide for the regulation of the activities
of boys and girls on the PUKATAMAGAN Indian Reserve
actually or apparently under 16 years of age.

- (a) No boy or girl on the PUKATAMAGAN Indian Reserve
actually or apparently under 16 years of age, shall loiter
any place within the said Indian Reserve after ~~nine~~ ^{ten} o'clock
in the afternoon. *evening*
- (b) No boy or girl on the PUKATAMAGAN Indian Reserve
actually or apparently under 16 years of age, shall be in
any place of entertainment, street, lane, by-way or common
within the said Reserve, or shall be in the course of
returning from any place of entertainment off the said
Reserve after the hour of ~~nine~~ ^{ten} o'clock in the ~~afternoon~~ ^{evening}
unless accompanied by his or her parent or an adult
appointed by a parent to accompany such child.
- (c) A boy or girl on the PUKATAMAGAN Indian Reserve
found violating the provisions of paragraph (a) or (b)
may be warned and conducted home by a police officer.
- (d) A parent who permits his child to violate paragraph (a)
or (b) shall be guilty of an offence and shall be liable
on summary conviction to a fine not exceeding \$5.00 or
imprisonment for a term not exceeding seven days, or both
fine and imprisonment.

Isaac Sanklabin
Chief.

Henry Frank Darter
Councillor.

Jacob [unclear] J.H.P.D.
Councillor.

Jacob [unclear] P.V.C.F.C.S.
Councillor.

Louis [unclear] J.S.V.P.A.
Councillor.

Councillor.

Councillor.

BY-LAW NO.3.



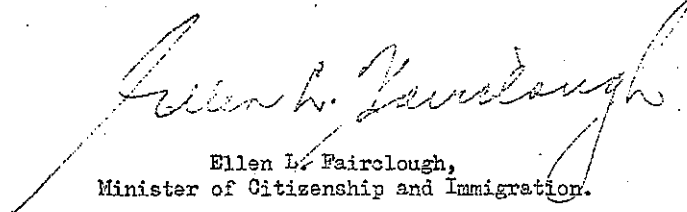
CANADA

MINISTER OF CITIZENSHIP AND IMMIGRATION

I HEREBY declare the following by-law made by the Council of the Mathias Colomb Band of Indians in the Province of Manitoba, at a meeting held March 30, 1961, to be in force:

By-law No.3 - A by-law to provide for the disposal of garbage and waste on the Pukatawagan Indian Reserve in the Province of Manitoba.

Dated at Ottawa this 20th day of April, 1961.


Ellen L. Fairclough,
Minister of Citizenship and Immigration.

Mathias Colomb Band

MISSISSIPPI RIVER
PUKATAWAGAN, MANITOBA
R0B 1G0
TELEPHONE (204) 553-2090



BAND COUNCIL RESOLUTION RÉSOLUTION DE CONSEIL DE BANDE

Chronological No. - Numéro consécutif

File Reference - N° de réf. du dossier

NOTE: The words "From our Band Funds" "Capital" or "Revenue", which ever is the case, must appear in all resolutions requesting expenditures from Band Funds
 NOTA: Les mots "des fonds de notre bande" "Capital" ou "revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes

THE COUNCIL OF THE LE CONSEIL DE LA BANDE INDIENNE	MATHIAS COLOMB BAND	Current Capital Balance Solde de capital	\$ _____
AGENCY DISTRICT	THOMPSON DISTRICT	Committed - Engagé	\$ _____
PROVINCE	MANITOBA	Current Revenue balance Solde de revenu	\$ _____
PLACE NOM DE L'ENDROIT	PUKATAWAGAN	Committed - Engagé	\$ _____
DATE	29 02 AD 19 88 DAY - JOUR MONTH - MOIS YEAR - ANNÉE		

DO HEREBY RESOLVE:
DÉCIDE, PAR LES PRÉSENTES:

WHEREAS, The Chief and Council of the Mathias Colomb Band hereby amends
 By-law No. 04 of the within said By-law and,

THEREFORE BE IT RESOLVED, that the Department of Indian and Northern Affairs
 Canada proceed documentation according to Section 82 (1), (2) of the Indian
 Act.

