

SOR/86-202
Dated Feb 28/86

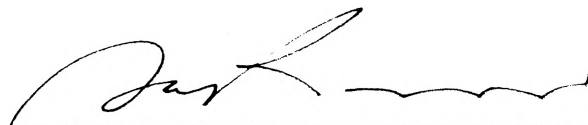
CANADA

Province of Quebec

TO WIT

I, MAE C. DECONTIE, residing at Nepean, Ontario make oath and swear that the paperwriting to which this affidavit is attached is a true copy of a document produced and shown to me and purporting to be the original by-law pursuant to the Indian Act and signed by the Chief and Council of the Big "C" Band of Indians and dated January 6, 1986 the said copy having been compared by me with the said original document.

Sworn to before me at the city of
Hull in the Judicial District of
Hull this 25th day of February, 1986



Stephen A. Roberts
Commissioner of the Taking of Oaths
Pursuant to Section 108(a) of the
Indian Act

THE BIG "C" BAND OF INDIANS
By-law 85.1 Intoxicants 1:1986

Being a by-law to provide for the control of the use of intoxicants on the La Loche Indian Reserves 221, 222 and 223.

WHEREAS Section 85.1 of the Indian Act empowers the council of a Band of Indians to make a by-law respecting the control of the use of intoxicants on its reserve

WHEREAS in the negotiations entered into prior to the signing of the treaties, both the Commissioners respecting Her Majesty the Queen, and the Chiefs representing the Indian nations, as evidenced by oral history and the Commissioners reports, it was understood that the use of intoxicants would be prohibited on the reserves being set aside for the use and benefit of the Indian people;

WHEREAS according to the terms of the treaties, the Chiefs representing the Indian people agreed to maintain peace and good order between each other;

WHEREAS by Section 25 of the Constitution Act, 1982, the guarantees in the Charter of Rights and Freedom shall not be construed so as to abrogate or derogate from any aboriginal treaty or other rights or freedoms that pertain to the aboriginal people of Canada;

WHEREAS the council of the Big "C" Band of Indians is desirous of preserving the treaty right of maintaining peace and good order between each other, including the control of the use of intoxicants on the reserve;

AND WHEREAS it is deemed to be expedient to control the use of intoxicants on these reserves for the safety and welfare of the members;

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NOW THEREFORE the Council of the Big "C" Band of Indians hereby enacts as a by-law thereof as follows:

1. In this by-law
 - (a) "Intoxicants" includes alcohol, alcoholic, spirituous, vinous, fermented malt, or other intoxicating liquor, or a combination of liquors and mixed liquor, a part of which is spirituous, vinous, fermented or otherwise intoxicating, and all drinks or drinkable liquids and all preparations or mixtures capable of human consumption that are intoxicating;
 - (b) Intoxication means the state of being intoxicated by intoxicants, that is, drunkenness or inebriety, or the mental and physical condition inducted by drinking excessive quantities of alcoholic liquors;
 - (c) "reserve" means all those tracts of land, the legal title to which is vested in Her Majesty, that has been set apart for the use and benefit of the Big "C" Band of Indians and known as the Big "C" Indian Reserve Numbers 221, 222 and 223
2. No person shall sell, barter, supply or manufacture intoxicants on these reserves of the Big "C" Band, and every person who, in contravention of any provision of this by-law sells, barter, supplies, or manufactures intoxicants on these reserves of the Big "C" Band is guilty of an offence and liable on summary conviction to a fine of not more than One Thousand Dollars or to imprisonment for a term not exceeding six months or to both.
3. No person shall be in a state of intoxication or have intoxicants in his possession on these reserves of the Big "C" Band, and every person who, in contravention of any provision of this by-law is in a state of intoxication or has intoxicants in his possession on these reserves of the Big "C" Band is guilty of an offence and liable on summary conviction to a fine of not more than One Hundred Dollars or to imprisonment

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for a term not exceeding three months or to both.

Approved at a special meeting of the Electorate of the Big "C" Band of Indians this day of January 6, 1986,

MOVED BY: Dennis Lemaigre #164

SECONDED BY: Ernie Piche #140

IN FAVOUR: Thirty-five (35)

OPPOSED: Nil

Be it known that this by-law entitled Big "C" Band By-law 85.1 intoxicants is hereby enacted as by-law No. 1:1986 by the council of the Big "C" Band of Indians at a duly convened meeting of the said council held on the 6th day of January, 1986,

MOVED BY: Guy Lemaigre #207

SECONDED BY: Jean Marie Fontaine #107

IN FAVOUR: Three (3)

OPPOSED: Nil

CHIEF: Frank Piche #192
Frank Piche

COUNCILLOR: Guy Lemaigre #207
Guy Lemaigre

COUNCILLOR: Jean Marie Fontaine #107
Jean Marie Fontaine

COUNCILLOR: _____
Peter Piche