



NORTHWEST TERRITORIES

THE COUNCIL OF THE NORTHWEST TERRITORIES

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N I N E T E E N T H     S E S S I O N

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Resolute, July 11 - July 16, 1960.

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VOTES AND PROCEEDINGS

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## CONTENTS

July 11, 1960 to July 16, 1960

	<u>Page</u>
1. Motion on the Commissioner's Opening Address.....	1
2. Game Ordinance, Bill 3 (In Committee of the Whole).....	12
3. Fur Export Ordinance, Bill 2, Amendment (In Committee of the Whole).....	34
4. Insane Persons Ordinance, Bill 4, Amendment (In Committee of the Whole).....	35
5. Judicature Ordinance, Bill 5, Amendment (In Committee of the Whole).....	36
6. Mining Safety Ordinance, Bill 6, Amendment (In Committee of the Whole).....	37
7. Optometry Ordinance, Bill 7, (In Committee of the Whole)..	40
8. Pharmaceutical Chemists Ordinance, Bill 8, (In Committee of the Whole).....	41
9. School Ordinance, Bill 9, Amendment (In Committee of the Whole).....	42
10. Motion on the Commissioner's Opening Address (In Committee of the Whole).....	44
<u>Subjects:</u> Northern Allowances.....	44
Motor vehicle insurance premiums.....	44
Indians in the Northwest Territories.....	45
Employment opportunities for vocational trainees	49
Low cost housing.....	52
 <u>Sessional Papers:</u>	
1. Commissioner's Opening Address.....	1
2. Annual Report of the Commissioner of the Northwest Territories 1959-60.....	53
3. Annual Report of the Workmen's Compensation Administration 1959-60....	53
4. Annual Report of the Liquor System.....	53
5. Statement of Revenue and Expenditure for the Fiscal Year 1959-60.....	11
6. Orders and Regulations issued pursuant to the Ordinances of the Northwest Territories.....	11
7. Grants to School Districts.....	59
8. Current Barren Ground Caribou Situation	63
9. Brief on Indians in the N.W.T.....	64
10. Labour Legislation - N.W.T.....	65
11. Liquor Store, Frobisher Bay.....	54
12. Predator Control - 1959-60, N.W.T.....	57

13.	Safety Equipment for New Mines.....	72
14.	Opening Date for the Mink Season.....	73
15.	Fort Smith Community Centre.....	94
16.	Tourist Development in the N.W.T.....	80
17.	Prospecting and Mining Training, N.W.T.	81
18.	Possible Evolution of the N.W.T.....	74

Other Subjects:

	New Policy for Federal Land Administration, N.W.T.....	82
	Second Mortgages for Housing and Water and Sewer Connections.....	83
	Telephone System Franchises.....	84
	Water main to Indian Flats area, Fort Simpson.	87
	Local Roads, Fort Simpson.....	87
11.	Chairman's Report from the Committee considering the Motion on the Commissioner's Opening Address.....	88
12.	Supplementary Appropriation Ordinance, Bill 10, (In Committee of the Whole).....	91
13.	Reference for Advice: Community Centres.....	93
14.	Liquor Ordinance, Bill 11.....	97
15.	Third readings and passage of Bills and Assent.....	97
16.	Prorogation.....	99

RESOLUTE, MONDAY, JULY 11, 1960

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3 o'clock P.M.

The Second Session of the Council for the year 1960, being the Nineteenth Session of the Council of the Northwest Territories, was convened at Resolute, at 3 o'clock P.M. on Monday, July 11, 1960.

All members were present except Mr. K.H. Lang, Member for Mackenzie Delta.

PRAYERS.

The Commissioner addressed the Council. His address is set forth in Sessional Paper No. 1.

Mr. Porritt, seconded by Mr. Nicholson, moved that the Council express to the Commissioner its appreciation for his Opening Address.

In his remarks, Mr. Porritt expressed his regret Mr. Lang was unable to attend this session of the Council.

Mr. Porritt raised the subject of the allowances paid to Government employees serving in the North. He said he had brought this to the attention of the Territorial administration at an earlier session and was anxious for word of progress with it.

Dealing with automobile insurance, he said confusion had arisen when the requirement under the Ordinance for third party coverage was again made applicable to Hay River. He alleged insurance companies were discriminating against automobile owners in the Territories, citing a 50% increase in automobile insurance premiums in recent months. This was entirely unjustified and worked a further handicap on Territorial residents.

Mr. Porritt stressed the importance of providing educational opportunities in the Territories, but warned

against measuring the effort made in this field by buildings and expenditure rather than by results. He said he was anxious to get a report on the results achieved in terms of the progress of children attending school.

Turning to the subject of unemployment insurance, Mr. Porritt said that, because claims must be forwarded beyond the Territories, it was difficult for residents to establish their entitlement to payments. There were a great many unjustifiable delays. In addition, the regulations respecting payment of unemployment insurance to fishermen, which limit such payments to the winter season, did not suit the winter fisheries at Great Slave Lake. Unemployment insurance was available just at the time of year when it was least needed. A further problem arose because transient workers took jobs in the Territories in the summer when work was available and then moved South in the off-season to live on their unemployment insurance. Residents of the Territories were penalized in two ways: first, by the difficulty of collecting insurance and, second, because work was exceedingly scarce in the Territories in the off-season.

Small contractors resident in the Territories also had serious problems, arising partly from government procedures in calling for tenders. Frequently, all aspects of a major construction job were grouped together and contractors asked to submit one tender for the whole job. This was beyond the resources of the small contractor in the Territories. Large companies based outside the Territories were the only ones who could bid on such works. The small contractors' problems were complicated by the short period between the call for tenders and the final date for submission, and by long delays before awarding contracts. These delays tied up capital and made it impossible for the small contractor to bid on other work.

Mr. Porritt said delays by government agencies in paying accounts, both for contracting and for other obligations, represented a further handicap for Territorial businessmen. Government agencies should be able to pay their bills as other customers do. This was a matter of great importance and considerable urgency; it had been raised many times before and there was still a great need for improvement.

Mr. Porritt also discussed the treatment of Indians in the Territories. He deplored any discrimination but said that at the present time many Indians were treated as superior citizens. They were getting too much for nothing, and this could only lead to bad results. He compared current policies respecting Indians with raising flowers in a greenhouse in the Arctic; the flowers would grow, but they would be killed by the first wind after the greenhouse was removed. Leadership and supervision were required, but they should be intelligently directed.

Following representations made at earlier sessions of the Council some progress had been made in establishing special fishing regulations for Indians in Great Slave Lake. Although the quota allotted was pitifully small, good results were already apparent and relief costs had been substantially reduced.

Mr. Porritt deplored the practice followed by the Forestry Branch and the education authorities in using fire prevention posters and pamphlets produced by the United States Department of Agriculture. He thought it should be possible to secure suitable Canadian publications, perhaps from Alberta.

Mr. Porritt said he had heard a rumour that radio station CFHR was to be closed and emphasized that this must not happen.

In conclusion Mr. Porritt referred to the importance of the Great Slave Lake railway saying he hoped the Commissioner would be correct in his prediction that the railway would be started in the near future.

In seconding the motion Mr. Nicholson began by mentioning some of the areas in which progress had been made during the three years the present Council had been in existence. It had been for him a pleasant and satisfying experience to work with the members, including not only the members present but also Messrs. Parker, Audette and Lang.

The Council had contributed useful legislation on such subjects as liquor, game and municipal affairs. The expansion and growth of the economy of the Territories properly occupied a good deal of the Council's attention. He thought the Council's responsibility for this should be seen in perspective. National and international factors were important in the development of the Territories and the primary functions of the Council were to provide a framework of laws and controls and to act as a spokesman for the Territories.

Mr. Nicholson said the Council should keep in mind the desirability of extending its authority and representative character at an appropriate time. At recent sessions three considerations bearing on this had been suggested:

1. There might be more elected members.
2. A separate Territory of the Mackenzie might be formed and consideration of this possibility had been suggested at the January Session by Mr. Lang.
3. At some time the Council might accept increased responsibility for legislation and administration affecting natural resources.



Mr. Nicholson suggested that consideration of these alternatives must take into account the cost, public opinion, and public interest.

Law enforcement was another area where the Council must expect to assume increased responsibility. Increased expenditure would be involved and administrative machinery would be necessary, but Territorial participation in this field would bring the legislative aspect of the work of the Council closer to the people of the Territories. In this context, the judicial provisions of the recent amendments to the Northwest Territories Act might well foreshadow a further extension of Territorial responsibility.

In all of these matters Mr. Nicholson felt that now might not be the time to act, but that future Councils should keep these possibilities in mind and be prepared to accept increased responsibility when the time came.

Mr. Nicholson spoke of the responsibilities of the Council respecting Eskimos. He said it was his view, which he felt was generally shared by members of the Council, that the Eskimos should ultimately become the dominant part of the population of Northern Canada. In developing policies affecting Eskimos he thought two basic points should be kept in mind:

1. The ultimate objective was to give the Eskimo a chance to make a living in his own country. The means -- schools, health services, or vocational training -- should not be allowed to obscure this end.
2. Primary production was important. A satisfactory economy could not be based on taking in each other's washing. Minerals would be important, but fish, game, fur and lumber, while less dramatic, could also make a substantial contribution.

In conclusion, Mr. Nicholson thanked those responsible for arranging the session in Resolute. Without the co-operation of the R.C.A.F. and other agencies the Council session here would not have been possible.

Mr. Goodall said he very much appreciated the opportunity to meet in the Queen Elizabeth Islands. He thanked those who had been responsible for arranging the session.

He said that in the past in his constituency the contrast between the opportunities and standards of living of the native people and those of the whites had given cause for concern. The recent progress of the Indians was very gratifying. Many of them now lived in good homes of which they were very proud, and he was grateful for the policies which had made this possible. ] ✓

In Fort Simpson the new school and student residences were nearly completed, as was the water and sewage system. The people in this district were achieving a standard of living beyond the expectations which they held even a few years ago. He thought a further step in the provision of services to the community would be to extend a water main to the Indian Flats. The Indians living there were ratepayers, and this would be one of the most valuable services which could be provided to them.

Mr. Goodall also suggested consideration might be given to establishing an emergency landing field at Fort Simpson. There was a special need for this in the Spring during the breakup period. A good location was available using the road allowance on the island and satisfactory facilities could be provided at modest cost.

A good volunteer fire brigade had been built up in Fort Simpson. Over the past year three fires, which could have been very serious, had been put out. Equipment had

been reconditioned, and he hoped that funds might be made available for more hydrants and other desirable improvements.

Mr. Goodall paid tribute to the late John Gilbey who had made an outstanding contribution to the development of the settlement. He said that Mr. Hancock, who is now acting as Administrator, had been doing an excellent job.

Mr. Goodall joined other members of the Council in expressing his regret at the illness and absence of Mr. Knut Lang. He presented to the Council a brief report from Mr. Lang which is set forth in Sessional Paper 1A.

Mr. Gall recalled that in the Northwest Territories of twenty years ago if an emergency such as sickness arose in the community the R.C.M.P. Constable, the missionary and the Hudson's Bay Company Manager would discuss it and radio the closest doctor for professional advice. Few people outside of these agencies were concerned with the Canadian Eskimo. By contrast, today if an Eskimo coughed or an Indian sneezed, he would immediately be rushed to hospital. This amount of over-attention tended to take away the individuality of Northern people, who were now becoming over dependent on others. At Yellowknife and Aklavik, the educated Eskimo or Indian had shown there was no difference between his intelligence and that of his white counterpart. It was important, however, to provide employment opportunities for these educated people. For some there would be work in defence installations and weather stations. The sons and daughters of the present generation would probably become doctors, dentists and leaders in their communities. An Eskimo might some day become Commissioner of the Northwest Territories. The agencies responsible for administration in the North sometimes worked at cross purposes and occasionally squabbled but mainly they worked for the good of the people.

The food resources of the North were not likely to become a large industry. The mineral resources of the pre-Cambrian Belt made Northern Canada the most fortunate area in the world. Other small mining towns like Yellowknife might be established but fur would probably remain an important feature in the economy. As Mr. Lang had suggested, trappers should range farther out from the settlements. Some Eskimos could be apprentices in mines, later qualifying as journeymen and eventually joining unions.

Mr. Jones noted with regret the absence of Mr. Lang through illness and said all members of Council hoped his illness would be short and his recovery permanent.

Younger Eskimos and Indians would find places in industry, construction, mining, government and the professions, but older Indians and Eskimos had no means of alternative employment to the traplines and possibly continued with it by choice. A general conference bringing together representatives of the Department of Northern Affairs and National Resources, the Indian Affairs Branch and trappers was being held at Lac la Martre to discuss such problems as trapping areas, registration of traplines and group boundaries. A similar meeting would follow at Fort McPherson. These meetings would be of great benefit to the trappers. Beaver pelts prepared by the Indians were being shown at Lac la Martre to demonstrate the proper way to prepare the hides to command a premium price on the market. Mr. Jones thought the Council would welcome the recommendations of these meetings on ways and means of providing incentives to trappers and improving the quality of furs.

Mr. Drury reviewed the history of the present Council noting with approval that the Council was not arranged along the lines of Government and Opposition, hence a measure of objectivity could be maintained and

decisions need not be made for political reasons. True, the Council had made mistakes in judgement and some of its policies had been overtaken by events, whereupon it had become necessary to make revisions. None of its enactments, however, had been made merely for the purpose of securing popular advantage. It had shown a steady and continuous exercise of responsibility.