A quorum for this Bande
 Pour cette bande le quorum est

consists of
 fixé à

Council Members
 Membres du Conseil

6

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Chief - Chef)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

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(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

(Councillor - conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE

1. Band Fund Code Code du compte de bande	2. COMPUTER BALANCES - SOLDES D'ORDINATEUR		3. Expenditure Dépenses	4. Authority - Autorité Indian Act Sec Art. de la Loi sur les Indiens	5. Source of Funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenu
	A. Capital	B. Revenue - Revenu			
6. Recommended - Recommandable			Approved - Approuvable		
Date			Date		
Recommending Officer - Recommandé par			Approving Officer - Approuvé par		

COPY OF ORIGINAL BY-LAW

Chronological No. - Numéro consécutif
 File Reference - N° de réf. du dossier

**BAND COUNCIL RESOLUTION
 RÉSOLUTION DE CONSEIL DE BANDE**

NOTE: The words "From our Band Funds" "Capital" or "Revenue", which ever is the case, must appear in all resolutions requesting expenditures from Band Funds
 NOTA: Les mots "des fonds de notre bande" "Capital" ou "revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes

THE COUNCIL OF THE LE CONSEIL DE LA BANDE INDIENNE	MATHIAS COLOMB BAND	Current Capital Balance Solde de capital	\$ _____
AGENCY DISTRICT	THOMPSON DISTRICT	Committed - Engagé	\$ _____
PROVINCE	MANITOBA	Current Revenue balance Solde de revenu	\$ _____
PLACE NOM DE L'ENDROIT	PUKATAWAGAN	Committed - Engagé	\$ _____
DATE	<u>30</u> <u>July</u> AD 19 <u>84</u> DAY - JOUR MONTH - MOIS YEAR - ANNEE		

DO HEREBY RESOLVE: **DOG CONTROL BY-LAW**
 DÉCIDE, PAR LES PRÉSENTES:

- (1) Dog owners who keep more than five dogs for the purpose of using such animals for sled dogs will:
 - A) Not require individual dog tags for identification.
 - B) Pay a flat rate of 20.00 dollars, be it he owns three or fifteen.
 - C) Be responsible to make arrangements with the Band Council for permit to hold his dogs in a confined area to alleviate nuisance problems.
 - D) Be responsible to keep such dogs chained if not kept in a confined area.
 - E) Be responsible to destroy own dogs if the need arises, be it over-crowding (beyond the persons individual control), disease, rabies, etc.
 - F) Be subject to all Federal Laws governing the keep and confinement of domestic animals.
- (2) Dog owners who keep family dogs categorized as watchdogs, pets, duck hounds, etc, will:
 - A) Be required to pay 5.00 dollars for a dog tag identification number.
 - B) Be responsible to keep their dogs from roaming freely in the community.
 - C) Be responsible for the animals disturbance, nuisances, if allowed to roam freely in the community.
 - D) Be reminded if their dogs continue to cause disturbances and nuisance.
 - E) Have their dogs destroyed if they do not adhere to these regulations.
- 3) The Band Constables under authority of the Mathias Colomb Band Council will:
 - A) Ensure the set up and procedure of a systematic recording method of issuing numbered dog tags to all dog owners.
 - B) Be responsible to enforce regulations under paragraphs 1 and 2.
 - C) Be responsible to destroy all loose dogs without dog tags after a certain period of time has lapsed after ratification of by-law.
 - D) Be responsible to arrange discard of all destroyed animals immediately.

A quorum for this Bande
 Pour cette bande le quorum est
 consists of 6
 fixé à
 Council Members
 Membres du Conseil

..... Pascal Bighetty (Chief - Chef) D. Hart (Councillor - conseiller) Annelise Dumas (Councillor - conseiller)
..... J. C. Linklater (Councillor - conseiller) Jeremie Caribou (Councillor - conseiller) Solomon Linklater (Councillor - conseiller)
..... Flora J. Castel (Councillor - conseiller)	 (Councillor - conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE					
Band Fund Code Code du compte de bande	2. COMPUTER BALANCES - SOLDES D'ORDINATEUR		3. Expenditure Dépenses	4. Authority - Autorité Indian Act Sec Art. de la Loi sur les Indiens	5. Source of Funds Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue
	A. Capital	B. Revenue - Revenu			
\$	\$	\$			
Recommended - Recommandable			Approved - Approuvable		
Date	Recommending Officer - Recommandé par		Date	Approving Officer - Approuvé par	

DOG BY - LAW

The Council of the MATHIAS COLOMB INDIAN BAND at a meeting held this 29 day of February 1988 hereby amends by-law number 04 to provide for the regulation and control of dogs within the boundaries of the PUKATAWAGAN INDIAN RESERVE.

