

THE COUNCIL OF THE NORTHWEST TERRITORIES

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FORT SMITH, DECEMBER 8-11, 1952.

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VOTES AND PROCEEDINGS

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VOTES AND PROCEEDINGS OF THE COUNCIL  
OF THE NORTHWEST TERRITORIES

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FORT SMITH, MONDAY, DECEMBER 8, 1952.

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5.30 o'clock p.m.

The Second Session of the Council for the year 1952, being the Third Session of the Council of the Northwest Territories, was convened at Fort Smith at 5.30 o'clock p.m. on Monday, December 8, 1952.

The members present were:

Messrs. L.C. Audette  
J. Brodie  
F. Carmichael  
W.I. Clements  
F.J.G. Cunningham  
M.A. Hardie  
L.H. Nicholson

The members absent were:

Mr. D.M. MacKay

PRAYERS.

The Commissioner addressed the Council outlining the legislation which he proposed to place before Council at the Session and the matters which he proposed to refer to Council for advice.

The Commissioner conveyed the regrets of Mr. MacKay that he was not able to be present at the Session of the Council due to a severe attack of bronchitis.

On motion by Mr. Cunningham, seconded by Mr. Audette, Bill No. 1, An Ordinance Respecting Expenditures for the Public Service of the Northwest Territories for the Financial Year ending the 31st day of March, 1954, was read the first time.

On motion by Mr. Brodie, seconded by Mr. Nicholson, Bill No. 2, An Ordinance to Provide for Change of Name, was read the first time.

On motion by Mr. Nicholson, seconded by Mr. Hardie, Bill No. 3, An Ordinance Respecting Insane Persons, was read the first time.

On motion by Mr. Cunningham, seconded by Mr. Audette, Bill No. 4, An Ordinance Respecting Jurors and Juries, was read the first time.

On motion by Mr. Carmichael, seconded by Mr. Hardie, Bill No. 5, An Ordinance Respecting the Imposition and Collection of a Tax on Fuel Oil, was read the first time.

On motion by Mr. Nicholson, seconded by Mr. Cunningham, Bill No. 6, An Ordinance Respecting the Registration of Births, Marriages, Deaths and Other Vital Events, was read the first time.

On motion by Mr. Hardie, seconded by Mr. Carmichael, Bill No. 7, An Ordinance to amend the Assignment of Book Debts Ordinance, was read the first time.

On motion by Mr. Cunningham, seconded by Mr. Brodie, Bill No. 8, An Ordinance to amend an Ordinance Respecting the Preservation of Game in the Northwest Territories, was read the first time.

On motion by Mr. Audette, seconded by Mr. Clements, Bill No. 9, An Ordinance to amend an Ordinance Respecting the Form and Interpretation of Ordinances, was read the first time.

On motion by Mr. Hardie, seconded by Mr. Cunningham, Bill No. 10, An Ordinance to amend an Ordinance Respecting the Administration of Civil Justice, was read the first time.

On motion by Mr. Brodie, seconded by Mr. Clements, Bill No. 11, An Ordinance to amend the Marriage Ordinance, was read the first time.

On motion by Mr. Hardie, seconded by Mr. Nicholson, Bill No. 12, An Ordinance to amend the Medical Profession Ordinance, was read the first time.

On motion by Mr. Carmichael, seconded by Mr. Audette, Bill No. 13, An Ordinance to amend an Ordinance Respecting Motion Pictures, was read the first time.

On motion by Mr. Clements, seconded by Mr. Brodie, Bill No. 14, An Ordinance to amend an Ordinance Respecting Compensation to be Paid as a Result of Injuries or Death Caused to Workmen in the Course of their Employment, was read the first time.

On motion by Mr. Audette, seconded by Mr. Clements, Bill No. 15, An Ordinance to Repeal Certain Ordinances, was read the first time.

Council adjourned at 6 o'clock p.m.

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TUESDAY, DECEMBER 9, 1952.

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10 o'clock a.m.

The Commissioner requested the advice of Council as to the desirability of reserving agricultural land near Hay River for use by people native to the area, and of assisting them in developing small agricultural holdings. Council agreed that the Administration be asked to continue to study this matter and to report, at a subsequent session of Council, the results of this study.