Mr. Drury was grateful that the legislative authority of the Council had been clarified by the Courts and amendments to the Northwest Territories Act. A Court of Appeal in the Territories was a further step towards constitutional maturity. The Federal Government might well continue to be responsible for the leasing of oil properties in the Arctic since this required a knowledge of the whole economy of Canada and special skill as well. However, the disposal of relatively small parcels of Crown land in the Territories or the allocation of Crown land in settlements and organized communities would not be beyond the ability of the Territorial Government. The Territorial Government should also be given wider means of raising the necessary revenue for carrying out such administration. A paper would be presented at the current session suggesting possible approaches to the reorganization of the political structure of the Territories. Perhaps a division of the Territories would be made resulting in greater responsibility for the more heavily populated part.

Before the Second World War when there were fewer people in the North, the Department of National Defence was one of the few agencies of Government doing work there. After the War, and particularly after the formation of the Department of Northern Affairs, the interest of the Government in Northern development had increased. This increase in interest was due partly to the encouragement of the Council. A large measure of credit was due to the

Commissioner, both in that role and as Deputy Minister of Northern Affairs and National Resources. His knowledge of the problems facing the North and wisdom in dealing with these problems were deserving of the gratitude of all.

Mr. Brown explained that the Votes and Proceedings of previous sessions had been prepared by the Secretary and himself from notes taken at the meetings and had been sent out some time after the Council had adjourned. Since it was difficult to keep comprehensive notes during the discussions it had been decided to introduce a new method of recording the views expressed at the sessions and the decisions made. Two recording secretaries were alternately taking notes on the discussions. These they dictated to the stenographers as the session proceeded so that it was hoped to have a more complete record of the proceedings than heretofore.

The Annual Report of the Commissioner to the Council had in the past been an appendix to the report of the Minister of Northern Affairs and National Resources and hence had been fairly condensed and related mainly to Territorial matters. It was not possible in the space allowed for the report to refer to many things which would be of interest to members of the Council. This year a more general report had been prepared which was no longer related to the annual report of the Department of Northern Affairs and National Resources. When the members had had the opportunity of reviewing it, their comments and criticisms would be appreciated.

The former Secretary, Mr. Frank Fingland, had a few months ago left that position to take up other duties in the Northern Administration Branch. Mr. Brown expressed his appreciation for the capable and pleasant way in which Mr. Fingland had carried out his duties as Secretary.

The Commissioner explained that the Legal Adviser, Mr. Olson, had to leave the session on Wednesday evening

for business in Ottawa and asked whether the Council would agree to proceed with the legislation, returning later to the Committee stage of the Motion on the Commissioner's Opening Address. Agreed.

Mr. Brown tabled the following documents:

- (a) Annual Report of the Commissioner of the Northwest Territories; Annual Report of the Workmen's Compensation Administration; Annual Report of the Liquor System; Statement of Revenue and Expenditure for the Fiscal Year 1959-60. These reports are set out in Sessional Papers Nos. 2 to 5.
- (b) Orders and Regulations issued pursuant to the Ordinances of the Northwest Territories between January 4, 1960, and June 21, 1960, inclusive, and not previously tabled. These Orders and Regulations are set out in Sessional Paper No. 6.
- (c) Miscellaneous papers and reports pertaining to the business of the Council and not previously tabled. These papers and reports are set out in Sessional Papers Nos. 7 to 18, inclusive.

Mr. Brown, seconded by Mr. Nicholson, moved that Mr. Gordon MacKinnon be appointed Secretary to the Council of the Northwest Territories.

The question being put on the motion, it was carried unanimously.

Mr. Porritt, seconded by Mr. Goodall, moved that Bill 1, An Ordinance Respecting the Practice of Chiropractic, be read the first time.

Mr. Brown said that recent discussions with Northern Health Services had indicated certain defects in Bill 1 and asked that it be withdrawn for further study.

Mr. Porritt, with the unanimous consent of the Council, withdrew the motion for first reading of Bill 1.

On a motion by Mr. Brown, seconded by Mr. Porritt, Bill 2, An Ordinance to Amend the Fur Export Ordinance, was read the first time.

On a motion by Mr. Gall, seconded by Mr. Nicholson, Bill 3, An Ordinance Respecting the Preservation of Game, was read the first time.

On a motion by Mr. Goodall, seconded by Mr. Jones, Bill 4, An Ordinance to Amend the Insane Persons Ordinance, was read the first time.

On a motion by Mr. Drury, seconded by Mr. Porritt, Bill 5, An Ordinance to Amend the Judicature Ordinance, was read the first time.

On a motion by Mr. Gall, seconded by Mr. Nicholson, Bill 6, An Ordinance to Amend the Mining Safety Ordinance, was read the first time.

On a motion by Mr. Jones, seconded by Mr. Gall, Bill 7, An Ordinance Respecting the Practice of Optometry, was read the first time.

On a motion by Mr. Goodall, seconded by Mr. Jones, Bill 8, An Ordinance to Amend the Pharmaceutical Chemists Ordinance, was read the first time.

On a motion by Mr. Nicholson, seconded by Mr. Gall, Bill 9, An Ordinance to Amend the School Ordinance, was read the first time.

On a motion by Mr. Brown, seconded by Mr. Porritt, Bill 10, An Ordinance Respecting Additional Expenditures for the Public Service of the Northwest Territories for the Financial year Ending the 31st day of March, 1961, was read the first time.

On a motion by Mr. Gall, seconded by Mr. Goodall, Bill 3, An Ordinance Respecting the Preservation of Game, was read the second time.

The Council went into Committee of the Whole to consider Bill 3, Mr. Nicholson in the chair:

The Chairman commented on the skillful way in which the Bill had been drafted, saying that the drafting



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technique had broken a great deal of new ground. It showed the fresh approach the Council had hoped for in its discussion of the References for Advice on the Game Ordinance at the January Session of the Council.

Mr. Brown said Mr. A.G. Loughrey, the Head of the Forest and Game Section of the Territorial Division, was available to answer any technical questions concerning game.

The Legal Adviser proposed that some aspects of Schedule B be subject to amendment by regulations issued by the Commissioner.

Mr. Robertson supported this proposal saying that an amendment to Schedule B might sometimes be required in a matter of days because of situations arising from abnormal freeze-up or break-up conditions. Hence it would not be satisfactory to delay the amendment to Schedule B until the next session of Council since this might entail a delay of up to six months.

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TUESDAY, JULY 12, 1960.

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10 o'clock A.M.

PRAYERS.

The Council resolved itself into Committee of the Whole to continue its consideration of Bill 3, Mr. Nicholson in the chair.

The Chairman explained that the text of the Bill and Schedules A and B must be read as a whole. The general pattern of the Bill was to provide in the text itself

general prohibitions and a structure for control of hunting and trapping, as well as the possession, buying, and selling of game. The Schedules outlined the activities permitted and the circumstances under which permission would be granted to carry on these activities.

The Committee then proceeded to a clause by clause examination of the Bill.

Section 2

Mr. Porritt asked about the application of the Bill to motor sleds used by trappers in substitution for dog teams. The Legal Adviser explained the distinction between "hunting" and "transportation" as it related to Mr. Porritt's question and the matter was left for discussion under a later section of the Bill. Section 2 agreed to.

Section 3

Mr. Jones said he was concerned there was apparently no general declaration in the Bill of the rights of Indians and Eskimos to hunt for food. The Legal Adviser said Schedule B (2) provided for this, and the introduction of the declaratory section from the old Ordinance would run counter to the pattern on which the present legislation had been drafted. Mr. Jones said he was satisfied with this explanation. Section 3 agreed to.

Section 4 - Agreed to.

Section 5

Mr. Drury inquired whether it might be possible to make subsection (2) more easily understood by the ordinary user of the Ordinance. It was explained that this would be difficult to do and that the terms used in this subsection would, in fact, be quite comprehensible to the trade and to the specialists in the design and description of firearms.

There was an extended discussion on the provisions respecting the transportation of loaded firearms in vehicles. As drafted, the section would appear to prohibit a trapper, using a motor sled, from carrying shells in his rifle while travelling with his rifle on the sled. Mr. Porritt pointed out that this provision, if enforced, would be impractical and undesirable. The conclusion of the Committee was that the prohibition was reasonable when applied to the carrying of firearms in automobiles on highways and in vehicles used for sport hunting, but that it should not be applied in such a way as to restrict persons unreasonably when using motorized equipment in their trapping areas. Members suggested that the clause might be made to apply only to "covered" vehicles or that a specific exception might be made for motor vehicles used on traplines. The Committee agreed that the Ordinance should provide that a trapper on a trapline would legally be entitled to:

- (a) use a motor sled, and
- (b) carry a loaded firearm on it.

The Legal Adviser undertook to revise the section to reflect these views.

The Committee agreed that under no circumstances was it desirable to carry in a vehicle a firearm with a shell in the chamber, but that it was reasonable for a game officer to have shells in the magazine of his rifle when riding with it in a vehicle. It was therefore agreed that the section be further revised to provide for this.

#### Section 6

Mr. Goodall stated that the snaring of moose remained a common practice in parts of the Territories. In the past there had been some need for this, but it was no longer necessary or desirable and should be

stopped. The old Ordinance, like the current Bill, outlawed the snaring of moose, but enforcement had been difficult and perhaps inadequate. He suggested the Administration might call the problem to the attention of game officers in the hope that special efforts might be made to deal with it.

There was general agreement that an effort should be made to stamp out the practice. Mr. Brown indicated that the Administration had not been aware that moose snaring was as widespread as Mr. Goodall indicated. He undertook to see that any necessary instructions were issued. The Committee recognized there was a difficult problem of enforcement in identifying the people who engaged in this practice.

Section 7 to Section 10 - Agreed to.

Section 11

The Legal Adviser suggested a minor amendment to clarify the intention of this section and the Committee accepted the provision as amended. Section 11 agreed to.

Section 12 to Section 15 - Agreed to.

Section 16

Mr. Porritt and other members questioned the provisions of subsection 2 which, as drafted, would permit the sale of antlers, horns and skins only under licence. He saw no reason for this requirement.

The Legal Adviser pointed out that subsection (2) was designed to provide a qualified exception from the general prohibition contained in subsection (1). In considering the question the Committee was primarily concerned that hunting for sale did not become a general practice. It was agreed that subsection (2) be amended to remove the requirement for a permit from the Commissioner; the Committee concluded that if and when abuses occurred,

the Council could deal with them as necessary.

Mr. Goodall suggested that moose should be included with caribou in subsection (3) which provides for the purchase and sale of meat between holders of general hunting licences. However, it was agreed this subsection reflected the policy agreed upon by the Council at its January Session of not authorizing the sale of moose meat. The provision for the sale of caribou meat was necessary because of special conditions in certain areas where no alternative to caribou as a source of fresh meat was available; these conditions did not apply in most of the areas where moose was used for food. Section 16 agreed to. Section 17 and Section 18 - Agreed to.

Section 19 (4)

Mr. Porritt commented that some Indian and Eskimo hunters would be under sixteen years of age and said this subsection appeared to conflict with an earlier one.

The Legal Adviser explained an Indian or Eskimo was permitted to hunt for food regardless of his age.

Mr. Brown said the possession of firearms by persons under sixteen years of age is covered under the Criminal Code of Canada. Also most municipalities had by-laws prohibiting the use of firearms within the limits of the municipality. Section 19 agreed to.

Section 20 (c)

Mr. Porritt questioned the phrase "and if he is a naturalized Canadian or Eskimo" and suggested instead "whether or not he is an Indian or Eskimo or, if he is a naturalized Canadian, the number of his naturalization certificate". The Committee agreed. Section 20 agreed to.

Sections 21 to 24 - Agreed to.

Section 25

Mr. Porritt, referring to the Trader's Fur Record Book, suggested that the detail required should be simplified.

The Legal Adviser said an amendment simplifying the requirement for details as requested by the Council at the last Session had been prepared and would be discussed later. Section 25 agreed to.

Section 26

Mr. Brown explained that the data requested from the holders of fur farm licences would provide useful statistics which could be compared with similar data from the rest of the country.

Mr. Porritt estimated the keeping of a Trader's Fur Record Book cost the average independent trapper \$1000 per year.

Mr. Brown said game officers required the information contained in the Trader's Fur Record Book to enable them to enforce the law and to prevent illicit trafficking.

The Legal Adviser said it would not be necessary to give a price for every fur. They could be listed instead in separate groupings giving a total price for each species.

Mr. Gall pointed out that while the data required in the Trader's Fur Record Book was helpful to the trader it did not satisfy all the requirements of the Hudson's Bay Company for record keeping. He suggested that a clause be added indicating the book was a confidential document to ensure that the price paid by a trader was not made generally known.

The Legal Adviser agreed the information should be kept confidential but pointed out that it might have to be used in a prosecution.

Mr. Loughrey said the prices were useful in arriving at the value of the fur traded in the country and the total value to the economy of the fur industry. The price of furs at auctions gave no indication of this. The record

Section 31

The Legal Adviser read Mr. Lang's note suggesting this section be enlarged to provide for the cancellation of a trapping licence for whole or part of a trapping area that was not being trapped efficiently.

Mr. Drury considered a trapper could be active, energetic and sincere but still trap inefficiently. He suggested if the trapper were not actively engaged in trapping there would be reason for cancelling his trapping area licence.

The Legal Adviser was asked to redraft Section 31 to reflect the views of the Council.

Section 32 - Agreed to.

Section 33

The Legal Adviser said a man eligible to hold a trapping area licence could not be convicted for not possessing a licence if he could show that no licensing officer was available within a reasonable distance.

Mr. Drury said it would be desirable to retain the requirement that a man must be the holder of a licence.

The Legal Adviser agreed to review the question of holding a licence as it applied throughout the Ordinance.

Sections 34 and 35 - Agreed to.

Section 36

Mr. Porritt thought it was not practical to stretch or dye a beaver pelt with a seal affixed to it. The Committee agreed that it did not appear necessary to require that the seal be affixed during the stretching or dyeing of the pelt but no change was required in the wording of the section. Section 36 agreed to.