Whereas, paragraphs (a) (e) and (r) of section 81 of the Indian Act empowers the council of a Band to make by-laws to provide for the health of residents on the Reserve and to prevent the spreading of diseases and the imposition of a penalty for a violation thereof, and,

Whereas, it is deemed expedient to provide for the regulation and control of dogs for the health, safety and welfare of the inhabitants of the PUKATAWAGAN INDIAN RESERVE.

Now, therefore the Council of the MATHIAS COLOMB INDIAN BAND inacts as a by-law thereof, the following:

1. In this by-law,
 - a) "Council" means the Council as defined in the Indian Act of the MATHIAS COLOMB INDIAN BAND:
 - b) "Reserve" means the tract of land set aside by Her Majesty within the definition of the Indian Act, for the use and benefit of the MATHIAS COLOMB INDIAN BAND known as the PUKATAWAGAN RESERVE.
 - c) "Constable" means a person appointed for the purpose of maintaining law and order on the PUKATAWAGAN INDIAN RESERVE.
 - d) "Household" means a house, abode on any dwelling that is occupied.
 - e) "Pet" means a domestic dog kept by a person within the confines of his/her household and property.
 - f) "Guard dog" means a dog kept by a person within the confines of his/her household and property for the purpose of guarding said household and property.
2. No person shall establish a kennel on the Reserve to breed dogs without the written consent of the Band Council.
3. Any person shall, for the purpose of trapping or sport or transportation, raise any number of dogs providing he/she accepts total responsibility for the control and care of such animals and, that he/.she be subject to paragraph 2.

4. No person shall allow his/her dog to run at large within the reserve.
5. No person shall possess more than one dog as guard dog, as described within said by law, and shall be bound and subject to all conditions of the by-law.
6. No person shall possess more than ONE dog as pets, as described within said by-law, and shall be bound and subject to all conditions of the by-law.
7. Any person who owns a dog as a pet shall be required to indentify such a dog with identification tags as issued by the Band Council for a fee of \$ 5.00
8. A person or household that owns a dog with a vicious nature shall be responsible to keep that dog under control by having it muzzled or chained at all times.
9. No person shall ill treat by beating, molesting or neglecting a dog that is tied or chained or otherwise.
- 10) The Constable shall make periodic checks on the amount and kinds of dogs possessed by each household.
- 11) The Constable may by order of the Council, destroy any stray dog that is not chained.
- 12) The constable may be order of the Council give written notice to the owner of an undesirable dog within the reserve requiring that person to get rid of the said dog, by any means within 10 days receipt of notice.
- 13) An owner of a dog who refuses or neglects the contents of a written notice within the period of 10 days shall be guilty of a breech of this by-law.
- 14) Any person who violates any provisions of this by-law shall be guilty of an offence, and shall be liable to a summary conviction to a fine not exceeding \$ 50.00 or imprisonment for a term not exceeding 15 days or both fine and imprisonment.

Approved and passed at a duly convened meeting of the Council of the MATHIAS COLOMB INDIAN BAND this 29 day of 02 19 88

The quorum for this Band consists of 6 Council members.

The MATHIAS COLOMB INDIAN BAND amended by-law No. 04.

CHIEF _____

COUNCILLOR Mathias S. C.

Franklin Bayly

[Signature]

W. H. [Signature]

COUNCILLOR _____

[Signature]

I, _____ Chief of MATHIAS COLOMB INDIAN BAND, do hereby
certify that a true copy of the foregoing by-law was forwarded to the Minister
Of Indian Affairs and Northern Development pursuant to section sub-section (1)
of the Indian Act this _____ day of _____ 19 _____

WITNESS

CHIEF

BY-LAW NO. 1



CANADA

MINISTER OF CITIZENSHIP AND IMMIGRATION

I HEREBY declare the following by-law made by the Council of the Matthias Colomb Band of Indians in the Province of Manitoba, at a meeting held August 22, 1960, to be in force:

By-law No. 1 - A by-law to provide for the regulation of traffic in the Pukatawagan Indian Reserve No. 198, in the Province of Manitoba.

