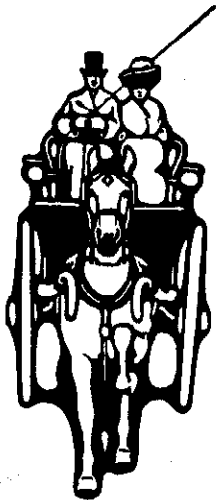


the **POINTER** **WINTER**

88



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the ROAD issue

TRIAL DAY - JANUARY 22, 1988.

Judge Dohm presiding.

There was a tremendous turnout for this "event". Forty-three Pointers showed up to hear our argument, and await a decision re the road issue. It was a very disappointing day for all pointers. The events ran as follows:

As the judge called our case it appeared that the legal representation for the DND had neglected to show up for trial. At this the Honourable Dohm enquired as to what the issue was about. Our lawyer, Jack Woodward, briefly outlined the case. Judge Dohm seemed quite perturbed at having to hear "one of these things every time I come over here". Needless to say those of us in the gallery were quite dismayed with this initial approach. He then requested Mr. Woodward to locate counsel for the DND and retired to chambers. Forty minutes later Mr. Hunt arrived in the courtroom, claiming something to the effect that he did not know where the case was being tried. And so the show began.

Judge Dohm allowed Mr. Hunt to make the opening comments during which Mr. Hunt charged that he felt that the jurisdiction for this case was not within the Supreme Court of British Columbia, but rather in Federal Court. The reason, he felt, was that the case involved charges against federal land. Mr. Woodward then said that his case was to show that indeed it did not involve an action against the federal government, but was rather a roads and land issue, which he felt clearly was a provincial matter. Mr. Woodward asked the judge to hear out his explanation of the case, as he felt that the entire issue could be resolved within an hour or so. He said that in order to prove that the jurisdiction did lie with the Supreme Court, he would have to present our case in its entirety.

Judge Dohm ruled that he would hear the jurisdictional matter only and asked Mr. Hunt to commence.



Judge Dohm made the point that the fact that the Province had neglected to be involved in any way with our case, seemed to him, to have weakened our position. Mr. Woodward told him that it was only in recent history that the Province has not claimed that the road was a public one. In any event, Mr. Hunt carried on, declaring residents of Willis Point wanted to stop the DND's use of the area for a firing range. He also compared our situation with that of the Heliport in James Bay. Mr. Hunt went on with his presentation for some time, at the end of which Mr. Woodward began his rebuttal of the points brought up by Mr. Hunt. He felt that this was a clear case of Provincial jurisdiction as Federal Court is to uphold the laws of Canada, while the Supreme Court of B.C. is the ones that hears charges against the "King's Laws". He also cited the "Dyson" case which is a classic law issue, whereby it was decided that should the laws & rules of an issue not apply, then there was no case.



Judge Dohm in the end ruled that he felt it was a Federal matter, but that he hesitated to make a definite ruling. Mr. Woodward at this point charged that he would appeal, at which point the judge then did have to make a decision. Which he did, he dismissed the case to Federal Court. The reasoning for Mr. Woodward's decision to push the judge to a decision, is that should there be no definite outcome, then we would have been unable to appeal, or to have our case heard anywhere. This could go on until such time as a ruling was made. Perhaps years from now. At least in this way we can begin an appeal. Judge Dohm also feels that our case should be resolved politically rather than legally .

WPR A news

WPRP EXECUTIVE MEETING - JANUARY 25

After regular business was conducted we had the privilege of having Moe Sihota there to discuss the road issue. Also present were Mark Horne, giving us Jack Woodward's feelings on our court results, and Rick Casper giving us further opinions.

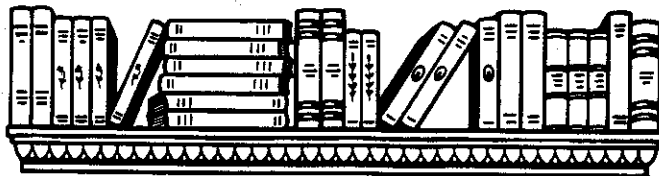
Basically Mr. Woodward's observations are these:

That Judge Dohm was wrong with his decision and that we have several options: 1) We can accept his decision and go to Federal Court. At this point the Federal Court may not accept jurisdiction. Also, that the Federal Court knows the rules for jurisdictional issues better than does the Supreme Court.

2) We can appeal the decision to the B.C. Court of Appeal. This must be done within thirty days of the decision. The Appeal Court may say that Judge Dohm was wrong. At that point there is a chance of them making a decision on the case immediately as the affidavit material will be before them. This appeal will cost \$10,000.

Moe Sihota feels that it would be a good idea to go to the Attorney General's office for their advice and to see if they may be interested in taking over the case. We can also go to the Minister of State to try and get some extra funding for our case.