Sections 37 to 39 - Agreed to.



Section 40 (b)

Mr. Jones suggested that the word "any" be deleted.

Mr. Robertson thought the Commissioner should be required to say why a licence was cancelled, suspended, or refused.

The Legal Adviser said the use of the expression "for cause" would suggest that cause must be shown. This could lead to a judicial tribunal and could result in a Court imposing its view in place of the Commissioner's view of what constituted "cause".

Mr. Robertson thought it would be undesirable to have the Commissioner involved in a judicial tribunal since the territorial judiciary had not expanded and developed sufficiently to make this feasible. He therefore suggested that any alleged misuse of power by the Commissioner could be reported to a member of the Council who would be able to raise the question at a Council session. The Committee agreed the wording of the subsection should continue as "any cause".

Section 40 (g)

Mr. Goodall suggested this subsection met Mr. Lang's request regarding the cancellation of a trapping area licence because of inefficient trapping.

The Chairman said this subsection could include inefficient trapping but had a wider application as well.

Section 40 and 41

The Committee deferred discussion on these Sections until Schedules A and B were discussed.

Section 42 - Agreed to.

Section 43

Mr. Brown explained that disagreements concerning the boundaries of trapping areas had been settled by game officers who were able to delineate the areas. If one of the parties to the dispute disagreed with the game officer,

he could appeal to a Justice of the Peace.

Section 43 (4)

Mr. Drury objected to the setting of securities by the game officer who was being appealed against since an impossibly high rate of security might be set.

The Legal Adviser considered that the settlement of disputes by a game officer was an antiquated procedure but no revision had been made since the Council had not requested it.

Mr. Brown said this section had worked well in practice and he saw no reason to change it. The Committee agreed. Section 43 agreed to.

Section 44 - Agreed to.

Section 45

The Legal Adviser suggested this Section should be deleted since it implied that special rights of arrest had been set up. In Common Law any person might arrest without warrant any other person when an offence had been committed. The Criminal Code and the Common Law of England applied to conditions of arrest. This Section might be taken to mean a private citizen could not make an arrest.

Mr. Brown said that since many persons were not acquainted with the Criminal Code and the Common Law of England this Section served a useful purpose in warning of the danger of arrest and possibly preventing law breaking. The Committee agreed that this Section should remain unchanged. Section 45 agreed to.

The Committee adjourned at 1 o'clock P.M.

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3 o'clock P.M.

The Committee continued its consideration of Bill 3.

Mr. Nicholson in the chair.

Sections 46 to 50 - Agreed to.

Section 51

Mr. Drury suggested that in the form of oath the word "judgement" should be changed to "ability". Agreed.

Section 51 agreed to.

Section 52 - Agreed to.

Section 53

Mr. Drury asked whether this section was necessary since provision for dealing with false statements on applications should surely exist in other legislation. The Legal Adviser explained that since there was no Ordinance respecting summary convictions, a section such as this one was necessary in all Territorial legislation providing for licences and permits. Attention might be given in the future to enacting some such general provision.

Section 53 agreed to.

Sections 54 to 56 - Agreed to.

The Committee then returned to consideration of Section 33 which had been deferred during the morning sitting. Mr. Goodall said the Council might wish to reconsider this section following representations received from the Lac la Martre Trappers' Conference, but that in the meantime he had no objection to the section passing. Section 33 agreed to.

The Chairman said that this completed the clause by clause consideration of the Ordinance with the exception of the Schedules and sections 31, 40 and 41.

The Legal Adviser would draft a new section 31 to

reflect the Committee's views; section 40 and 41 might require revision following examination of the Schedules.

After some consideration the Committee agreed not to consider the two Schedules together, but rather to deal first with Schedule A.

Schedule A

(the numbers following refer to the items in the Schedule)

Item 1

Mr. Porritt questioned whether it was appropriate and desirable to charge a \$5.00 licence fee to non-Treaty Indians. Eskimos and Treaty Indians paid no fees for these licences. Mr. Gall thought that since the conditions for the issue of the licence permitted an absence from the Territories of up to ten years, without loss of eligibility, the people now entitled to licences would not object to the fee. Mr. Brown said the basic thinking on this fee was that the charge for the licence was \$5.00; an exception from the general rule was made only for Treaty Indians and Eskimos. In these circumstances, he thought no one had reasonable cause to object to the fee and there was little evidence of resentment.

There was some discussion about the broad conditions of eligibility for general hunting licences. Mr. Brown said the Schedule reflected the wishes of the Council expressed during the discussion on the Ordinance at the January, 1960, Session. The Committee decided it would be undesirable to enter into a further general discussion at this time. Item 1 agreed to.

Item 2 - Agreed to.

Item 3

Mr. Gall said that although this licence was

necessary, the practice of hunting muskrats with a shotgun was undesirable and should be restricted. There was general agreement with this view.

There was some discussion of the legality of the sale of pelts secured by authority of licences issued under this section, which was primarily intended to permit the hunting of muskrats for food. It was agreed that in Schedule B the activity permitted should include authority to sell the pelts. Item 3 agreed to.

Item 4

The Committee agreed the number of licences issued should be set by regulation. With this change Item 4 was agreed to.

Items 5 and 6 - Agreed to.

Item 7 - Agreed to.

Item 8

The Legal Adviser said sub-paragraph (ii) of part (a) in column 2 was anachronistic. The Committee agreed this be deleted and the necessary changes made in sub-paragraph (i). Item 8 agreed to.

Item 9 - Agreed to.

Item 10

Mr. Drury suggested that the lack of flexibility implied by column 2 of the Schedule might lead to difficulties. While no one trapping area might contain the required number of beaver lodges, the wider district might be overpopulated with beaver. Mr. Brown said these requirements had formed part of the old regulations and had caused no difficulty.

Mr. Loughrey explained that a special licence for beaver was required since beaver could very easily be trapped out completely.

Mr. Porritt said game officers sometimes visited trapping areas to compare the actual beaver population with the number of beaver for which a trapper had applied for beaver seals.

Mr. Goodall added that in an area such as Fort Liard where soft snow and low hanging willows made it hard to travel with a snowmobile, the game officer was obliged to take the word of the trapper regarding the number of beaver that he proposed to trap. Trappers who travelled sufficient distances from the settlements could easily exceed their quotas. Item 10 agreed to.

Item 11

The Committee agreed the numbers of the species that might be taken could best be controlled by regulations. Item 11 agreed to.

Item 12 to 15 - Agreed to.

Items 16 to 18

Mr. Drury introduced the conclusions of an informal sub-committee of the Council which had considered the licensing of trading posts and outposts, and of people employed in buying and selling furs. The special requirement for the maintenance of a Trader's Fur Record Book was also considered.

Speaking for the sub-committee, Mr. Drury recommended that the onus of keeping the Trader's Fur Record Book should rest with the person or corporation operating the trading post rather than with the employee who carried on day-to-day dealings there. He suggested that sections 27

and 28 be amended to convey this sense. Agreed to.

Mr. Drury also suggested that the emphasis in the licensing system be changed so that the major requirements and fees would bear upon the establishment and its owner rather than on the employee. The provision in the old Ordinance for the licensing of trading posts and outposts in perpetuity should be removed and an annual licence for each substituted. A new scale of fees for these licences along the lines of the old scale for trading and trafficking licences might be instituted. The following scale was suggested:

For a trading post:

(a) Owned by a resident person or corporation	\$150.00 for each of the first two years of operation and \$10.00 per year thereafter.
(b) Owned by an Indian or Eskimo	Nil
(c) Owned by a religious organization	Nil
(d) Owned by any other person or corporation	\$150.00 for each of the first four years of operation and \$10.00 per year thereafter.

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For any outpost:

Each year	\$1.00
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The Committee accepted these recommendations.

It was agreed that co-operatives incorporated under the Co-operative Associations Ordinance should be considered as resident corporations and licensed under (a) to avoid any possibility of misunderstanding.

Mr. Porritt questioned the requirement for an annual licence since the old perpetual licences developed a certain sentimental significance over the years, but the Committee agreed the annual licence offered a large compensating

advantage since inactive licences would be eliminated automatically each year.

Mr. Drury said the trading and trafficking licence covering persons dealing in fur now had relatively little importance. He suggested this licence be considered in the same category as a driving permit, and that the fee might be set at \$10.00 a year. The licence should not be limited to a specific location; the holder should be able to transfer, or change his place of employment, without having to obtain a new licence.

The Committee agreed to these suggestions and to the modifications in the Ordinance and Schedules necessary to bring them into effect. Items 16 to 18 agreed to.

#### SCHEDULE B

Items 1 to 5 - Agreed to.

#### Item 6

Mr. Goodall asked whether an Indian, Eskimo or the holder of a general hunting licence would be permitted to hunt over any registered trapping area, pointing out that frequently trespassers would collect beaver, steal from caches and remove traps belonging to a licensed trapper who therefore felt that no protection was afforded to him.

Mr. Gall said he understood from the January session of the Council that moose could be killed in any trapping area.

Mr. Jones said the trapper was given exclusive rights only to the fur-bearing animals and not to the game in his area.

Item 6 agreed to.

Items 7 to 15 - Agreed to.

#### Item 16

Mr. Robertson thought that where column (v) of the Schedule referred to seasons which might have to be altered at short notice to deal with abnormal conditions at break-up



or freeze-up time, the Commissioner should be able to vary the lengths of these seasons by regulation. The Committee agreed and asked the Legal Adviser to draft the necessary subsection to Section 40 to vest this power in the Commissioner. Column (v) of Item 16 was deleted to enable the Commissioner to control the number of buffalo hunters by regulation. Item 16 agreed to.

Items 17 to 21 - Agreed to.

Item 22

Mr. Gall enquired if a sportsman wounded a buffalo but did not choose to kill it, the guide could do so.

The Chairman stated the hunter must kill the buffalo himself and added that everyone other than an Indian, Eskimo or holder of a general hunting licence must hunt with a guide.

Mr. Porritt thought a resident of the Northwest Territories should be allowed to hunt buffalo without hiring a guide.

Mr. Robertson explained that part of the reason for the requirement that a guide be employed was to provide income for residents of the Northwest Territories as guides. He added that since no one in the Northwest Territories had been able to provide the capital to establish an outfitting service, an outfitter from Alberta had been permitted to operate in the Territories.

Mr. Olson said a person who owned hunting equipment was not required to employ an outfitter but did have to hire a guide.

The Chairman enquired whether an "outfit" had been defined.

Mr. Olson pointed out that according to paragraph (c), subsection (2) of Section 4, an "outfit" was the

equipment required to hunt bison. Item 22 agreed to.

Items 23 to 25 - Agreed to.

Mr. Nicholson reported progress.

Mr. Brown, seconded by Mr. Gall moved that Rule 2 of the Rules of the Council of the Northwest Territories be suspended from 10 o'clock A.M. to 1 o'clock P.M. and from 3 o'clock P.M. to 6 o'clock P.M. on Wednesday, July 13, 1960, and that the Council sit on that day from 9 o'clock A.M. to 12 o'clock noon and from 8 o'clock P.M. to 12 o'clock midnight. (The purpose was to permit a visit by members of the Council to Eureka)

The question being put on the motion, it was carried unanimously.

The Council adjourned at 6 o'clock P.M.

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WEDNESDAY, JULY 13, 1960

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9 o'clock A.M.

PRAYERS.

The Council resolved itself into Committee of the Whole to continue consideration of Bill 3, Mr. Nicholson in the chair.

Schedules B, C, D, E, F, G and H were agreed to.

The Chairman suggested the Council consider sections 31, 40 and 41 which had been referred to the Legal Adviser for redrafting.

Section 31

The Chairman thought the request by Mr. Lang could be met by the following redraft of Section 31 prepared by the Legal Adviser:

"Where, in the opinion of the Commissioner the activity of a group or person holding

a trapping area licence during the year immediately preceding was inadequate for the proper use of the area having regard to the number of fur-bearing animals in the area, in the absence of a reasonable excuse for such inadequacy, the Commissioner may cancel in whole or in part the trapping area licence."

Section 31 agreed to.

Sections 40 and 41

The Legal Adviser suggested a new paragraph (i) be added to section 40 to empower the Commissioner to prescribe the length of seasons during which the activities described in Schedule B might be carried on. No change would be required in Section 41. Sections 40 and 41 agreed to.

The Chairman suggested the Committee consider two new sections which had been distributed to the members.

Section 57

The Chairman recommended this section provide for the repeal of the old Ordinance. Section 57 agreed to.

Section 58

There was considerable discussion on the date the new Ordinance should come into effect. For administrative reasons, and to fit with the licensing year, July 1, 1961, had much to commend it.

Mr. Porritt urged an earlier effective date for the new Ordinance. He said the Council had considered the Game Ordinance over the past three years and he deplored the proposal of a further year's delay. He proposed some action be taken to bring at least the provisions respecting big game licences into effect in time for the coming hunting season.

Piecemeal proclamation of the new Ordinance was considered and rejected by the Committee. The Bill by its nature must come into effect as a unit.

Mr. Robertson said Mr. Porritt's main concern appeared to be to put into effect a type of big game hunting licence that would permit a resident who had lived four years in the Northwest Territories to take game. To achieve this it would be necessary either to bring into effect the Bill before the Committee or to make an amendment to the existing Ordinance. For the Territorial administration to bring a new Ordinance into effect by November 1, 1960, it would be necessary among other things to prepare new licences, instructions to those responsible for enforcing the Ordinance, a revised fur record book and revised information for possible interested parties. Because this work would coincide with the preparation of the annual financial estimates and staff estimates, it was a most difficult time of the year to attempt to get it done. On the other hand, if an amendment were considered it would be difficult to resolve the question of whether hunting could be permitted and in what zones. Mr. Robertson emphasized that zones where hunting was permitted would have to be very carefully worked out so as not to infringe on the trapping and hunting of those whose livelihood depended upon it.