The Commissioner requested the advice of Council as to the desirability of enacting a Curfew Ordinance applicable to areas outside Local Administrative Districts. Council agreed that such an ordinance be enacted empowering the Commissioner to impose a curfew applicable only to certain designated areas outside Local Administrative Districts, where local residents have requested the same. Council also agreed that a draft ordinance be presented at the next session of Council.

The Commissioner requested the advice of Council as to the desirability of permitting the consumption of intoxicants by Indians and Eskimos. Mr. Audette, seconded by Mr. Nicholson, moved that consideration of this matter by Council be deferred indefinitely. After debate, the question being put on the motion, it was agreed to on division.

The Commissioner requested the advice of Council as to the desirability of constructing an all year road between Yellowknife and Discovery and, if such road is constructed, as to the apportionment of the construction costs between the Federal Government, the Government of the Northwest Territories and the mining companies benefiting from the construction of such roads. Mr. Hardie, seconded by Mr. Cunningham, moved that Council recommend that the Government of the Northwest Territories be prepared to consider the payment of one-third or whatever percentage is agreed, of the cost of a road to Giauque Lake. After debate, the question being put on the motion, it was agreed to on division.

On motion by Mr. Brodie, seconded by Mr. Audette, Bill No. 2, An Ordinance to Provide for Change of Name, was read a second time. Council went into Committee of the Whole, Mr. Audette in the Chair.

Mr. Audette reported progress on the Committee's consideration of Bill No. 2.

Council adjourned at 1 o'clock p.m.

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3 o'clock p.m.

On motion by Mr. Nicholson, seconded by Mr. Cunningham, Bill No. 3, An Ordinance Respecting Insane Persons, was read a second time. Council went into Committee of the Whole, Mr. Clements in the Chair.

Mr. Clements reported progress on the Committee's consideration of Bill No. 3.

On motion by Mr. Cunningham, seconded by Mr. Audette, Bill No. 4, An Ordinance Respecting Jurors and Juries, was read a second time. Council went into Committee of the Whole, Mr. Nicholson in the Chair.

Mr. Nicholson presented the report of the Committee on Bill No. 4. This bill was recommended with amendments.

Council accepted the Committee's report.

On motion by Mr. Nicholson, seconded by Mr. Audette, Bill No. 6, An Ordinance Respecting the Registration of Births, Marriages, Deaths and Other Vital Events, was read a second time. Council went into Committee of the Whole, Mr. Cunningham in the Chair.

Mr. Cunningham reported progress on the Committee's consideration of Bill No. 6.

Council adjourned at 6 o'clock p.m.

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WEDNESDAY, DECEMBER 10, 1952.

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10 o'clock a.m.

Mr. Cunningham reported the steps which have been taken or are being taken to improve the depressed economy of the Aklavik area.

The Commissioner recommended to Council and Council concurred that the Consolidation of the Northwest Territories Ordinances be prepared to come into effect at the same time as the new Northwest Territories Act comes into operation, or as soon as possible thereafter.

The Commissioner stated that a final report concerning fishing in Great Slave Lake has not been received yet from the Department of Fisheries. Council agreed that this question be further considered at a subsequent session, when the final report is available.

The Commissioner reported that, after careful consideration, the petition for the dissolution of the Local Administrative District of Hay River had been disallowed. Mr. Brodie stated that the majority of the local residents of Hay River are now willing to retain the status quo.

Mr. Cunningham tabled all the Orders and Regulations which have been issued by the Commissioner under the Northwest Territories Ordinances and which are in force at the present time. Mr. Audette requested that a list of all the Orders and Regulations tabled be provided for the members of Council.

On motion by Mr. Cunningham, seconded by Mr. Hardie, Bill No. 16, An Ordinance to amend the Business Licence Ordinance, was read the first time.

On motion by Mr. Carmichael, seconded by Mr. Cunningham, Bill No. 17, An Ordinance to amend the Territorial Liquor Ordinance, was read the first time.

Council continued in Committee of the Whole on Bill No. 6, An Ordinance Respecting the Registration of Births, Marriages, Deaths and Other Vital Events, Mr. Cunningham in the Chair.

Mr. Cunningham reported progress on the Committee's consideration of Bill No. 6.