UPDATE; We have appealed the case as required within the thirty days. The case may not be heard for some time. In this way we can explore other avenues open to us before the funding is required. It will also give us time to raise the necessary monies in order to continue. An appointment was made with the Attorney General's office for Diane Twamley and Moe Sihota to discuss this matter with them. However, they cancelled that meeting and another has not been set. Please watch the announcement boards for the next general meeting for all residents. There will be one called in the not too distant future to discuss our next actions.



LIBRARY

Our library is well on its way to being a good one. Please bring in your donations.



CUB REPORT

The cub pack has been busy since the last Pointer with a Christmas party with lots of games and eats. January was a wild month with the boys picking up X-mas trees for the fire department's tree burning party. The weekend after that it was on the road again collecting bottles and cans. To all the people of Willis Point, thanks for your support. The next weekend it was off to Camp Barnard to a weekend winter camp with all the boys receiving their winter cub badge. According to the boys, the last good meal was at the Colwood MacDonalds, where they met "Mac Tonight". Thanks to Justin for helping out with the pancakes and hot chocolate.

FIRE DEPARTMENT NEWS.

After viewing the training film Roxanne, which was filmed up in Nelson with Steve Martin, the chief ran out and bought the Department 10 new helmets. The first new helmets we have ever bought. The new helmets meet all the new WCB and National Fire Protection Association standards. (something our old ones don't do). We have 3 members taking first aid courses. Pat and Fuzz are taking the Industrial First Aid course and Karen is taking the St. Johns first aid course. Pat has been out with the Saanich Search and Rescue team, helping in the search for rowers at Elk lake, and as spotter in one of the aircraft searching for the downed aircraft from Royal Roads.

This was the first year for burning X-mas trees. We hope you enjoyed the bonfire, and if you did, please let us know and we'll do it again next year. We'd like to thank the new firefighters for their help. Thanks to Art Moore and the Willis Point cubs and scouts.

Don't forget, we would like to see you on Wednesday nights. It is a good feeling, to come out for some fresh air, good friends and little exercise.
See you at 7:30 pm

Bill Wright
Deputy Chief

P.S. If anyone is into helping us out with our antique firetruck (trying to get it started for one thing), phone Bill 652 3254 or Brian 652 3656.

You don't have to join the department to help out!

MENS FLOOR HOCKEY

Well the W.P.F.H.L. (Willis Point Floor Hockey League) got off to a great start on January 21st. We got a turnout of 10 players and expect the roster to grow.

We use plastic shafted sticks and a plastic puck (which leaves no wall mark, Dave). The first round went to Fuzz Cracknells squad of shaft shooters. However, we did spot them 10 points by having our goal posts 2 feet wider than theirs.

Anyone interested should call me at 652-4893 or come out on tuesdays or thursdays at 08:30 p.m. The cost is twenty dollars, which includes the stick and hall rental. Due to the size of the gym, we will have to limit the numbers.

See you at the rink.
Ken Ilott

P.S.

There is a vacancy for an unbiased goal judge, as Vern sees them only one way!



FITNESS

Everybody is doing it. We are enjoying it and we are getting into shape!

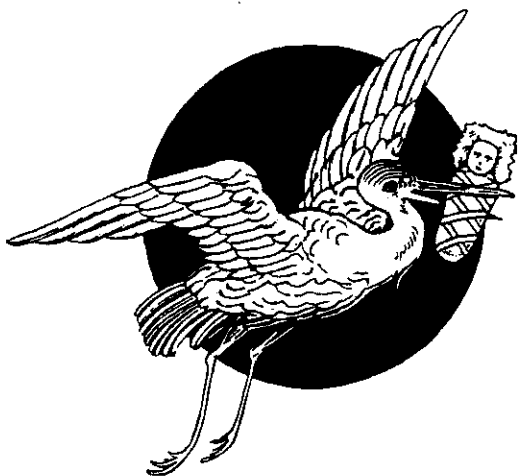
We participate in a No Hop (No, it is NOT No Hope) Aerobics class tuesday and Thursday evenings. In No Hop class, jumping and bouncing is replaced by lifting, stepping, shaking, gliding, reaching and bending. Our workout consists of a warm-up, the actual aerobic exercise, stretching and cool down. If you have not done any form of exercise for a while, don't be discouraged, the program can be adjusted to suit any level of fitness, and so far no one has suffered any discomfort from stiffness after class. We have about 20 participants and welcome more. We can squeeze a few more into the hall!

Come and join us, enjoy the workout, the music (organized with the help of Bob Wooff) and the opportunity to say hello to your neighbour.

Get fit,
See you there.
Cathie Cotter 652 2039

Tuesday . 7:30 - 8:30 p.m.
Thursday 7:00 - 8:00 p.m.