Mr. Gall warned that a hasty decision by the Council could cause serious consequences by allowing an entire area to be depleted through a concentration of big game hunting.

Mr. Porritt thought the Wildlife Service could define one or two hunting zones where there were very few trappers. Not many residents who would be eligible for big game licences would actually go hunting for moose since it involved great effort.

Mr. Robertson said if hunting were permitted in an inaccessible area criticism might arise because the licences made available were impossible to use.

Mr. Brown said that areas could not be delineated for hunting without affecting the food supply and welfare of those who lived there, nor could licences be granted without a fuller knowledge of the game population and of the total number of licences which could safely be issued.

Mr. Loughrey stated in 1956-57 approximately 1,000 moose were taken and in 1957-58 approximately 2,000. About 100 of the 1957-58 total were taken under the type of big game licences issued at that time.

The Chairman mentioned that a person who was not dependent on hunting for a livelihood but who was otherwise eligible could be issued a big game licence.

Mr. Gall requested that a paper be prepared for the January Session of the Council indicating the number of moose in easily accessible areas such as Hay River, Yellowknife, Fort Providence and Fort Simpson and containing an estimate of how many moose the hunters could be permitted to take.

Mr. Jones suggested the Wildlife Service might make a survey of the Hay River area alone in order to satisfy Mr. Porritt's request regarding game in that area.

Mr. Robertson said he would be hesitant about making a change in the Ordinance affecting one area alone and thought all of the Territories should be considered before any changes were made.

Mr. Porritt said he was not asking on behalf of Hay River only but merely suggesting hunting zones could be set up in various areas. When hunting of moose had been allowed in B.C. and in northern Alberta the number of

moose in those areas had increased.

Mr. Goodall said many people in the Territories required moose for food but those who wished to hunt for sport could wait for one year until the new Ordinance had been brought into effect. The Chairman said all members of Council, **excepting Mr. Porritt**, appeared to agree that there were insurmountable obstacles preventing the bringing in of the provision for big game hunting suggested by Mr. Porritt.

The Committee agreed the date for the coming into force of the new Game Ordinance should be July 1st, 1961.

Section 58 agreed to.

Mr. Nicholson presented the report of the Committee which recommended Bill 3 with amendments.

The Council accepted the report of the Committee.

On a motion by Mr. Brown, seconded by Mr. Drury, Bill 2, An Ordinance to Amend the Fur Export Ordinance, was read the second time.

On a motion by Mr. Goodall, seconded by Mr. Jones, Bill 4, An Ordinance to Amend the Insane Persons Ordinance, was read the second time.

On a motion by Mr. Drury, seconded by Mr. Goodall, Bill 5, An Ordinance to Amend the Judicature Ordinance, was read the second time.

The Council resolved itself into Committee of the Whole to consider Bills 2, 4, and 5, Mr. Goodall in the chair.

#### Bill 2

Mr. Gall asked that a new column be added to the Trader's Fur Record Book where the export tax on each species of fur-bearing animal could be entered.

Section 1 - Agreed to.

Bill 4

Section 1

Mr. Brown explained that this amendment to the Ordinance was required because there was at present no satisfactory procedure to ensure that people who required mental examination received it at institutions in the Provinces. The present Ordinance provided for the removal of a person from the Northwest Territories if he had been found to be dangerous to himself or to other persons or property. A Justice of the Peace could not find a seriously disturbed person insane within the meaning of the Ordinance if he was unable to justify the conclusion that the person was dangerous to himself or others. In such a case, the person could be evacuated only on a voluntary basis.

Under the proposed revision, if a person was seriously disturbed but the Justice of the Peace was not satisfied he was insane within the meaning of the present Ordinance, the Justice of the Peace could find the person in need of mental observation and treatment. The Commissioner could then sign a temporary Order for the person to be taken to an institution where he could be properly examined. If the findings of the examination warranted, the Courts could then declare the person insane and he could be committed to an institution and receive qualified psychiatric treatment.

Mr. Gall enquired whether the R.C.M.P. had proper facilities for holding a person pending mental examination and wondered if remanding a slightly disturbed person in an ordinary jail might possibly make the person still more disturbed.

The Legal Adviser said if other facilities, such as a hospital, were available the person might be kept in custody there.

Mr. Robertson suggested that a limitation should be placed on the time that could elapse before the pleasure of the Commissioner became known.

The Legal Adviser cautioned that if a definite time limit were imposed, the Commissioner might lose jurisdiction over the person. If that person were in Edmonton under mental observation it would become necessary to return him to the Northwest Territories at the end of the stated period in order for the Commissioner to regain jurisdiction. Section 1 agreed to.

#### Section 2

The Legal Adviser pointed out that one line had been omitted from Form C, "Order of Committal", and that the following line should be added in the second paragraph after the word "to":- "the Royal Canadian Mounted Police at and deliver him (or her).....". Section 2 agreed to.

#### Bill 5

Mr. Drury explained that under the present Ordinance, the authority to make rules of practice and procedure for the Territorial Court was conferred on the Commissioner. It was proposed to confer this authority on the judges of the Territorial Court as an application of the policy of strengthening the independence of the judiciary in the Territories. This practice would correspond with the practice where the judges of the Supreme Courts of a number of the provinces were authorized to make rules of court for the courts in those provinces. Section 1 - Agreed to.

Mr. Goodall presented the report of the Committee on Bills 2, 4, and 5. The Committee recommended Bills 2 and 5 without amendment and Bill 4 with amendment.

The Council accepted the report of the Committee.

On a motion by Mr. Gall, seconded by Mr. Nicholson,



Bill 6, An Ordinance to Amend the Mining Safety Ordinance, was read the second time.

The Council went into a Committee of the Whole to consider Bill 6, Mr. Porritt in the chair.

Section 1

Mr. Brown explained that under the present Ordinance there was no statutory provision for a mine manager or mine owner to have an order of a Mining Inspector reviewed. The Bill before the Committee would establish such a procedure. Section 1 agreed to.

Section 2.

Mr. Drury asked whether a small mine, operated perhaps by two men, would have to file a plan of the mine since it might be difficult for them to comply with the conditions of the Ordinance.

Mr. Robertson thought it would be unlikely that a mine would be operated by two men because the costs of operation were such that a mine had to be relatively large to be a paying proposition. The North Rankin Nickel Mine was probably as small an operation as would be feasible in the North. He enquired whether an exploratory shaft was to be considered a mine within the meaning of the Ordinance.

The Legal Adviser stated that under section (f) an exploratory shaft was a mine.

Mr. Robertson said he doubted whether the requirement to submit plans for exploratory shafts was being complied with and to him it seemed an unreasonable requirement.

Mr. Nicholson inquired if a mine could remain open pending the Commissioner's decision on a notice of objection from a mine owner or mine manager.

Mr. Brown envisioned two possible situations:

- (1) that a mine must be improved according to the inspector's recommendations within a given time limit. In this case, the mine could remain open pending the Commissioner's decision.
- (2) if the mine were ordered to close because of the existence of a dangerous situation, it would remain closed from the time of the Mining Inspector's Order, unless the Commissioner reversed the Order.

The Legal Adviser added that an Order made by a Mining Inspector would stand until the Commissioner's decision was known, but a mine owner could seek through the Courts an injunction restraining the Mining Inspector's Order.

Mr. Drury inquired if there was any requirement in the Ordinance to inform the Mining Inspector when his Order had been quashed.

Mr. Robertson said the inspector would probably be told through an administrative procedure.

Mr. Drury suggested the administration look into the extent to which the Ordinance was enforced.

Mr. Robertson said the requirement to submit plans of exploratory shafts should be examined. Section 2 agreed to. Sections 3 and 4 - Agreed to.

Mr. Porritt presented the report of the Committee on Bill 6 which was recommended without amendment.

The Council accepted the report of the Committee.

The Council adjourned at 12 o'clock noon.

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8 o'clock P.M.

Mr. Jones, seconded by Mr. Goodall, moved that Bill 7, An Ordinance Respecting the Practice of Optometry, be read the second time.

A debate followed on the motion.

Mr. Drury said he had serious doubts about the Bill. It appeared to establish a monopoly, and he felt the sponsors should be prepared to demonstrate that a monopoly of this type was justified.

Mr. Brown explained the Bill was part of a policy of providing separate Ordinances for the licensing and regulation of professional practitioners in the Territories. It seemed desirable to have legislation for the professions similar to that enacted by most of the provinces. He said although the need for this Ordinance was not at present urgent, there had been criticism of at least one optometrist who visited the Territories to practice his profession there. He would, however, have no objection to having the Bill reviewed by the Territorial administration if the Council so wished.

Mr. Nicholson and Mr. Porritt indicated they had questions on the Bill which might more properly be raised in Committee. The Council agreed to the Bill receiving second reading.

On a motion by Mr. Goodall, seconded by Mr. Drury, Bill No. 8, An Ordinance to Amend the Pharmaceutical Chemists Ordinance was read the second time.

On a motion by Mr. Nicholson, seconded by Mr. Goodall Bill No. 9, An Ordinance to Amend the School Ordinance was read the second time.

The Council resolved itself into Committee of the Whole to consider Bills 7, 8 and 9, Mr. Gall in the Chair.

Bill 7

Mr. Drury stated there was the danger professional men in any field might, for their private good, seek to represent themselves as an institution to protect the public while in reality they established a virtual monopoly over all aspects of business relating to their profession, thus effectively removing all competition. He said in certain circumstances legislation for the profession might be desirable and necessary, but that only two sets of circumstances might justify such legislation:

- (1) Where those offering themselves as optometrists in the Territories were, in fact, inadequately trained and misleading the public; and
- (2) Where professional men could not be attracted to the Territories because they had no protection from non-professional competition.

He thought the Bill should pass only if a specific need for it could be demonstrated. The Bill should not be passed if it was designed simply to round out the body of legislation on the professions.

Mr. Nicholson asked whether some measure of protection could not even now be provided through other legislation. Mr. Brown explained that optometrists were licensed under the Business Licence Ordinance if they could show proof they held qualifications acceptable in a Canadian province. The examination of complaints received some months ago had made the Administration conscious of the fact that a formal procedure was required to conduct investigations of such representations. In addition, controls under the Business Licence Ordinance did not affect optometrists seeking to practice in Hay River or Yellowknife where the granting of such licences was in the discretion of the municipal authorities.

On Mr. Drury's second point, the Chairman stated that there seemed to be no shortage of optometry services in Yellowknife and that in his view the Ordinance was not necessary to attract competent people there.

Mr. Porritt said that in Hay River evidence of competence was not required when business licences were issued to visiting optometrists. Mr. Robertson pointed out that the municipalities clearly had the authority to licence practitioners and to impose such conditions or requirements as the municipalities saw fit. He suggested it might be that in Hay River the necessary by-law had not been passed by the Municipal Council.

Mr. Drury said an Ordinance would not have made any significant difference to the practice of optometry in the Territories if it had been in force in recent years.

Mr. Brown said the proposed Ordinance would at least provide that applications from optometrists would be considered and assessed professionally, through reference to the Territorial administrations's medical advisers in Ottawa. He had no doubts about the propriety of the proposed Ordinance and it need not come into effect immediately.

Mr. Drury returned to the point that the proposed Ordinance read as though it was drafted by representatives of the optometry profession, quoting as illustrations sections 2(c) and 12(ii). He emphasized his reservations about the monopoly provisions inherent in the Bill in its present form.

The Committee agreed to recommend that Bill 7 not be read a third time.

#### Bill 8

Mr. Brown explained that the purpose of the Bill was to authorize the sale by merchants in the Territories of

a number of commonly used compounds which could, under the present Ordinance, be sold only by registered chemists.

The Bill would also authorize nurses to dispense certain drugs under the supervision of a medical practitioner.

Sections 1 to 5 - Agreed to.

Section 6

Mr. Nicholson suggested the Schedules have descriptive headings as in the old Schedules. The Legal Adviser submitted appropriate headings which were agreed to by the Committee.

Mr. Porritt asked how drugs ordered by mail from beyond the Territories were controlled. The Legal Adviser said there was no provision in the Ordinance to regulate the sale of drugs except by persons doing business in the Northwest Territories.

Mr. Drury pointed out that insecticides and other chemicals used for agricultural and related purposes are excluded from Schedules A and B, but that the wordings of the Schedules did not appear similarly to exclude weed killers. He thought this was probably an oversight which might be corrected.

Mr. Robertson suggested the Committee agree to the Schedules with the new headings already agreed to and the Administration would refer to its professional advisers the point raised by Mr. Drury. Any changes to the Schedules that appeared necessary could be made by an Order of the Commissioner.

Section 6 agreed to.

Bill 9

Mr. Robertson said the present Ordinance contained two anomalies which should be corrected:

- (1) The wording of the Ordinance implied that only a minority could establish a separate school, suggesting a majority could not do so if it wished.
- (2) The Ordinance referred only to the "ratepayers" of the school district; this could be taken to mean a separate school could not be established unless a public school district had first been set up.

The term "separate school" was used throughout Canada in every province except Quebec, where a dual school system existed, and dated from the formation of the Province of Manitoba. The institution could be traced to the British North America Act, although the term "separate school" was not used there. However, when the Northwest Territories Act was first passed the term "separate school" was used.

Mr. Nicholson thought the establishment of a separate school in a community should not be allowed to impose an unduly heavy financial burden on the supporters of the public school in the community. He suggested that if this happened, Territorial grants be made to offset any resulting substantial increase in local taxes. The Committee agreed to review the basis of Territorial grants for educational purposes when considering Sessional Paper No. 7 "Grants to School Districts."

Sections 1 to 3 - Agreed to.