On motion by Mr. Hardie, seconded by Mr. Brodie, Bill No. 7, An Ordinance to amend the Assignment of Book Debts Ordinance was read a second time. Council went into Committee of the Whole, Mr. Brodie in the Chair.

Mr. Brodie presented the report of the Committee on Bill No. 7, An Ordinance to amend the Assignment of Book Debts Ordinance. This bill was recommended without amendment.

Council accepted the Committee's report.

On motion by Mr. Audette, seconded by Mr. Clements, Bill No. 9, An Ordinance to amend an Ordinance Respecting the Form and Interpretation of Ordinances, was read a second time. Council went into Committee of the Whole, Mr. Hardie in the Chair.

Mr. Hardie presented the report of the Committee on Bill No. 9. This bill was recommended without amendment.

Council accepted the Committee's report.

On motion by Mr. Hardie, seconded by Mr. Audette, Bill No. 10, An Ordinance to amend an Ordinance Respecting the Administration of Civil Justice, was read a second time. Council went into Committee of the Whole, Mr. Nicholson in the Chair.

Mr. Nicholson presented the report of the Committee on Bill No. 10. This bill was recommended without amendment.

Council accepted the Committee's report.

On motion by Mr. Brodie, seconded by Mr. Clements, Bill No. 11, An Ordinance to amend the Marriage Ordinance, was read a second time. Council went into Committee of the Whole, Mr. Audette in the Chair.

Mr. Audette presented the report of the Committee on Bill No. 11. This bill was recommended without amendment.

Council accepted the Committee's report.

On motion by Mr. Hardie, seconded by Mr. Cunningham, Bill No. 12, An Ordinance to amend the Medical Profession Ordinance, was read a second time. Council went into Committee of the Whole, Mr. Clements in the Chair.

Mr. Clements presented the report of the Committee on Bill No. 12. This bill was recommended without amendment.

Council accepted the Committee's report.

On motion by Mr. Carmichael, seconded by Mr. Cunningham, Bill No. 13, An Ordinance to amend an Ordinance Respecting Motion Pictures, was read a second time. Council went into Committee of the Whole, Mr. Cunningham in the Chair.

Mr. Cunningham presented the report of the Committee on Bill No. 13. This bill was recommended without amendment.

Council accepted the Committee's report.

On motion by Mr. Audette, seconded by Mr. Nicholson, Bill No. 15, An Ordinance to Repeal Certain Ordinances, was read a second time. Council went into Committee of the Whole, Mr. Brodie in the Chair.

Mr. Brodie presented the report of the Committee on Bill No. 15. This bill was recommended without amendment.

Council accepted the Committee's report.

On motion by Mr. Carmichael, seconded by Mr. Clements, Bill No. 5, An Ordinance Respecting the Imposition and Collection of a Tax on Fuel Oil, was read a second time. Council went into Committee of the Whole, Mr. Hardie in the Chair.

Mr. Hardie presented the report of the Committee on Bill No. 5. This bill was recommended with amendments.

Council accepted the Committee's report.

On motion by Mr. Cunningham, seconded by Mr. Brodie, Bill No. 8, An Ordinance to amend an Ordinance Respecting the Preservation of Game in the Northwest Territories, was read a second time. Council went into Committee of the Whole, Mr. Nicholson in the Chair,

Mr. Nicholson presented the report of the Committee on Bill No. 8. This bill was recommended without amendment.

Council accepted the Committee's report.

On motion by Mr. Clements, seconded by Mr. Cunningham, Bill No. 14, An Ordinance to amend an Ordinance Respecting Compensation to be Paid as a Result of Injuries or Death Caused to Workmen in the Course of their Employment, was read a second time. Council went into Committee of the Whole, Mr. Cunningham in the Chair.

Mr. Cunningham presented the report of the Committee on Bill No. 14. This bill was recommended with amendments.

Council accepted the Committee's report.

Council adjourned at 1 o'clock p.m.

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3 o'clock p.m.

Council continued in Committee of the Whole on Bill No. 2, An Ordinance to Provide for Change of Name, Mr. Audette in the Chair.

Mr. Audette presented the report of the Committee on Bill No. 2. This bill was recommended with amendments.

Council accepted the Committee's report.