A NEW POINTER!!

Derek Cameron York
Twamley
(Aunt Diane says
that's his TITLE)

8LBS. 4 OZS.

Susan & Grant are
thrilled and Bryan
is adapting well.

Born Jan 9, 1988
(Just missed another
deduction
Grant)

FIRE SAFETY IS YOUR RESPONSIBILITY!!
Spring Clean-Up: don't give fire a place to start. Inspect for rubbish in your home. Oily rags, old paint cans, wood scraps, newspapers, unsafe gasoline containers or unused boxes and bags are all hazardous. In your yard watch for old tires, piles of brush, grass, leaves and tree limbs.

Outside Burning: Permits are available at the fire hall on Wednesday evenings. An approved Incinerator is a 45 gallon drum with 1/4 in mesh screen on top. Permits are available for the full year. Open fire permits are issued for varying lengths of time depending on the season. Beach fire permits (after sunset) are issued for one day only. A burning permit does not exempt you from liability. If your fire causes any damage whatsoever **YOU ARE RESPONSIBLE.**



LOST & FOUND

Charlie's done it again! ANONYMITY IS ASSURED!! He claims to have misplaced his Cowichan sweater in someone's !!! closet!!! Seems he can't remember just whose!! Return in the dead of night to the southeast window (after Sydnie has drifted off to Slumberland). Or, with great caution and much voice distortion, a phone call will bring him to your door. Please help us solve this mystery, and with any luck Charlie will be able to sleep nights again.

Kid's Xmas



We all had a super time!

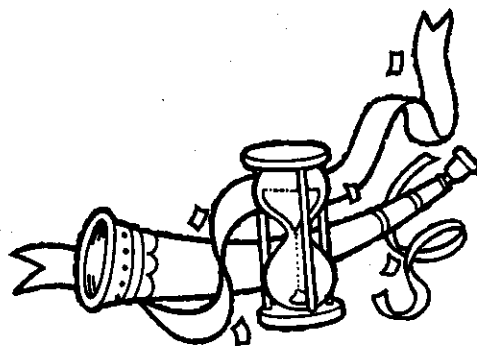
It was nice to see the hall swelling at the seams with all the children and parents having a community dinner. Oh yes, the food was superb. Santa arrived as usual, God bless his soul.

I also like to take the opportunity to thank our super bar tender and maid, another great job Bob and Gabriel and a thank you to Santa and his elves who never forget Willis Point. Thanks to the cooks and please mark your calendar for next year for another feast.

Thanks Annabella for the great job well done even if it is silent.

Many thanks
Joan Wright

New Year's



NEW YEAR'S EVE 1987

Thank you to all who joined us for an enjoyable New Year's Eve. We sold all tickets, which confirms our community support (especially when we need party people).

We all enjoyed Chris' Music and nibbling on Miss Muffet's Yogurt Cheese until the clock struck midnight. All one hundred of us gathered together to sing and dance and toast the New Year with bubbly champagne.

Following the midnight buffet many of us danced until 3 o'clock in the morning. Some lucky people went home with prizes, but everyone went home with a champagne glass to remember the evening. Thanks go out to the following people for their helpful hands:

Joan & Bill Wright, Bob & Gabrielle Halsey, Erik Hoel, John & Brenda Holmstead

... and all who helped us clean up the memories. We sure appreciate it!! Also, a special thank you to the crew that put the evening together:

John & Trina Laarakkers, Pat, Alan & Fuzz Cracknell & Alison Tod

WE HAVE A VERY SPECIAL COMMUNITY WITH ALOT OF SPECIAL PEOPLE!!!

Alison



THE BACKYARD DOG

You see one in every community: a dog tied day-after-day to a back porch or back fence, lying lonely on a pad or bare packed dirt. The water bowl, if there is one, is usually empty or just out of reach. Abandoned, but chained up, backyard dogs cannot move to comfort, shelter or companionship. In winter, they shiver; in summer, they languish... year-round they suffer.

Even thousands of years ago when humans and other animals lived outside, there was a cave or den for shelter, and people and dogs lived in small groups or packs.

The truth is, times have changed, but we and the dogs haven't. We are both pack animals; we are not solitary animals. Tigers and pandas are solitary animals that tend to live alone except at mating time. Domesticated, companion dogs no longer have packs of other dogs to live with, so they need to be members of human families-surrogate packs.

And both people and dogs are "den" animals. This is why dogs can be housetrained so easily. They want shelter in a safe, secure den - your house - and they want to go out to relieve themselves. Of course dogs can be forced to live outside, alone and away from the human pack. But to force this kind of life on a dog is one of the worst things you can do. It goes against the dog's two most basic instincts, the needs of a pack and a den.