Mr. Gall presented the report of the Committee on Bills 7, 8 and 9. The Committee recommended Bill 8 with amendment, Bill 9 without amendment, and that Bill 7 not be read the third time. Bill 7 is set out in Sessional Paper No. 19.

The Council accepted the report of the Committee.

The Commissioner suggested second reading of Bill 10 be deferred until later in the session when it could be

considered together with the Reference for Advice on Community Centres.

The Council resolved itself into Committee of the Whole to consider the motion on the Commissioner's Opening Address, Mr. Drury in the chair.

Mr. Brown recalled that in moving the motion, Mr. Porritt had expressed dissatisfaction regarding the scale of northern allowance paid to government employees serving in Northern Canada, complaining in particular that the isolation allowance paid at Hay River was not adequate. A survey had been made of the situation but the results had not yet been made public. Isolation allowances for all Government departments throughout Canada were constantly under review by the Civil Service Commission which used as a base the Cost of Living Index supplied by the Dominion Bureau of Statistics.

Mr. Robertson said that since this was a matter decided by the Federal Government, the Council could do nothing nor could the Department of Northern Affairs and National Resources, except to make recommendations to the Civil Service Commission which had been done.

Mr. Brown recalled that Mr. Porritt had referred to an increase of 50% in Motor Vehicle Insurance premiums in the Territories and he asked what Mr. Porritt would like the Council to do.

Mr. Porritt explained that in Hay River the Area Administrator had not been told until a number of 1960 licence plates had been sold that the requirement for compulsory insurance had been reapplied to Hay River. The Police had then reclaimed licence plates from some operators who did not have insurance. One contract for the hauling



of dirt had been held up for a week and the Administration had been blamed for this. He noted that in Alberta there was a special rural rate for motor vehicle insurance and asked if this could be investigated.

Mr. Brown agreed that more advance warning should have been given regarding the insurance requirement and offered to enquire from the All Canada Insurance Federation why insurance premiums had been increased. He suggested the Hay River Board of Trade might also have made similar enquiries.

Mr. Porritt said that the Board of Trade had enquired and it was in this way they had learned the increase in insurance rates was to take place.

Mr. Nicholson enquired whether the Federal Department of Insurance looked after motor vehicle insurance in the same way as it did life insurance.

Mr. Brown said the Department of Insurance was concerned only that an Insurance Company was able to meet all its liabilities.

Mr. Porritt commented on the high living standard of the Indian in the Northwest Territories. A family with ten children, the oldest of whom might be capable of supporting himself, would nevertheless receive allowance from the Indian Affairs Branch on the basis of the number of persons in his family. Also, they received Family Allowance for all of the children under 16 years of age and clothing vouchers if the children appeared to be in need of clothing. The total amount of this support could be more than \$200 per month. In addition, in some locations the Indian Affairs Branch provided lumber and paid a man to build his own house which was then given to him. The Indian could vote, could have a liquor permit and was given free

medical treatment. The half-breed, who might be living in the same house as the Indian, received none of these benefits. If the daughter of an Indian married a half-breed, that family would receive none of the benefits. The Government of Alberta had set up projects for the Metis which might include a store with a manager who was an employee of the Government, and projects such as fishing. He considered that giving the Indians something for nothing was not a practice that would do them any good. If such benefits were to continue, they should be extended to all of native blood.

Mr. Jones noted with gratification Mr. Porritt's comments on the higher standard of living being enjoyed now by the Indians in the Northwest Territories. Too often, the Indian Affairs Branch was criticized for not doing enough for the Indians. He said the Department applied a means test before issuing relief. All sources of income, including wages, the receipts from the sale of furs or garden produce had to be stated. Better housing was necessary to replace the slums in which the Indians had lived. In providing housing, the Department asked an Indian to contribute to the best of his ability.

Mr. Porritt's remarks regarding the lack of assistance to half-breeds were true. The Province of Manitoba, which had 22,000 Metis, had only recently come to grips with its responsibilities for these people. The provinces had waited for a long time apparently hoping the Federal Government would assume responsibility for the Metis. The Federal Government had special responsibilities towards Indians and Eskimos only and when the provinces concluded the Federal Government would not step in to assist them with the Metis problem, they began to set up their own programs.

The Indian Affairs Branch could assist only those who come under the Indian Act which, by definition, included only those of Indian blood. He suggested the Metis to whom Mr. Porritt referred were the responsibility of the Municipality of Hay River.

Mr. Robertson said that since there was no Eskimo Act corresponding to the Indian Act, extending aid to Eskimos did not require legislative definition. There were many cases of unfortunate disparity between the assistance the Federal Government could give to the Indians and the assistance the Territorial Government could give to people of mixed blood. The Territorial Government simply did not have the means of providing programs similar to those provided by the Indian Affairs Branch of the Department of Citizenship and Immigration.

Mr. Porritt said many Indians receiving Federal aid had decided not to go trapping. He had seen Indian mothers on the day Family Allowance cheques arrived filling the beer parlours of Hay River while their children were left in the lobby of the hotel.

Mr. Jones suggested Mr. Porritt report the names of these Indian women to the Indian Superintendent who could make recommendations to the Regional Supervisor of Family Allowance.

Mr. Porritt said the Indian Superintendent should be able to see this situation for himself and it was difficult for an elected member to chastise his constituents.

Mr. Jones said the Indian Superintendent traced down every complaint to the best of his ability. In Ontario where 35 Indian bands had voted to allow liquor to be drunk on their reserves there had not yet been one instance reported of excesses. When the Indians of British Columbia

had voted similarly, there had been complaints of disturbances but a thorough investigation by the R.C.M.P. had shown these complaints were unfounded.

Mr. Gall said Indians in the Great Slave Lake area had had a difficult time when restrictions on liquor were first removed, but it was true their situation had begun to deteriorate even before that. The right to drink liquor had certainly not improved the situation.

Mr. Robertson thought the decline of the fur market and of the caribou herds had resulted in a lack of incentive to go out on the land, causing a decline in the independence and morale of the Indian. Moral and physical difficulties had preceded and prompted Government assistance, although it was true that assistance over a time might weaken the Indian's self-reliance.

Mr. Jones stated that during the past year the Indian Affairs Branch had made available more money than ever before for advances to Indians to trap on extended traplines. These funds had been used extensively by trappers who had gone out on the land. Fur traders used to provide these advances for Indians but no longer did so. In this respect, the Indian Affairs Branch was obliged to take the trader's place.

Mr. Porritt said he knew of one Indian who had \$1000 in December and had spent all of it by the following month, when he had gone to the Indian Agent for assistance. The Agent gave him a means test but, finding he had no money, issued relief.

Mr. Jones said relief was difficult to administer. Women and children in a family should not be allowed to suffer because a man had spent all his money in drinking.

Mr. Brown said the Indian mentioned by Mr. Porritt might have had to pay off \$1000 in debts. It would

not be fair to blame him without knowing the facts of the case.

Mr. Goodall said that the half-breeds living in the Fort Simpson area were fairly prosperous. They were a proud people, accustomed to looking after their own money and did not ask for assistance. On the other hand, many Indians who had taken vocational training were unable to find employment when they returned to their communities and had had to live on relief.

Mr. Robertson said most of the graduates from the Sir John Franklin School and from the Leduc Vocational Training Course had been found positions. Placement officers were required to put the trained people into the location where job opportunities existed. An employer could not be compelled to hire a local person and to make him do so could defeat the purpose of the placement officer. If the employer found the person's services unsatisfactory he would let him go and would be very hesitant to employ another person from the same source.

Mr. Brown mentioned that at the January Session three members of Council had asked for action on the placement of students. The Administration was proposing action in accordance with this request next year and he hoped that it would develop.

Mr. Gall said that some of the training given was of no practical use and also that too many truck drivers and carpenters were trained for the number of jobs available.

Mr. Robertson said that the impractical courses referred to were probably recreational courses in handicrafts given as part of the adult education program at the Sir John Franklin School and not intended as vocational

training. The vocational training courses included typing, shorthand, motor mechanics, heavy equipment operation, and carpentry, for all of which employment could be found in the Territories.

Mr. Brown added that people had been sent outside for special courses such as plumbing, tinsmithing, watch repairing, hairdressing, and training for nurses aides.

Mr. Drury reported progress.

The Council adjourned at 12 o'clock midnight.

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THURSDAY, JULY 14, 1960

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10 o'clock A.M.

PRAYERS.

The Council resolved itself into Committee of the Whole to consider further the motion on the Commissioner's Opening Address, Mr. Drury in the Chair.

The Chairman recalled that at its adjournment the Committee had been discussing the need for employment opportunities in the Territories for graduates of vocational training courses. Mr. Brown said the Administration was fully aware of this problem. Mr. Robertson added that action to deal with the problem was hampered by shortages of trained staff to do placement and follow-up work; trained people would be recruited to do this work, but it would be some time before a full solution was reached.

Mr. Gall thought the transition between school and full adjustment to wage employment was a difficult one. Effective leadership was needed if this transition was to be successful. Perhaps it would be possible to interest some organization, such as the Y.M.C.A., in establishing hostels where recent graduates could live for a year or two

after leaving school. Some measure of guidance and leadership could be provided in this way. He did not feel that this should necessarily be undertaken by the Government; a private organization interested in furnishing this important service might be persuaded to establish the facilities. Mr. Porritt and Mr. Goodall thought such hostels would be valuable. Mr. Robertson said Mr. Gall's suggestion was a good one and agreed to have the possibility explored.

Mr. Gall said his experience with the placement of a group of Indian and Eskimo girls in the Hudson's Bay Company store in Yellowknife had indicated that these people had intelligence and abilities equal to those of their white counterparts. He was sure the transition to wage employment could be made. There was general agreement with this view. ✓

Mr. Goodall said that in Fort Simpson graduates from the carpentry courses who had jobs were doing well. Those who had specialized in heavy equipment and machinery found there were few opportunities for them. The boys who came back from training in Yellowknife showed more assurance than others who had not had this training; he felt that this was all to the good.

Mr. Jones referred to the experience of the Indian Affairs Branch in training Indians on reserves in Southern Canada. He said some people had feared that the program might "educate the brains away from the reserves" so that the leadership problem, far from being solved, would become more difficult. This had not happened. While conditions in the Territories were different, he thought the education system would contribute to the development of good leaders. ✓

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Mr. Gall said that over the next ten years the stress should be placed on intermediate qualifications. There was a danger too much emphasis might be placed on training leading to university entrance. Mr. Robertson said the object was to secure the sort of varied output from the schools that you got from provincial education systems. At the present there were about 4,000 children in the schools, an increase of some 600 over last year. Of this total, probably about 3,600 were in the primary grades. As this group advanced through school there would be a more diversified group of graduates. A few certainly would have the training necessary to enter university, but this was not the main object of the education system. ✓

Mr. Porritt suggested a placement officer approach the fish companies who, at present, secured most of their help from outside the Territories. He suggested there might be openings for clerks at the refrigeration plants.

Mr. Goodall said he had been happy to hear teachers and school superintendents had authority to bring some flexibility into the timing of school holidays. In the Fort Simpson area fur and game was plentiful but not enough people were interested in hunting and trapping. It was important to combine schooling with practical knowledge of how to make a living from the country. It would help if school holidays coincided with the trapping season.

The Committee then considered certain points arising from the text of the Commissioner's Opening Address. The Chairman referred to the part dealing with infant mortality and asked whether it would be possible to interest the National Research Council in developing suitable houses for Eskimos. Mr. Robertson said this had already been done and that the rigid frame house was the result. This represented an important advance. More research had been



done on the use of local materials, but the results to date were not very encouraging; it seemed that some form of the rigid frame house might be the best solution. Most deaths at present occurred from respiratory diseases, and while progress to date should reduce this, the problem of improved sanitation was becoming increasingly important and now had a high priority.

Mr. Robertson referred to the initiation of the hospital insurance scheme and asked whether any member of the Committee had comments or suggestions. Mr. Porritt said all the comments he had heard were favourable and other members of the Committee confirmed this.

Speaking of the Royal Commission on the Great Slave Lake Railway, Mr. Robertson said everyone agreed on the importance to the Territories of this new transportation artery. He thought it was important to keep in mind how big a job it would be to build this railway. It would probably be three or four years after the decision to build the railway was taken before trains would begin to run.

#### Sessional Papers

The Committee noted Sessional Paper No. 2 - Annual Report of the Commissioner of the Northwest Territories 1959-60 and Sessional Paper No. 3 - Annual Report of the Workmen's Compensation Administration 1959-60.

#### Sessional Paper No. 4

##### The Annual Report of the Liquor System

The Committee discussed the application which had been received from the Yellowknife Elks Club for a cocktail lounge licence. After discussion, the Chairman said the Committee appeared to be in general agreement that the licence should be granted; the problem was to establish a procedure to

enable other applications by private clubs to be dealt with. There was some danger that applications might be submitted by so-called clubs which existed largely to generate private profits through the sale of liquor. Mr. Robertson suggested that for the time being at least each case might be considered by the Council, and the decision embodied in a simple amendment to the Ordinance.

Mr. Gall requested that the Administration advise the Yellowknife Elks Club as soon as possible if the licence were granted, recalling that the changes in the fuel oil tax and the new liquor prices had not been passed along to the Territories as soon as they should have been. He doubted the club would compete with cocktail lounges in Yellowknife since some people would find the social atmosphere of the club desirable while others would prefer a cocktail lounge.

Mr. Porritt enquired whether the new hotel in Inuvik had been fully licensed.

Mr. Brown replied the Territorial Administration intended to license the hotel. Mr. Robertson added that some requirements of the Fire Marshal had yet to be met.

Mr. Porritt said he was told the delay in the addition to the Hay River Hotel of ten new rooms and a cocktail lounge was because the plan for the new building was being held up in Ottawa.