Dated at Ottawa this *6th* day of September, 1960.

Ellen L. Fairclough
Ellen L. Fairclough,
Minister of Citizenship and Immigration.

BY-LAW NO. 2



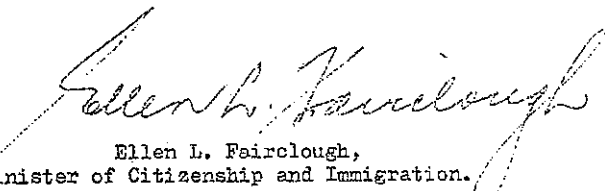
CANADA

MINISTER OF CITIZENSHIP AND IMMIGRATION

I HEREBY declare the following by-law made by the Council of the Matthias Colomb Band of Indians in the Province of Manitoba, at a meeting held October 13, 1960, to be in force:

By-law No. 2 - A by-law to provide for the regulation of the activities of boys and girls actually or apparently under sixteen years of age on the Pukatawagan Indian Reserve, Province of Manitoba.

Dated at Ottawa this 16th day of November, 1960.


Ellen L. Fairclough,
Minister of Citizenship and Immigration.

The Council of the KATHIAS COLCIB Band
of Indians at a meeting held October 13th, 1940,
makes the following by-law pursuant to paragraphs (c), (d), (q)
and (r) of Section 80 of the Indian Act.

By-law No. 2

A by-law to provide for the regulation of the activities
of boys and girls on the PUKATAMAGAN Indian Reserve
actually or apparently under 16 years of age.

- (a) No boy or girl on the PUKATAMAGAN Indian Reserve
actually or apparently under 16 years of age, shall loiter
any place within the said Indian Reserve after ~~five~~ ^{ten} o'clock
in the afternoon. *any*
- (b) No boy or girl on the PUKATAMAGAN Indian Reserve
actually or apparently under 16 years of age, shall be in
any place of entertainment, street, lane, by-way or common
within the said Reserve, or shall be in the course of
returning from any place of entertainment off the said
Reserve after the hour of ~~five~~ ^{ten} o'clock in the ~~afternoon~~ *evening*
unless accompanied by his or her parent or an adult
appointed by a parent to accompany such child.
- (c) A boy or girl on the PUKATAMAGAN Indian Reserve
found violating the provisions of paragraph (a) or (b)
may be warned and conducted home by a police officer.
- (d) A parent who permits his child to violate paragraph (a)
or (b) shall be guilty of an offence and shall be liable
on summary conviction to a fine not exceeding \$5.00 or
imprisonment for a term not exceeding seven days, or both
fine and imprisonment.

Isaac Amikoben
Chief.

Henry Frank Porter
Councillor.

Jack Hignley J.H.P.
Councillor.

Frankie Daniels F.D.
Councillor.

Lyne P. Daniels L.P.D.
Councillor.

Councillor.

Councillor.

4216-1



AUG 23 1991
AGUT

Mathias Colomb Band

MISSISSIPPI RIVER
PUKATAWAGAN, MANITOBA
R0B 1G0

This amended by-law supersedes the previous by-law No.2 dated 16th day of November, 1960

The Council of the MATHIAS COLOMB Band of Indians at a meeting held Monday, August 19, 19 91, makes the following by-law pursuant to paragraphs (c), (d), (q) and (r) of Section 80 of the Indian Act.


By-Law No. 2

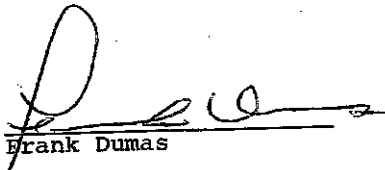
A by-law to provide for the regulation of the activities of boys and girls on the Pukatawagan Indian Reserve actually or apparently under 16 years of age.

- (a) No boy or girl on the Pukatawagan Indian Reserve actually or apparently under 16 years of age, shall loiter any place within the said Indian Reserve after ten o'clock in the afternoon.
- (b) No boy or girl on the Pukatawagan Indian reserve actually or apparently under 16 years of age, shall be in any place of entertainment, street, lane by-way or common within the said Reserve, or shall be in the course of returning from any place of entertainment off the said Reserve after the hour of ten o'clock in the afternoon unless accompanied by his or her parent or an adult appointed by a parent to accompany such child.
- (c) A boy or girl on the Pukatawagan Indian Reserve found violating the provisions of paragraph (a) or (b) may be warned and conducted home by a police officer.
- (d) A parent who permits his child to violate paragraph (a) or (b) shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding \$5,00 or imprisonment for a term not exceeding seven days, or both fine and imprisonment.