If you have doubts about this, think of all the whining, barking, clawing dogs you have seen tied alone outside. These dogs are trying desperately to get the attention of their human families. In time, they will just give up and become either listless or hyperactive, and perhaps fearful or vicious, when the stress of solitary confinement becomes too much.

People who keep their dogs constantly tied outside rationalize it, saying that they do spend time with them. But even the most well-meaning among them do not spend significant time with their animal companions, especially when it is raining or when the weather is very hot or cold.

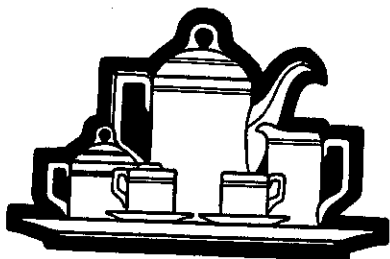
Under the best of circumstances, then, the backyard dog gets a bowl of food and water, a quick pat on the head and maybe a few minutes of contact with another living being each day. The "owner" leaves. The dog remains in misery in solitary confinement.

Dogs can offer people the gifts of steadfast devotion, abiding love and joyful companionship. Unless people can responsibly accept these offerings and take the time to return them in kind, it would be best for them not to get a dog. A sad, lonely, bewildered dog tied out back only suffers, and what sort of person wants to maintain suffering?

...from S.P.C.A. news, WINTER 1987 (Victoria branch)

announcing...

JUNK MAIL - Here is the semi-annual plea regarding the disposal of flyers etc from your mailbox. Please do not fling them to the ground in disgust or leave them on top of the boxes for the wind to scatter. We just do not need the rubbish on our street.



MISSING

IF ANYONE HAS BORROWED
THE LAST TWO COFFEE
MAKERS FROM THE COMMUNITY
HALL PLEASE RETURN THEM
TO SYDNE BONNER 652-1588
REWARD

HALL CLEANUP

This is an entreaty for all those who use the hall on a regular basis, or those who put on a special event, to please see that all dishes are cleaned up and put away before you leave the hall. It makes it so much nicer for the next group. Thanks for your co-operation.

GARAGE SALE

Let's clean out our basements and garages. Someone out there just might treasure your junk. The biannual garage sale will take place in April.

Call Shannon Blunt or Terry Goerling for details.



ATTENTION ALL KIDS!!!

Okay all you aspiring Rembrandts! Please bring your artwork to be published in the next Pointer issue. Here's your chance to let the rest of us see just what you can do. Please drop off all your submissions to 7136 Willis Pt.Rd. All entries will be published and I know you'll enjoy seeing your creations in print.



**C
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MARCH 18 PUB NIGHT
Sheryl & Bill Fletcher
Wim Leeuw & Janis Chapman

APRIL - SUNDAY
GIANT GARAGE SALE

MAY: ???

JUNE HILLTOPPER

FISHING DERBY



TO THE POINT

This time in TO THE POINT I am going to do a certain amount of editorializing. The subject is THE ROAD ISSUE. We have come to a place in time where it must be decided how to proceed. Many people have put alot of time, effort and money into this project, only to find themselves virtually back at the beginning. Now is not the time to give up!! Mark Twamley and Joan McCandless have had their tresspassing charges dropped, without the chance to defend themselves. Both of these individuals were hoping to be allowed to present the ludicrousness of this road situation during their defense. With the dismissal of the charges however, once again the issue has been avoided. I think that by now each and every one of us realizes that what the DND hopes is that we will tire of the fight and thereby surrender. We must remember that they have the backing of very influential and powerful people. However, we also have the legal system and the political arena in which to wage battle. It is not often that a group of citizens carries on its fight against an agency as large as the DND. I feel somewhat confident though, that with perserverance we WILL WIN this debate. Certainly, by not going ahead we will have lost. Should we elect to accept the ruling as made by Judge Dohm, then we will be sentencing ourselves to a lifetime of road closures. I for one do not want to see this happen. To date a good deal of money has been invested, out of pocket, by many Pointers. It would be a shame to let all of that go to waste. We must rally together and present a strong, unified force. It must be ALL residents contributing though, as the power of many is so much greater than that of just a few. Please come out to the next General Meeting and present your views. If you should elect to remain uninvolved, then it will only be yourself to blame should we fail in our bid. More money will be needed to go ahead with our appeal if we can get no funding through any other means. If each of us reaches just a little deeper into our pockets then the financial burden can be equally shared. It is to each resident's benefit that we do this.

The laws of this country were made by mere mortals, and are interpreted by same. Remember that your opinions and concerns do matter, even though at times it may seem futile.

Diane Twamley wants to thank all those who have to date donated so much support to this cause. Hopefully their investments will be justly rewarded.

Jan Chapman