Mr. Merrill said he was aware of the proposed addition but he had not as yet received the plans and the application to build. Mr. Brown said the application had not yet been received in Ottawa.

Sessional Paper No. 11

Liquor Store, Frobisher Bay

Mr. Robertson explained that a liquor store had been proposed for Frobisher Bay because of a fairly high

rate of consumption of liquor there for which the local people paid heavy air transportation costs. If a store and warehouse were constructed liquor and beer could be delivered by sea. He warned the Council that if excessive drinking followed the opening of a liquor store at Frobisher Bay the Council would be blamed and he urged the Council to consider the proposal carefully.

Mr. Gall said the Territorial Government was losing possible revenue by not having a store there.

Mr. Robertson thought that by setting fairly low prices for beer and at the same time setting the liquor prices at the level of those in the Mackenzie District, people who wished to drink might be encouraged to drink beer rather than liquor.

Mr. Brown stated the materials for building the store and warehouse could be ordered for shipment into Frobisher Bay before freeze-up this year but the stock could not be shipped in and the store opened until next year.

The Chairman noted that military forces stationed in Frobisher Bay would be required to purchase their liquor supplies from the store. He had heard the opinion that commercial activity in Frobisher Bay was not likely to increase in the short term.

Mr. Robertson replied that the prospects of commercial development on the part of the major airlines might not be as bright as they appeared eighteen months ago and that the overall level of activity at Frobisher Bay might be somewhat less than previously anticipated.

The Chairman recalled that in Aklavik, when liquor restrictions were removed, a situation developed that obliged the Council to impose a liquor ration. In deciding on the proposal before them the Council should be prepared to consider all possible objections and to take up a position

that would not later have to be altered.

Mr. Brown commented that the rationing of liquor did not decrease sales since men merely used the rations of their wives and sisters.

Mr. Gall enquired whether contractors were able to impose their own restrictions on the consumption of liquor by their employees.

Mr. Brown said a contractor could prohibit the consumption of liquor on his premises but could not restrict his employees in this manner when they were off his premises. The Committee agreed that the proposed liquor store and warehouse should be constructed at Frobisher Bay.

Mr. Brown reported that after four months of operation under the new price schedule, revenue from the sale of liquor for the period March to June, 1960 had shown an increase of \$36,486.10 over the same period last year. He noted that this was very close to the increase in revenue estimated at the January Session.

Mr. Gall suggested posters be printed for the benefit of the Eskimos and Indians warning that being intoxicated in a public place was an offence. This reminder, he hoped, would result in better behaviour.

Mr. Brown mentioned it was an offence for a tavern operator to serve a patron who was intoxicated. Mr. Porritt suggested hotel operators be reminded of this regulation.

Mr. Robertson said the administration would consider Mr. Gall's suggestion of printing posters.

The Chairman suggested that Indian Agents could influence Indians to drink more moderately.

Mr. Jones offered to suggest to Indian Agents that they use their influence to educate Indians with regard to the moderate use of liquor.

Mr. Brown said differing liquor prices prevailed at various locations in the Mackenzie District because of higher transportation costs in some areas. Since the price differential was small it had been decided to apply the Yellowknife prices throughout the Mackenzie District.

The Chairman noted the Council was proposing to depart from the principle of uniform pricing in the case of beer in Frobisher Bay.

Mr. Robertson thought the price of beer in Frobisher Bay could be justified as a measure to encourage the purchase of beer in preference to liquor.

Sessional Paper No. 12

Predator Control - 1959-60, N.W.T.

Mr. Loughrey reported 650 wolves had been killed in the Northwest Territories during 1959-60, compared with 868 wolves the year before. The law of diminishing returns had begun to operate with respect to expenditures on wolf control since it was beginning to cost more money to exterminate fewer wolves. The Wildlife Service proposed to continue the predator control program by searching for caribou herds by air and where wolves were found to be molesting the herds they would be hunted and poisoned. In the Stony Rapids - Fond du Lac area, Indians were digging out wolf dens as were the Eskimos at Bathurst Inlet and the Indians in Northern Manitoba. In the Arctic Islands, where muskox and caribou were sparse, wolves were usually found in groups of two or three. There were no large packs. In flying over Melville Island, Mr. Loughrey had seen muskox and caribou but no wolves. Constable Jenkin of the R.C.M. Police was asked about the prevalence of wolves in the area and he stated he had little information regarding wolves on Melville Island because there was no Eskimo population on the Island. The Eskimos had reported that there were wolves on Bathurst Island. Poison had been

received for the predator control program but the program had not yet begun.

Mr. Gall enquired whether other animals that ate poisoned wolves were also poisoned. Mr. Loughrey said ravens had been killed by eating the stomach contents of dead wolves but the poison had not passed any further than this. Because many of the wolves were killed on the ice, the action of the sun on their dark pelts caused the ice to melt, whereupon the carcasses dropped through and were no longer a danger to other animals. Where they could be reached, the carcasses of the wolves were put through the ice.

In Alaska, in the areas south and west of Fairbanks, the number of hunters was insufficient to harvest the caribou and since the native population was not dependent on caribou for food nor were the predators sufficiently active to control their numbers, the caribou had increased beyond the capacity of the range.

The increase in calf survival in the Northwest Territories was connected with the reduction in the number of wolves. In the Yellowknife area the rate of survival had been about 80 calves per hundred cows for the last two years. This annual increment, however, was not much larger than the decrement caused by humans, predators, and normal mortality.

Mr. Robertson noted that the cost per wolf had increased over a period of seven years from \$11.00 to \$69.00 for each wolf killed and he thought that less money could be provided for this purpose in the estimates for the fiscal year 1961-62.

The Committee agreed.

The Committee adjourned at 1 o'clock P.M.

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3 o'clock P.M.

The Committee continued its consideration of the motion on the Commissioner's Opening Address, Mr. Drury in the chair.

Sessional Paper No. 7

Grants to School Districts

Mr. Robertson outlined the history of these grants. The policy consistently followed by the Council had been to treat public school districts and separate school districts equally in all respects, including the payment of grants, and he thought this approach was sound. While the immediate question was what grants, if any, should be paid in respect of pupils in grades 10 to 12 at the Yellowknife Separate School, he thought the policy decided on at this time should be capable of general application to any school districts formed in the Territories. A new school district would be established shortly in Hay River and others would follow.

Mr. Nicholson said his comments on separate schools at the January Session might have been misunderstood. He read a statement outlining his views on this question which appears as Sessional Paper No. 20.

Mr. Robertson said the right of a religious group to establish a separate school had been acknowledged on many occasions and was not in question. **Similarly** the propriety of the Council paying grants to separate schools was not in doubt. In Yellowknife, grants to both the public school and the separate school for pupils in grades 10, 11 and 12 had ceased following the opening of the Sir John Franklin School. At that time, the Council earnestly hoped the people of Yellowknife would take advantage of this modern,

well equipped and staffed high school.

However, the advantages of a unified system such as the Federal school offered might disappear when very strong contrary views were held by part of the population. The fact that grants had been paid to the separate school in the past in respect of pupils in grades 10 to 12, and the fact that any policy established should apply to all parts of the Territories, led him to the conclusion it would be difficult to maintain the present policy of no assistance to the separate high school in view of the strength of the desire for separate education in all grades that was obviously held by people of the Catholic faith. In discussion, the members of the Committee made it clear that they were all of the same view. The Committee accepted in principle the desirability, in all the circumstances, of paying grants for all pupils at the secondary school level and turned its attention to the determination of a suitable formula for the payment of grants.

The Chairman suggested that although religious groups clearly had the right to establish separate schools, the grants which they might reasonably expect to receive under the Council's policy should be limited by the overall cost to the community occasioned by their action. If total education costs were increased, then the grants paid should be reduced by an equivalent amount.

Mr. Robertson said this approach might be valid theoretically, but such a test would be almost impossible to apply. The grants policy must apply to all of the Territories, but the facts in any specific situation were largely local. It was almost impossible to work out what the cost would be in any specific community. He thought the Council should reaffirm its policy that grants to school districts should in no case equal the total cost of education. It was generally accepted that local control of education was desirable, but



this implied that a substantial part of the costs must be borne locally. The grants should be a contribution towards the total costs of a school district, but should not be a substitute for the bearing of costs by the people directly concerned.

Mr. Robertson suggested that two broad alternatives were open to the Council in determining the amount of the grants. Contributions might reflect either a fixed proportion of costs incurred in any school district. Alternatively, they might be continued on the present basis at a fixed amount per pupil per year irrespective of location or actual local cost. From an administrative point of view there was a great deal to be said for the second alternative since it made it unnecessary to examine and audit the detailed accounts of each school board.

The Chairman raised the possibility of relating the grants to the mill rate imposed on themselves by the ratepayers of a school district. He said this policy would be easier to administer, but it represented a regressive step since it would tend to penalize poor communities and to discourage efficiency in operation. Mr. Nicholson said he shared the general sentiment of the meeting in favour of uniform grants. He felt, however, that where additional total education costs resulted from the establishment of a separate school, the grants to the separate school should be reduced proportionately.

Mr. Gall agreed in principle with the suggestion that a fixed grant be established, but proposed that a higher amount, possibly \$275.00 per pupil per year, might be justifiable for students in grades 10 to 12.

Mr. Goodall agreed.

Mr. Porritt had some reservations about the fixed grants. If the policy provided for grants to a public school and a separate school in a given area, then the

grants paid to them should be equal on a full-year basis. However, he felt that since costs would clearly vary from place to place, the grant structure might reasonably reflect these changes. The Committee conceded there was some justification in theory for this view, but thought a policy which provided that grants reflect costs would be almost impossible to administer satisfactorily.

The Chairman suggested the grants to school districts be set at \$250 per pupil for Grades 7 to 12.

Mr. Robertson agreed with the Chairman's suggestion and agreed also with the view that the establishment of a separate school should not result in an undue burden on the public school supporters in a community.

He referred to a letter from the Most Reverend Bishop Piche dated July 6, 1960, stating that the Roman Catholic people of Hay River wished to build a separate school. The letter suggested that since the establishment of a separate school would remove the necessity of adding classrooms to the Federal Day School, the Federal and Territorial Governments might wish to use the funds set aside for this purpose to build a new school on separate school land, permitting the separate school to purchase the building later.

Mr. Brown mentioned that an extension to the library and to the gymnasium of the Federal Day School would require between fifty and sixty thousand dollars, quite apart from the additional six classrooms budgeted for originally.

Mr. Porritt explained that the enrolment in the Federal Day School was sufficient to fill two additional classrooms. Four rooms in the existing school were to be

converted - two for use as a workshop and two for the classes in home economics. Four further classrooms would be required to replace these, making a total of six new classrooms.

Mr. Robertson said 50% of the pupils in the Federal Day School were of the Roman Catholic faith and would in all likelihood be enrolling in the new separate school if it were built. He therefore considered the building of the extension to the Federal Day School should be postponed for one year to permit the separate school supporters to organize themselves into a separate school district and state their building requirements.

The Chairman warned that it would be unwise to build the school for a group that was not yet organized to pay for it and which might not wish to buy it after it had been completed. It was fortunate that the six additional classrooms had not yet been added to the Federal Day School.

#### Sessional Paper No. 8

##### Current Barren Ground Caribou Situation

Mr. Loughrey said the caribou situation had improved this year due to an exceptionally good calf crop and the survival of calves through the winter. Previous to 1957 calf crops had been very poor and together with heavy human utilization had resulted in a decrease in the net size of the caribou population. There was, however, no reason at present to relax controls on human utilization of caribou or on predator control. Female caribou normally had their first calves at the age of three years, although approximately 20% had calves in their second year. A cow caribou at the age of three years weighed about 150 pounds, a bull caribou about 250 pounds.

Bad spring weather had resulted in smaller calf crops in some years, since many calves died within the first ten days of birth because of wind-chill or exposure. Wolves preferred to take calves since they were vulnerable and could be picked up and carried back to the den, on occasion as far as fifteen miles away. During this summer at Contwoyto Lake and at Duck Lake, caribou would be caught and tagged at their usual crossing places. From the tags it would be possible to tell the direction of the caribou migration, the amount of herd intermingling and the rate of survival and longevity.

Mr. Goodall referred again to Melville Island and suggested that for the protection of the caribou, wolves on the island should be completely destroyed, if possible.

Mr. Robertson spoke of the **Reindeer** Station at Tuktoyaktuk, explaining that Eskimos had shown they were not interested in reindeer herding and as a result a number of the reindeer belonging to the Eskimos had strayed away, particularly during the winter when they drifted before the storms. Because of lack of selective breeding, the reindeer stock had deteriorated. The Department of Northern Affairs was considering letting a contract to manage the herd on the budget provided in the annual estimates.

Mr. Loughrey mentioned the Wildlife Service had not been associated with the project and **therefore was not** able to give any detailed information regarding the causes of the deterioration of the herd.

#### Sessional Paper No. 9

##### A brief on Indians in the Northwest Territories

Mr. Robertson said this paper had been presented to the Joint Parliamentary Committee on Indian Affairs, and had been included among the Sessional Papers for the information of the Council.

Mr. Jones said the Government had asked the

Indian Affairs Branch to take the initiative in an Inter-departmental Committee studying this subject with a view to making recommendations to the Federal Government.

Sessional Paper No. 10

Labour Legislation - N.W.T.

Mr. Robertson said this paper was an attempt to analyze the field of labour legislation and to suggest possible areas in which the Council could give leadership through new legislation.

Mr. Brown moved that notwithstanding Rule 2 of the Rules of the Council of the Northwest Territories, the Council sit from 9 o'clock P.M. to 12 o'clock midnight on Thursday, July 14, 1960.

The question being put on the motion, it was carried with Mr. Porritt opposing.

The Committee adjourned at 6 o'clock P.M.

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9 o'clock P.M.