.../2

Signed by:


Chief Pascall Bighetty



Frank Dumas

Councillors:


Mathias Sinclair

Annaliese Dumas

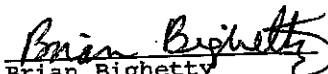

Dominique Hart

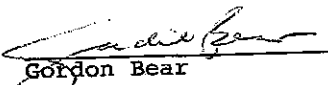

Solomon Linklater

George Castel

Shirley Castel

Ralph Caribou


Brian Bighetty


Gordon Bear



Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada

Your file Votre référence

Our file Notre référence

.OCT 7 1991

E4216-311

Chief and Council
Mathias Colomb Band
Mississippi River
PUKATAWAGAN, Manitoba
R0B 1G0

Dear Chief and Council:

Bylaw No. 2 (amendment) Respecting Curfew

Please be informed that the above-noted bylaw will come into force on October 19, 1991.

Comments and Recommendations

Generally

- This by-law is basically sound. There may however, be problems with enforcement of the by-law in the courts.
- Our position is that the legal and policy arguments in favour of curfew by-laws are sufficient for the Minister to allow the by-law to stand (i.e., we will recommend that the Minister not exercise his power of disallowance under subsection 82(2) simply because "curfew" is not a specific category under section 81).
- Curfew by-laws in general may contravene the Canadian Charter of Rights and Freedoms, more specifically the right guaranteed by section 15 to the "... equal protection and equal benefit of the law without discrimination based on ... age."
- To our knowledge, lower courts have in the past thrown out municipal curfew by-laws in both Winnipeg and Vancouver as contravening the Charter.

.../2

- On the other hand, the Quebec Provincial Court upheld similar provisions of a curfew by-law made by the Eastmain Band (enacted pursuant the Cree-Naskapi Self-Government Agreement). The court decided in that case that the by-law was reasonable and justifiable, keeping in mind the needs of the community, the band's traditions, and the widespread acceptance of the by-law on the reserve.
- Given the conflicting opinions on the constitutional validity of curfew by-laws, our feeling is that the by-law, as it stands, will not be disallowed by the Minister on the basis that it may contravene section 15 of the Charter. However, you should be aware that the by-law could be challenged by an accused on the basis that it might contravene the Charter, should such a challenge ever be brought before the court.
- Although a previous by-law No.2, dated November 16, 1960, is said to be repealed by this "amended" by-law, as stated in the first sentence of this by-law, this repealing statement is *not found* in the body of the by-law itself. It could be argued therefore, that the by-law enacted in 1960 is in fact still in force. A separate section in the by-law should be used when repealing a previously enacted by-law. However, it is doubtful that a court would hold your by-law to be unenforceable for that reason alone.

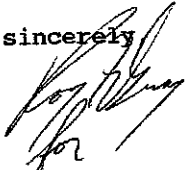
Section (a)

- This section is somewhat ambiguous in that it does not provide the reader with a time when a child may return to the streets - it merely imposes a time when they must leave the streets. Words to the effect that no child on the reserve shall loiter in any place on the reserve "...during the period of time between the hour of eleven o'clock in the evening of one day and the hour of six o'clock in the morning of the following day..." would seem to clarify when a child could return to the street.
- Please find enclosed a copy of a *sample curfew by-law* that was recently developed by this directorate. You will note that it contains a repealing provision which could be used should you decide to repeal this by-law and choose to enact a new by-law. We would welcome the opportunity to review any draft by-laws that you develop prior to their enactment.

If any further information is required please contact the Manitoba Regional Office or Dave Millette at headquarters who is responsible for your file and can be contacted at (819) 997-8238.

The coming into force of any bylaw pursuant to section 82 of the Indian Act is not an expression of opinion by the Minister that the bylaw is valid. DIAND is not ruling on the validity of a bylaw; only a court of law has such a power.