On motion by Mr. Cunningham, seconded by Mr. Audette, Bill No. 1, An Ordinance Respecting Expenditures for the Public Service of the Northwest Territories for the Financial Year ending the 31st day of March, 1954, was read a second time. Council went into Committee of the Whole, Mr. Cunningham in the Chair.

Mr. Cunningham reported progress on the Committee's consideration of Bill No. 1.

Council adjourned at 6 o'clock p.m.

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THURSDAY, DECEMBER 11, 1952.

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10 o'clock a.m.

Mr. Brodie, seconded by Mr. Carmichael, moved that the Admini-

stration be asked to review the present open season for mink in Zone No. 1, with a view to extending the season to the end of the month of February instead of January.

Council agreed that the Administration be asked to continue the study of labour standards and industrial safety in the Territories and to report at a subsequent session of Council.

Council continued in Committee of the Whole on Bill No. 3, An Ordinance Respecting Insane Persons, Mr. Clements in the Chair.

Mr. Clements presented the report of the Committee on Bill No. 3. This bill was recommended with amendments.

Council accepted the Committee's report.

Council continued in Committee of the Whole on Bill No. 6, An Ordinance Respecting the Registration of Births, Marriages, Deaths and Other Vital Events, Mr. Cunningham in the Chair.

Mr. Cunningham presented the report of the Committee on Bill No. 6. This bill was recommended with amendments.

Council accepted the Committee's report.

On motion by Mr. Cunningham, seconded by Mr. Nicholson, Bill No. 16, An Ordinance to amend the Business Licence Ordinance, was read a second time. Council went into Committee of the Whole, Mr. Cunningham in the Chair.

Mr. Cunningham presented the report of the Committee on Bill No. 16. This bill was recommended without amendment.

Council accepted the Committee's report.

On motion by Mr. Carmichael, seconded by Mr. Hardie, Bill No. 17, An Ordinance to amend the Territorial Liquor Ordinance, was read a second time. Council went into Committee of the Whole, Mr. Audette in the Chair.

Mr. Audette presented the report of the Committee on Bill No. 17. This bill was recommended without amendment.

Council accepted the Committee's report.

Council continued in Committee of the Whole on Bill No. 1, An Ordinance Respecting Expenditures for the Public Service of the Northwest Territories for the Financial Year ending the 31st day of March, 1954, Mr. Cunningham in the Chair.

Mr. Cunningham presented the report of the Committee on Bill No. 1. This bill was recommended with amendments.

Council accepted the Committee's report.

On motion by Mr. Cunningham, seconded by Mr. Nicholson, Bill No. 1, An Ordinance Respecting Expenditures for the Public Service of the Northwest Territories for the Financial Year ending the 31st day of March, 1954, with amendments, as reported by the Committee, was read the third time and passed. Bill No. 1 is set forth in Sessional Paper No. 1.



On motion by Mr. Brodie, seconded by Mr. Audette, Bill No. 2, An Ordinance to Provide for Change of Name, with amendments, as reported by the Committee, was read the third time and passed. Bill No. 2 is set forth in Sessional Paper No. 2.

On motion by Mr. Nicholson, seconded by Mr. Clements, Bill No. 3, An Ordinance Respecting Insane Persons, with amendments, as reported by the Committee, was read the third time and passed. Bill No. 3 is set forth in Sessional Paper No. 3.

Mr. Audette, seconded by Mr. Hardie, moved that Bill No. 4, An Ordinance Respecting Jurors and Juries, be read a third time. Mr. Cunningham, seconded by Mr. Nicholson, moved as an amendment to the motion, that Form C be amended by deleting the part entitled "Request to be Excused". After debate, the question being put on the amendment to the motion, it was carried.

The question being put on the motion that Bill No. 4 be read the third time, it was carried. Bill No. 4 was read the third time and passed. Bill No. 4 is set forth in Sessional Paper No. 4.

Mr. Audette, seconded by Mr. Hardie, moved that Bill No. 5, An Ordinance Respecting the Imposition and Collection of a Tax on Fuel Oil, be read the third time. Mr. Carmichael, seconded by Mr. Hardie, moved, as an amendment to the motion, that Section 7 be reworded as follows:

"Where the Commissioner is of the opinion upon evidence satisfactory to him that the tax on any fuel oil that should have been paid was not so paid, he may direct a collector to collect the tax for such fuel oil from the purchaser who is liable to pay such tax and such direction shall be deemed to impose the tax on that purchaser in respect of such fuel oil."