The Committee continued its consideration of the motion on the Commissioner's Opening Address, Mr. Drury in the Chair.

Sessional Paper No. 10

Labour Legislation - Northwest Territories

(continued)

Mr. Robertson drew the Committee's attention to Appendix 1 to Sessional Paper 10, a brief from the Yellowknife District Miner's Union, Local 802 of the International Union of Mine, Mill and Smelter Workers. He had some sympathy with the requests made in the brief, but

the Committee should consider the effect of the legislation proposed on industrial costs and its implications in the employment of Indians and Eskimos.

Mr. Brown said the Territorial administration was not presenting any legislation on labour matters at this session. Sessional Paper No. 10 was intended to keep the Council informed of current thinking by the Territorial administration and legislation could be introduced at a later session if the Council wished. He said that the Territorial administration would welcome the views of the members of the Council on this subject. Mr. Robertson added that a decision was, however, necessary on what reply should be sent to the brief.

The Chairman asked whether the members of the Committee knew of any instances where labour was being exploited in the Territories. Mr. Brown said there had been a few complaints, particularly by restaurant employees. These dealt with unreasonably long hours and difficulties in collecting wages.

The Chairman suggested that the legislation in force in Scandinavian countries, where working seasons are similar to those in the Territories, might be examined. Mr. Porritt thought that if legislation were introduced, it should provide for arbitration of labour disputes to avoid strikes during the short working season.

On the Chairman's suggestion, the Committee examined page 4 of Sessional Paper No. 10 to consider those spheres of labour relations where legislation might be required.

1. Working Conditions - The sense of the discussion was that legislation would not at the present time have much application beyond the mining industry which is already

covered by the Mining Safety Ordinance and by agreements between the employers and well organized labour unions.

2. Fair Employment Practices - There was some doubt whether Federal legislation in this field would apply in the Territories. Mr. Nicholson suggested consideration might be given to a general Labour Ordinance which would initially include only a few simple provisions. Items might be added to this Ordinance as the need arose so that ultimately it would form a complete labour code. Some reservations about this suggestion were expressed; it seemed to some members of the Committee that the Council might be pressed prematurely to round out such an Ordinance, and there were doubts whether it would be practical to cover the varying conditions in different parts of the Territories with one enactment.

The Chairman suggested a further danger that in this context "labour" might be approached from the point of view of "organized labour" which represents only a small minority of the Territorial labour force.

3. Equal Pay for Women - The concensus was that legislation containing this provision was not effective anywhere in Canada. Such legislation might provide a useful talking point, but it was not normally enforced.

4. Employment of Children - The Committee decided such a provision would have only theoretical application in the Territories. Because of the provisions in the School Ordinance regarding compulsory attendance and because of the general practice of employers of not hiring children, the abuses which such an enactment would be designed to prevent did not occur.

5, 6 and 7. Payment of Wages, Vacations with Pay, and Statutory Holidays - The Committee agreed that a rather stronger case might be made here than for the other items.

Mr. Porritt recalled cases where wages had not been paid by persons from outside the Territories hiring local people in Hay River to help with fishing operations in Great Slave Lake.

Mr. Gall thought that the people who needed protection were not those who had submitted the brief.

The Committee agreed two principles must be recognized when considering labour legislation for the Northwest Territories:

- (a) It would be most unfortunate if labour legislation for the Territories, based on the legislation existing beyond the Territories and not designed to meet conditions in the Territories, operated to discourage business men from starting new businesses in the Territories.
- (b) There was a case for some form of legislation to prevent exploitation and abuse of labour.

The Chairman suggested that such legislation cover only known abuses.

Mr. Brown said the Territorial administration would examine any proposals carefully before bringing a recommendation to a future session of the Council. He recognized the validity of the points of view expressed, but suggested that in his view what had proved necessary in the provinces would ultimately and at an appropriate time be desirable also in the Territories.

Mr. Porritt suggested there should be a classification of the businesses to be covered by labour legislation.

Mr. Gall said complaints regarding hours of work had been received from employees of restaurants in the Great Slave Lake area but not from store employees.



Mr. Robertson said that if the minimum wage were on such a level that it would not prevent the employment of Indians and Eskimos, the Council would be accused of allowing low wages and poor working conditions. This charge would be more serious than being accused of reactionary conduct, as shown by the lack of labour legislation. It should be possible to employ newly trained students at low wages to begin with, improving the rates as the employees become more familiar with their jobs.

Mr. Porritt suggested that Government departments paid higher wages to their prevailing rate employees than the average local rates.

Mr. Robertson explained the Department of Labour gave instructions to all Departments regarding rates of pay.

Mr. Porritt said there were instances of boys who had just left school making as much money as men who had worked at the same job for a number of years. The wages of policemen were low and it would not be surprising to see a policeman leave the force to take a job in the mines at Yellowknife.

Mr. Brown said it was possible for the supervisor of a work crew to be paid at a lower rate than the seasonal workers under him. This was because the seasonal workers, who were paid by the hour, put in long hours during the Summer, while the supervisor was on continuous employment during the year.

Mr. Nicholson thought employers should be asked for their comments on workmen's compensation with regard to the following points:

- (1) maximum earnings for which benefits are paid.

At present the maximum is \$4,000 a year;

- (2) other benefits under the Ordinance - payments and pensions for widows and orphans;

(3) the sum allowed for the burial of deceased workmen (\$200).

With the inflationary tendencies of the economy, these amounts should be reviewed and the possibility of increasing them considered.

Mr. Brown agreed it might be desirable to allow both employers and employees to make representations regarding workmen's compensation. The costs of workmen's compensation to the employer had a marked bearing on his total costs of operation in the North and major employers should be allowed to submit their comments before any amendments to the Ordinance were passed.

Mr. Porritt asked why blind persons in the Northwest Territories received allowances of \$75.00 per month when the Blind Persons Act authorized a payment of \$55.00 per month.

Mr. Brown explained that the Territorial Government would pay a supplementary allowance in addition to the \$55.00 per month if there was indication of need.

Mr. Goodall said that the Blind Persons Allowance was a joint Federal-Territorial pension. The Federal Government policy was not to extend two forms of assistance to the same person. Here again, the Territorial Government would pay supplementary allowances in cases of need.

Mr. Jones referred to Mr. Nicholson's suggestion that the sum allowed for burial was too low and mentioned that the Indian Affairs Branch allowed an amount for funeral expenses of an indigent equal to the amount allowed by the municipality in which the deceased had been living.

Mr. Nicholson pointed out that if the body of the deceased were shipped from one point to another, there would be an undertaker involved at each end of the route and the total funeral expenses would inevitably exceed \$200.

Mr. Brown said the benefits under the Ordinance provided for a standard funeral. If the relatives wished a more expensive funeral, it was their privilege to provide it but they would have to pay for any excess over and above the amount provided under the Ordinance.

Mr. Porritt suggested that the amount allowed for funeral costs under the Workmen's Compensation Ordinance should be increased from \$200 to \$300.

The Chairman suggested that the brief from the Yellowknife District Miners' Union be sent to the Chamber of Commerce at Hay River and the Board of Trade at Yellowknife and to the management of the mines to enable them to make representations if they wished. The opinion of both the Union and the employers could then be discussed together at the next session of the Council.

The Committee agreed:

- (1) that progressive labour legislation was highly desirable in principle but a little premature. If any serious problems were presented, Council would examine them.
- (2) that the Chamber of Commerce of Hay River, the Board of Trade of Yellowknife and the management of the mines be asked for their comments on possible labour legislation.
- (3) that the Administration obtain from the insurance companies an estimate of the cost of premiums if the proposals of the Yellowknife District Miners' Union regarding increased benefits under the Workmen's Compensation Ordinance were put into effect.

Sessional Paper No. 13

Provision of Safety Equipment for New Mines

Mr. Brown said the Council had, at its January Session, voted \$5,000 to provide mining safety equipment at the North Rankin Nickel Mine, but at that time the Territorial Administration was asked to recommend a general policy regarding the provision of such equipment at scattered mines coming into operation in places remote from the Yellowknife Mine Rescue Station.

Mr. Robertson explained the Territorial Government was not obliged to provide funds for mining safety equipment.

Under the Mining Safety Ordinance the mines were assessed for the cost of maintaining and operating mine rescue stations. Many provinces assisted with the purchase of mining safety equipment, even though the Federal Government had declined to contribute on the grounds that it involved the safety of persons in a province or territory. If an accident occurred due to the lack of safety equipment, the Territorial Government might be blamed.

Mr. Nicholson suggested that since the mine operators were responsible for the safety of lifts used in the mines, they should also bear the responsibility for providing rescue equipment.

The Chairman pointed out that a lift was required for the operation of the mine whereas safety equipment was not necessary to the mine's operation. A safety helmet would be provided by the mine since it served to reduce the cost of workmen's compensation. Since the Territorial Government had made contributions for safety equipment at the Yellowknife Mine Rescue Station, it would be embarrassing to be questioned about the lack of a contribution towards

safety equipment at new mines in the Territories.

Mr. Robertson said the contribution would also prevent the charge that the Territorial Government was not doing even as much as the provinces to encourage mining development.

The majority of the Committee accepted the recommendation of Sessional Paper No. 10 that the Territorial Government provide mine safety equipment at new mines remote from the Yellowknife Mine Rescue Station on the understanding that these mines would house the equipment and maintain it. Mr. Nicholson and Mr. Porritt did not agree with this policy.

Sessional Paper No. 14

Opening Date for the Mink Season

The Chairman said the season for mink trapping now opened on November 1.

Mr. Brown said Mr. Lang had suggested that the season open on November 10.

Mr. Gall thought a difference of ten days in the opening date would make very little difference to the quality and quantity of mink trapped.

The Committee agreed there did not seem to be sufficient cause for changing the opening date of the mink season.

Mr. Drury reported progress.

The Council adjourned at 12 o'clock midnight.

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FRIDAY, JULY 15, 1960

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10 o'clock A.M.

PRAYERS.

The Council resolved itself into Committee of the Whole to continue its consideration of the motion on the Commissioner's Opening Address, Mr. Drury in the chair.

Sessional Paper No. 18

Possible Evolution of the Northwest Territories

On introducing the paper, Mr. Brown said that it suggested no conclusions but set forth for the consideration of the Council possible directions of constitutional development for the Northwest Territories. Mr. Robertson added that the paper arose out of a discussion at the January Session, initiated by Mr. Lang, in which it was suggested that consideration be given to the establishment of a separate Mackenzie Territory. The present Northwest Territories were so large and varied there **were difficulties** in developing policies and legislation to meet the needs of the whole region.

Mr. Gall said he supported the general approach taken in the paper. He thought considerations of provincial status were premature until the Territories had gained the population and developed the economic base necessary to support a provincial administration.

Mr. Gall noted the rapid increase in the Eskimo population of the Territories, and a discussion followed on the question of representation on the Council from parts of the Territories not within the four election districts. The Committee concluded that a revision of the boundaries of the electoral districts would be premature at this time. Mr. Robertson outlined the beginning which had been made through Eskimo representation on the Eskimo Advisory Board.

Mr. Nicholson suggested the Council might record an opinion that there was merit in the proposal to establish a separate Territory of the Mackenzie. The Council might also suggest to the Federal Government the establishment of a boundary commission to consider this special question. Mr. Robertson added that a third step would be to try to give some indication of the timing of the formation of a new territory. The year 1964 was probably the **earliest** reasonable date because the program of administrative decentralization now in progress was a necessary preliminary to the establishment of the new territory.

There was some discussion on the application of experience gained by the Government of the Yukon Territory. The Committee thought some Yukon precedents should not be followed - particularly the immediate establishment of an entirely elected Council, and the former provision in the Yukon Act for the Council to sit separately from the Commissioner. Mr. Gall summed up the views of several members of the Committee when he said the appointed members of the Council of the Northwest Territories made a most valuable contribution which could not be secured in any other way. While some observers assumed appointed members spoke as agents of the Federal Government, he had not found this so.

The Committee then considered the possible boundaries of a new territory and concluded that no decision could be taken at this time, but that the preliminary views of the members might be helpful. The Chairman suggested that even if present constitutional arrangements were to remain unchanged for the time being, it might be worthwhile to rearrange the boundaries of the three districts as a preliminary to coming constitutional and administrative changes.

It was the sense of the meeting that a proposed boundary roughly following the tree line from a point east of Inuvik to the 60th parallel somewhere near the Manitoba - Saskatchewan boundary would not be very satisfactory. This line would cut across the established communication routes along the Arctic coast and leave the coastal settlements with no alternative orientation. After considerable discussion, the Committee agreed that the most promising approach for further study would be a line drawn generally northeastwards, following the watersheds as much as possible, from a point on the 60th parallel somewhere east of the Alberta - Saskatchewan boundary to the point where the present Mackenzie - Keewatin border intersects the Arctic coast. Banks and Victoria Islands would be included in the new territory. The Committee recognized that a decision on the boundary question required far more study than was possible in one meeting, but suggested that the line described above might be useful as a tentative guide.

Mr. Nicholson thought greater consideration should be given to the question of whether or not Banks Island and Victoria Island should be included in the proposed new territory. The Mackenzie watershed was a very clear geographic feature but the islands were a different type of country with different problems.

The Chairman said Banks Island and Victoria Island seemed to be connected with the Mackenzie watershed by a natural affinity and a community of interests, as well as by established communications routes.

Mr. Robertson said it would create many problems if the Western Arctic coast were tied politically to the Eastern Arctic since they were not connected by communications. At present people from the Mackenzie Delta trapped on Banks Island and Victoria Island but fifty years from now this



might no longer be so. The islands were connected by surface transportation with the Mackenzie River and by air transportation with Yellowknife.