Yours sincerely



Gaetan Bilon
Manager
Band Governance

c.c.: Regional Director General
Indian and Inuit Affairs
Manitoba Region

Attention: Les Sumter

INQUIRE EXIT DETAILS SEARCH DESCRIPTION REPORTS
BAND GOVERNANCE MANAGEMENT SYSTEM (Ver 2.0) BYK2000

INAC By-law Inquiry Screen
MODE:F
By-law System No .. 1949 Band No.. 311 MATHIAS COLOMB
By-law Band No 2 Manitoba
By-law Type RG Regulatory
By-law Title LAW AND ORDER
By-law Description BYLAW RESPECTING CURFEW (AMENDMENT)
-law Remarks

curfew

Status Code	Description	Effective Date
EN	Enacted	1991/08/19
REC	Received	1991/09/16
EX	40 Day Expiry Period	1991/10/19
EF	Effective	1991/10/19

BAND BY-LAW TRUE COPY CERTIFICATION FORM

CANADA

Province of MANITOBA

TO WIT

I, JAMES GALLO Director
(Name) (Capacity)

residing at WINNIPEG MANITOBA, make oath and swear that the paper writing on (to) which this affidavit is endorsed (attached) is a true copy of a document produced and shown to me and purporting to be the original by-law number #2 of RAIKIAS COUNCIL Band of Indians made pursuant to the Indian Act and signed by CHIEF AND COUNCIL and dated AUGUST 19, 1991 the said copy having been compared by me with the said original document. And that the original document was delivered to my hand on the 10th day of OCTOBER, 1991.

James Gallo
(Signature)

Sworn to before me at WINNIPEG, REGINA OFFICE, this 10th day of OCTOBER, 1991. Commissioner of Oaths in and for the Province of MANITOBA.

M. J. Commissioner of Oaths
February 3, 1992.
[Signature]

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INQUIRE EXIT DETAILS SEARCH DESCRIPTION REPORTS
#####
BAND GOVERNANCE MANAGEMENT SYSTEM (Ver 2.0) BYK2000
*INAC By-law Inquiry Screen
*MODE:F
#####
* By-law System No .. 1949 Band No.. 311 MATHIAS COLOMB
* By-law Band No .... 2 Manitoba
* By-law Type ..... RG Regulatory
* By-law Title ..... LAW AND ORDER
* By-law Description BYLAW RESPECTING CURFEW (AMENDMENT)
*
*
* -law Remarks ....
*
#####
*Status Code Description Effective Date
*
* EN Enacted 1991/08/19
* REC Received 1991/09/16
* EX 40 Day Expiry Period 1991/10/19
* EF Effective 1991/10/19
*
#####

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BAND BY-LAW TRUE COPY CERTIFICATION FORM

CANADA

Province of MANITOBA

TO WIT

I, JAMES GALLO, ALDERMAN
(Name) (Capacity)

residing at WINNIPEG MANITOBA, make oath and swear that the paper writing on (to) which this affidavit is endorsed (attached) is a true copy of a document produced and shown to me and purporting to be the original by-law number FN of SWANEY CREE Band of Indians made pursuant to the Indian Act and signed by CHIEF AND COUNCIL and dated AUGUST 12, 1991 the said copy having been compared by me with the said original document. And that the original document was delivered to my hand on the 10th day of OCTOBER, 1991.

James Gallo
(Signature)

Sworn to before me at WINNIPEG, REGIONAL OFFICE, this 15th day of OCTOBER, 1991. Commissioner of Oaths in and for the Province of MANITOBA.

M. Commissioner signature:
February 3, 1992.

[Signature]
M. Commissioner



AUG 23 1991
ACUT

Mathias Colomb Band

34

MISSINIPPI RIVER
PUKATAWAGAN, MANITOBA
ROB 1G0

This amended by-law supersedes the previous by-law No.2 dated 16th day of November, 1960

The Council of the MATHIAS COLOMB Band of Indians at a meeting held Monday, August 19, 1991, makes the following by-law pursuant to paragraphs (c), (d), (q) and (r) of Section 80 of the Indian Act.

By-Law No. 2

A by-law to provide for the regulation of the activities of boys and girls on the Pukatawagan Indian Reserve actually or apparently under 16 years of age.