After debate, the question being put on the amendment to the motion, it was carried. Mr. Nicholson, seconded by Mr. Cunningham, moved, as a second amendment to the motion, that paragraphs (b) and (j) of Section 2 be deleted. After debate, the question being put on the second amendment to the motion, it was carried.

The question being put on the motion that Bill No. 5 be read the third time, it was carried. Bill No. 5 was read the third time and passed. Bill No. 5 is set forth in Sessional Paper No. 5.

On motion by Mr. Nicholson, seconded by Mr. Audette, Bill No. 6, An Ordinance Respecting the Registration of Births, Marriages, Deaths and Other Vital Events, with amendments, as reported by the Committee, was read the third time and passed. Bill No. 6 is set forth in Sessional Paper No. 6.

On motion by Mr. Hardie, seconded by Mr. Clements, Bill No. 7, An Ordinance to amend the Assignment of Book Debts Ordinance, as reported by the Committee, was read the third time and passed. Bill No. 7 is set forth in Sessional Paper No. 7.

On motion by Mr. Cunningham, seconded by Mr. Brodie, Bill No. 8, An Ordinance to amend an Ordinance Respecting the Preservation of Game in the Northwest Territories, as reported by the Committee, was read the third time and passed. Bill No. 8 is set forth in Sessional Paper No. 8.

On motion by Mr. Audette, seconded by Mr. Cunningham, Bill No. 9, An Ordinance to amend an Ordinance Respecting the Form and Interpretation of Ordinances, as reported by the Committee, was read the third time and passed. Bill No. 9 is set forth in Sessional Paper No. 9.

On motion by Mr. Hardie, seconded by Mr. Audette, Bill No. 10, An Ordinance to amend an Ordinance Respecting the Administration of Civil Justice, as reported by the Committee, was read the third time and passed. Bill No. 10 is set forth in Sessional Paper No. 10.

On motion by Mr. Hardie, seconded by Mr. Nicholson, Bill No. 11, An Ordinance to amend the Marriage Ordinance, as reported by the Committee, was read the third time and passed. Bill No. 11 is set forth in Sessional Paper No. 11.

On motion by Mr. Hardie, seconded by Mr. Brodie, Bill No. 12, An Ordinance to amend the Medical Professional Ordinance, as reported by the Committee, was read the third time and passed. Bill No. 12 is set forth in Sessional Paper No. 12.

On motion by Mr. Carmichael, seconded by Mr. Cunningham, Bill No. 13, An Ordinance to amend an Ordinance Respecting Motion Pictures, as reported by the Committee, was read the third time and passed. Bill No. 13 is set forth in Sessional Paper No. 13.

On motion by Mr. Clements, seconded by Mr. Cunningham, Bill No. 14, An Ordinance to amend an Ordinance Respecting Compensation to be Paid as a Result of Injuries or Death Caused to Workmen in the Course of their Employment, with amendments, as reported by the Committee, was read the third time and passed. Bill No. 14 is set forth in Sessional Paper No. 14.

On motion by Mr. Audette, seconded by Mr. Nicholson, Bill No. 15, An Ordinance to Repeal Certain Ordinances, as reported by the Committee, was read the third time and passed. Bill No. 15 is set forth in Sessional Paper No. 15.

On motion by Mr. Cunningham, seconded by Mr. Hardie, Bill No. 16, An Ordinance to amend the Business Licence Ordinance, as reported by the Committee, was read the third time and passed. Bill No. 16 is set forth in Sessional Paper No. 16.

On motion by Mr. Cunningham, seconded by Mr. Brodie, Bill No. 17, An Ordinance to amend the Territorial Liquor Ordinance, as reported by the Committee, was read the third time and passed. Bill No. 17 is set forth in Sessional Paper No. 17.

The Commissioner requested the advice of Council as to the time and place of the next session. Council recommended that the next session be held at Yellowknife, Northwest Territories, at 3.00 o'clock p.m. on Thursday, June 25, 1953.

Prorogation.

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