

Listuguj Mi'gmaq Government Order-In-Council



Chronological no.: 2306	Subject: Expulsion of Trespassers: JOHNSON, Kevin Radcliff	Originated by:
The Council of the Listuguj Mi'gmaq Government	District Gespe'gewa'gi	
Date of duly convened meeting D M Y 0 6 0 6 1 7	Province Gepeg	

Whereas, Listuguj Mi'gmaq Government has enacted By-law 16 (October 16, 1968), pertaining the trespassing and the expulsion of non-members (a copy of which is attached to this OIC)

Whereas, the Council is empowered to order the immediate expulsion of any non-member trespassing on the territory of Listuguj

Whereas, the Council wishes to order the immediate expulsion of Kevin Radcliff Johnson, Date of Birth 1969-05-29, a trespasser within the meaning of By-law 16

So be it resolved that the Council hereby declares Kevin Radcliff Johnson as a trespasser pursuant to By-law 16 and orders the immediate expulsion of the said individual

That the council hereby designates the Listuguj Police Department to carry out such order on behalf of the council and use such force as may be necessary in the circumstances to cause such expulsion to be effected

Moved: Sheila Swasson
Seconded: Dr. Cathy Martin
Abstain: -
Opposed: -
Status: ☒ Passed ☐ Defeated ☐ Tabled

Quorum 7

Councillor Lloyd Alcon

Councillor Gordon Isaac Jr.

Councillor Wendell Metallic

Councillor Sheila Swasson

Chief Darcy Gray

Councillor Annette Barnaby

Councillor Dr. Cathy Martin

Councillor Kevin Methot

Councillor John Murvin Vicaire

Councillor Calvin Barnaby

Councillor Sky Metallic

Councillor Lorna Sook

Councillor Chris Wysote

Mi'gmaq Nation

Kestigouche Band Council

Kestigouche, P. Q.

October 16, 1968
Resol. such 3, / us.

By-law # 16

Whereas under S.28 of the Indian Act only a band member can occupy or use a reserve or reside or otherwise exercise rights on a reserve without the authorization of the Minister and /or the band council;

Whereas non-band members and non-Indians who occupy or use a reserve or reside or otherwise exercise rights on a reserve without the authorization of the Minister of Indian Affairs and Northern Development and /or the band council are guilty of trespass upon the reserve and /or are guilty of frequenting the reserve for prohibited purposes.

Now therefore the Council of Kestigouche Indian band in virtue of S.80 of the Indian Act hereby enacts the following by-law:

1. Without prejudice to the recourse provided by SS.30,31 of the Indian Act, all non-band members and all non-Indians who occupy or use a reserve or reside or otherwise exercise rights on a reserve without the authorization of the Minister and /or the band council shall be considered to be a trespasser and /or a person trespassing on a reserve and /or frequenting the reserve for prohibited purposes within the meaning of the Indian Act.
2. All such trespasses or persons trespassing on a reserve shall be subject to immediate expulsion from the reserve by order of the band council expressed in a resolution naming the person or persons to be expelled, and calling upon them to leave the reserve with their family and property immediately, and upon receipt of such notice, such persons and /or their family shall leave the reserve with their property.
3. Any person or persons designated by the council and by any peace officer or member of the M.C.A.B. may carry out such order on behalf of the council and use such force as may be necessary in the circumstances to cause such expulsion to be effected.

William Givens
Chief

Morris Isaac

Robert Fialla

Rosco Labilliois

Robert M. Glick

Edward Vicario

Michael Isaac

Bennie Vicaire