- (a) No boy or girl on the Pukatawagan Indian Reserve actually or apparently under 16 years of age, shall loiter any place within the said Indian Reserve after ten o'clock in the afternoon.
- (b) No boy or girl on the Pukatawagan Indian reserve actually or apparently under 16 years of age, shall be in any place of entertainment, street, lane by-way or common within the said Reserve, or shall be in the course of returning from any place of entertainment off the said Reserve after the hour of ten o'clock in the afternoon unless accompanied by his or her parent or an adult appointed by a parent to accompany such child.
- (c) A boy or girl on the Pukatawagan Indian Reserve found violating the provisions of paragraph (a) or (b) may be warned and conducted home by a police officer.
- (d) A parent who permits his child to violate paragraph (a) or (b) shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding \$5,00 or imprisonment for a term not exceeding seven days, or both fine and imprisonment.

.../2



Indian and Northern Affairs Canada
Affaires Indiennes et du Nord Canada

Mathias Colomb Band Government

MISSISSIPPI RIVER
PUKATAWAGAN, MANITOBA R0B 1G0
TELEPHONE 1-204-553-2889-2090
FAX 1-204-553-2410

**BAND COUNCIL RESOLUTION
RÉSOLUTION DE CONSEIL DE BANDE**



Chronological no. - N° consécutif
File reference no. - N° de référence du dossier

NOTE: The words "from our Band Funds" "capital" or "revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.
NOTA: Les mots "des fonds de notre bande" "capital" ou "revenu" selon le cas doivent paraître dans toutes les résolutions portant sur des dépenses à même les fonds des bandes.

The council of the Le conseil de		Cash free balance - Solde disponible	
Mathias Colomb Cree Nation		Capital account Compte capital	\$ _____
Date of duly convened meeting Date de l'assemblée dûment convoquée	DJ M Y-A Province 23 11 1998 MB	Revenue account Compte revenu	\$ _____

DO HEREBY RESOLVE:
DECIDE, PAR LES PRÉSENTES:

WHEREAS: At a duly convened Chief and Council meeting dated November 23, 1998, a motion was passed to amend the Curfew By-Law implemented August 19, 1991, which was previously amended.

WHEREAS: In This By-Law:

- A. To control and regulate the activities of boys and girls on the Mathias Colomb Cree Nation Reserve under the age of 16 years of age.
- B. No boy or girl on the Mathias Colomb Cree Nation Reserve under the age of 16 years of age shall loiter any place after (10) ten o'clock in the afternoon.
- C. No boy or girl under the age of 16 years of age, shall be in any place of entertainment, street, lane byway, home within the reserve or shall be in the course of returning from any place of entertainment on the reserve after the hour of (10) ten o'clock in the afternoon unless accompanied by his/her parent or an adult appointed by a parent to accompany the said child.
- D. Youth Development workers entertaining young boys and girls under 16 years of age after (10) ten o'clock shall notify R.C.M.P./Band Constables that all activities are within the confines of the Youth Centre and will cease activities at (1) one a.m. in the morning.
- E. A boy or girl found violating the provisions of paragraph (A) or (B) may be warned and escorted home by the R.C.M.P. or Band Constables.
- F. A parent who permits his child to continually violate paragraph (A) or (B) shall be guilty of an offence and shall be liable to a fine not exceeding \$50.00 for each violation.

THEREFORE RESOLVE: That the amended By-Law be in effect immediately to enforce within Mathias Colomb Cree Nation Reserve.

Quorum

[Signature] (Chief - Chef)
[Signature] (Councillor - Conseiller)
[Signature] (Councillor - Conseiller)
[Signature] (Councillor - Conseiller)
[Signature] (Councillor - Conseiller)
[Signature] (Councillor - Conseiller)
[Signature] (Councillor - Conseiller)
[Signature] (Councillor - Conseiller)
[Signature] (Councillor - Conseiller)

FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE					
Expenditure - Dépenses	Authority (Indian Act Section / Autorité (Article de la Loi sur les Indiens)	Source of funds / Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue / Revenu	Expenditure - Dépenses	Authority (Indian Act Section / Autorité (Article de la Loi sur les Indiens)	Source of funds / Source des fonds <input type="checkbox"/> Capital <input type="checkbox"/> Revenue / Revenu
Recommending officer - Recommandé par			Recommending officer - Recommandé par		
Signature _____ Date _____			Signature _____ Date _____		
Approving officer - Approuvé par			Approving officer - Approuvé par		
Signature _____ Date _____			Signature _____ Date _____		

TO REORDER CALL JOAN PARENT (204) 222-2468