

TRESPASSING BY-LAW

SOR/78-135
J. K. ... 9, 1978

The Council of the DAKOTA TIPI Band of Indians at a meeting held this 17th day of November, 1977 hereby enacts by-law No 1-77 to provide for the control of the irresponsible people who frequent or dwell or purport to dwell on the DAKOTA TIPI Indian Reserve.

Whereas; paragraphs (p) and (r) of Section 81 of the Indian Act empowers the Council of a Band to make by-laws to provide for the remedial action or removal of persons trespassing upon the Reserve or frequenting the reserve for purposes other than for the benefit of the band community.

And whereas; it is deemed to be expedient and necessary to prohibit certain persons from entering upon the DAKOTA TIPI Indian Reserve for the benefit and comfort of the inhabitants.

Now therefore the Council of the DAKOTA TIPI Band of Indians enacts as a by-law thereof of the following:

1. In this by-law,
 - (a) "Council" means the Council as defined in the Indian Act of the DAKOTA TIPI Band of Indians;
 - (b) "Reserve" means the tract of land set apart by Her Majesty within the definition of the Indian Act, for the use and benefit of the DAKOTA TIPI Band of Indians known as the DAKOTA TIPI Reserve.
 - (c) "Constable" means a person appointed for the purpose of maintaining law and order on the DAKOTA TIPI Indian Reserve.
2. No person, other than a member of the DAKOTA TIPI Band of Indians, or a person with written authorization pursuant to Section 28 (2) of the Indian Act shall have the right of access to the DAKOTA TIPI Indian Reserve.
3. No unauthorized person shall frequent or trespass on the Indian Reserve after being notified in writing by the Chief and Council that he/she is prohibited to enter the said Reserve.
4. No unauthorized person shall remain in the DAKOTA TIPI Indian Reserve more than 24 hours after receiving proper written notice from Chief and Council to vacate the said Reserve.
5. Any person who violates any of the provisions of this by-law and Section 30 of the Indian Act shall be guilty of an offence, and shall be liable to a summary conviction to a fine not exceeding \$100.00 or imprisonment for a term not exceeding 30 days or both fine and imprisonment.

Approved and passed at a duly convened meeting of the Council of the DAKOTA TIPI Band of Indians this 17th day of November, 1977.

CHIEF

James Pasko

COUNCILLOR

E. K. Pasko

COUNCILLOR

CANADA

Province of Manitoba

TO WIT

I Ernie Pashe
(name)

Chief
(capacity)

residing at Dakota Tipi 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 made pursuant to the Indian Act and signed by Ernie Pashe
and dated December 19, 1977 the said copy
having been compared by me with the said original document.

Ernie Pashe (signature)

Sworn to before me at

Portage la Prairie this

19th day of December 1977.

Commissioner of Oaths in and
for the Province of _____.

Jack Creighton

Jack Creighton
Justice of Peace
610 King Avenue
Portage la Prairie, Man.
R1N OW5