Mr. Porritt suggested the Administration develop further the proposal regarding the new territory, possibly establishing a committee to consider it. The boundary might run from a point east of the Saskatchewan - Alberta border up to where the present boundary line between the Mackenzie and Keewatin Districts intersected the Arctic coast. He recommended Victoria Island and Banks Island be included in the new territory.

The Chairman wondered whether this boundary might cut across a number of traplines.

Mr. Robertson said some traplines at present straddled the boundaries between the provinces and the Territories. In the new situation; trappers might become subject to the regulations of three different administrations.

Mr. Porritt said this situation would favour the trappers who could do business in the province or territory where they could get the best terms. If the Arctic coast opposite Banks Island and Victoria Island were included, it would tend to give a greater variety of interest to the new territory. Many of the people from the islands travelled back and forth to Aklavik and air services linked the islands with Inuvik.

Mr. Goodall agreed Banks Island and Victoria Island should be included in the new territory. He advised against haste in forming the new territory. Provincial status for the new territory would not come for a long time since the new territory would not have sufficient resources, people, or tax revenues for some time.

Mr. Nicholson said Cambridge Bay was a focal point in the Central Arctic area. He had no objection to including Banks Island and Victoria Island in the proposed new territory but would like this proposition to be considered more fully.

The Committee turned to the table at the back of **Sessional Paper 18** outlining the division of executive functions between the Federal Government and the Territorial Government.

Mr. Brown said wireless and radio communications would remain a Federal responsibility in the proposed territory but not telephones.

Mr. Robertson said the Roads to Resources Program would remain a Federal responsibility and in order to promote development this arrangement should continue. Where a development program was prepared for a Municipality or a Local Improvement District, the Federal Government would transfer to the appropriate authority the land required for the program. Savings in cost and increased efficiency resulted from having one community planning organization serving both the Yukon Territory and the Northwest Territories.

Mr. Robertson said there would be no objection if the proposed new territory wished to take over education but this responsibility might prove difficult for the territory to discharge at this stage.

The Chairman suggested the administration of natural resources should remain with the Federal Government because the technical skills required could be readily provided by the Federal Government.

Mr. Porritt said commercial fishermen in the Northwest Territories were seeking compulsory quality control of all fish leaving the Territories. At present,

fish leaving the Territories were inspected but sometimes the exporters mixed in fish of lower quality caught in the provinces and lowered the standard of the product. It had been said the Department of Northern Affairs and National Resources had developed fish products without consulting the Department of Fisheries.

Mr. Robertson replied the Department of Fisheries had carried out surveys in locations such as Frobisher Bay and George River before fisheries projects of the Department of Northern Affairs and National Resources at these points were started. There had been close co-operation between the two Departments.

Returning to the question of the proposed new territory, he said fisheries under the British North America Act were a Federal responsibility.

Mr. Porritt said the fishery in the Great Slave Lake made very little money for people who lived in the Territories. Only the fishing companies benefited. Some of the local people used to be able to obtain a good supply of fish for their own use and also to sell but this supply was no longer available.

Mr. Robertson referred to Mr. Porritt's request for compulsory quality control and suggested quality control should be the concern of the companies selling the fish.

Mr. Brown said the role of the Royal Canadian Mounted Police in the Northwest Territories was under review by the Federal Government, including consideration of what contribution, if any, should be made by the Territories towards the costs of operation of the force.

Mr. Nicholson said a Territorial police force would require an Attorney General and a Department of the Attorney General to control many aspects of law enforcement,

such as decisions on whether sufficient evidence had been obtained by the police for a prosecution. A legal officer of the Federal Government might act in Territorial matters in the capacity of Attorney General. He estimated the annual cost of operating a police force and an Attorney General's Office would be between \$400,000 and \$500,000 a year. Some revenue could be raised from fines to offset these expenditures.

In summary, the Committee concluded that

- (1) For the time being it was not desirable to provide for representation directly from the Eastern Arctic on the Council;
- (2) A new territory embracing most of the present Mackenzie District and related areas in the Western Arctic was desirable but further study of this proposal was required;
- (3) Following the establishment of a new territory, the Council formed to administer the remaining areas of the Northwest Territories should be an appointed body initially;
- (4) The Council of the new Territory of the Mackenzie should for some time at least include appointed as well as elected members;
- (5) Continuing consideration should be given to the division of executive functions in the Territories between the Federal and Territorial Governments.

Sessional Paper No. 16

Tourist Development in the Northwest Territories

Mr. Robertson reported that a tourist development officer had been added to the staff of the Northern

Administration Branch and a Northwest Territories Tourist Office established at Ottawa to stimulate tourism in the Territories. A Northwest Territories Tourist Association had been founded in the Territories during the past year. He thought municipalities ought to contribute towards the financing of tourist development. Publicity campaigns to attract tourists should be carefully presented to ensure no false claims were made.

Mr. Porritt said a municipality might be prepared to contribute to the cost of a publication by buying a number of copies from the Government. The Municipality of Hay River had spent about \$1000 on tourist development during the past year.

Mr. Robertson said the Tourist Development Officer had visited Yellowknife in January and in July. It was proposed to call the new highway from Fort Providence to Yellowknife the "Great Slave Highway". White and blue highway signs had been designed and some extra signs would be made for sale as souvenirs.

The Committee requested that the Territorial administration prepare a Reference for Advice concerning tourist development in the Northwest Territories and suggesting the role the Territorial Government should play in this field.

#### Sessional Paper No. 17

##### Prospecting and Mining Training, Northwest Territories

Mr. Gall thought large mining companies did most of the prospecting work done in the Territories and there were few independent prospectors. Training in prospecting could be given in conjunction with a guide training course.

Mr. Robertson said short courses in prospecting had been given at Yellowknife by the mines and Government

officials during the last two years.

Mr. Nicholson said experience at the North Rankin Nickel Mine had shown that Eskimos could work quite successfully in underground mining jobs.

Mr. Jones added that Indians worked underground in mines in Northern Ontario and when properly trained during introductory stages had done very well.

The Committee agreed that the last paragraph of Sessional Paper No. 17 should be reviewed by the Territorial administration and the paper discussed again at the next session of the Council.

The Committee adjourned at 1 o'clock P.M.

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FRIDAY, JULY 15, 1960

3 o'clock P.M.

The Committee continued its consideration of the motion on the Commissioner's Opening Address, Mr. Drury in the chair.

New Policy for Federal Land Administration

Mr. Robertson referred to a paper which had been circulated some months ago to all members of the Council outlining the steps proposed to revise and modernize the policy for Federal land administration in the Yukon Territory and the Northwest Territories. He said although this was a Federal matter, the Department of Northern Affairs and National Resources would be grateful for the comments of the Council on the proposals. The Council of the Yukon Territory was also being consulted.

Mr. Robertson explained that the policy of land administration in the Territories had been changed very little over the past fifty years and was now seriously

out of date. Until recently there had not been a great deal of interest in surface rights and the old policy had not caused much inconvenience. The old policy placed no restrictions or limitations on the use of land, permitted large tracts to be alienated, and provided no guarantees against the acquisition of land from the Crown for purely speculative reasons. The new arrangements now being considered were based on Ontario and Saskatchewan practices which had proved successful.

In reply to an inquiry from Mr. Goodall, Mr. Robertson explained that under the proposed regulations no one who had already acquired rights to land would lose them. The sale or lease of land by residents would not be restricted and while the new regulations were not infallible, they would allow a much better control of the use of land than has been possible in the past.

The Chairman summarized the view of the Committee in saying that while they had no comments of substance, their reaction was one of commendation and approval.

#### Second Mortgages for Housing and Water and Sewer Connections

Mr. Robertson then asked the views of the Committee on a proposal that the Territorial Government make second mortgages available to property owners in the Territories for house-building and water and sewer connections. The size of the loans that could be obtained by individuals or builders under the National Housing Act limited the effectiveness of the Act in its application to the Territories. The Central Mortgage and Housing Corporation was not prepared to make Northern Canada an exception to the nationwide policy on loans, and the most practical alternative seemed to be a Territorial second mortgage scheme to take

into account the higher costs of building a house in the Territories. Mr. Robertson explained that this proposal had not yet been formally approved by the Federal Government but there was no point in putting it forward to the Cabinet unless the Council agreed in principle.

A maximum loan of \$2,000 was proposed under each of two headings:

- (a) to supplement a National Housing Act loan,
- (b) to assist property owners in connecting residences to sewer and water systems and in installing the necessary interior plumbing.

Certain limitations on the total amounts which might be loaned against any given security would be necessary. Some work had already been done on this, but the scheme would have to be developed in detail after approval in principle had been granted by the Territorial Government.

The Committee discussed in general terms the provisions for securing the proposed mortgage loans. The members agreed in principle with the proposal and suggested if Federal agreement were secured, appropriate legislation might be prepared for detailed consideration at a future session.

#### Telephone System Franchises

Mr. Brown said applications to supply a local telephone service at Inuvik had been received from Canadian National Telegraphs, from Mr. K.H.W. Gardlund of Aklavik and from Mr. M. Krutko of Fort McPherson. Mr. Krutko's application did not contain details of the service he proposed to provide and showed no evidence of experience in providing this type of service; the other two applications had been referred to the Northern Canada Power Commission for analysis and recommendation.



In the opinion of the Northern Canada Power Commission, the proposal made by Canadian National Telegraphs was the most favourable since:

- (1) Canadian National Telegraphs offered lower and more flexible rates.
- (2) Canadian National Telegraphs proposed to use two-party lines rather than multiple party lines, thus providing a better service.
- (3) Canadian National Telegraphs had the skilled staff required to install and operate a telephone system; Mr. Gardlund apparently had not. Unskilled labour would also be required. Mr. Gardlund had undertaken to employ all local labour "as far as possible", but there was no reason to think that Canadian National Telegraphs would do otherwise.
- (4) For the first few years it seemed likely the system would operate at a loss. Canadian National Telegraphs had **the resources to** sustain such a deficit; Mr. Gardlund's resources, as far as were known, seemed less adequate.
- (5) Canadian National Telegraphs had a great advantage in experience. It seemed likely Mr. Gardlund would require the services of a consultant but he had made no provision for this in his estimates.

On the proposals submitted, Mr. Gardlund had an advantage over Canadian National Telegraphs in that he proposed to begin operations late in 1960 while Canadian National Telegraphs could not promise a service before the Summer of 1961.

Mr. Brown thought Mr. Gardlund's assets did not appear adequate to finance a telephone system. From the

points of view of finance, technical competence and proposed rate structure, Canadian National Telegraphs seemed to offer the better alternative.

The Committee considered the fact Mr. Gardlund was a local man - a factor which would not have been **considered** by the Northern Canada Power Commission which had been asked for a technical analysis. The Chairman pointed out that a local man might be more responsive to local needs and **wishes** than a large corporation which would consider the operation at Inuvik as a rather minor aspect of their operations. The Committee also took into account the fact Canadian National Telegraphs would be operating long distance services among various points in the Mackenzie District and in the Yukon Territory. As well, Canadian National Telegraphs wished to install and operate local telephone systems at Rae, Fort Resolution, Fort Providence and at other settlements and towns in both the Yukon Territory and the Northwest Territories.

After a full discussion, the Committee agreed unanimously to the granting of the franchise at Inuvik to Canadian National Telegraphs. Mr. Brown undertook to consult the Legal Adviser on the legislative action required of the Council to give effect to this decision, and to arrange for the presentation of any necessary legislation at the next session of the Council.

On Mr. Nicholson's suggestion, the Committee agreed also that any contract signed should include a clause which would oblige Canadian National Telegraphs to train and employ local people to the maximum reasonable extent.

The Chairman asked the members of the Committee if there were any other matters they wished to have discussed

during the consideration of the motion on the Commissioner's opening Address.

Mr. Gall said radio station CBYK at Yellowknife was to be enlarged to give radio coverage to the residents of Rayrock and Discovery. Work was to be completed in about one month. Mr. Porritt said he had heard that radio station CFHR at Hay River was to be closed and that the residents of Hay River would have to be dependent upon the Yellowknife radio station. He thought the Hay River radio station served a good purpose and he hoped it would not be closed. Mr. Merrill said that when CBC radio station CBXH had been completed at Fort Smith it was intended to install a satellite station in Hay River which would relay broadcasts from radio station CBXA in Edmonton. It would also be possible to originate broadcasts at the satellite station at Hay River.

Mr. Goodall emphasized that a water line to the Indian Flats area at Fort Simpson was urgently needed. He understood that the Indian Affairs Branch and the Department of Northern Affairs and National Resources were to co-operate on this. Mr. Jones said funds had been provided for this purpose in the estimates of the Indian Affairs Branch. Mr. Brown explained that the new water system at Fort Simpson was being installed by the Federal Government and was designed primarily to service Federal buildings there. If the Indian Affairs Branch wished to extend the water line to the Indian Flats area, he did not think there would be any objection if they paid for the extension.

Mr. Goodall said he understood that the Hudson's Bay Company was prepared to sell for a nominal figure

sufficient land in Lot 5 to allow a road to be built connecting the back and front roads on the island to the settlement of Fort Simpson. The Administrator of the Local Improvement District was reluctant to start work on the road until the title for the land involved was returned to the Crown. Mr. Brown said the road would be considered as a local road, paid for initially by the Territorial Government, and a proportion of the cost would be recovered from the ratepayers of Fort Simpson by way of the mill rate. As soon as the land for the roadway was acquired, funds could be provided and the road built.

Mr. Drury presented the report of the Committee recommending:-

- (1) That the Liquor Ordinance be amended to enable the Territorial administration to consider the application of the Yellowknife Elks Club for a cocktail lounge licence;
- (2) That a liquor outlet be opened at Frobisher Bay;
- (3) That the predator control program be continued but on a smaller scale because of the decline in the number of wolves;
- (4) That grants to separate schools be at the rate of \$175.00 per year for the pupils in the grades 1 to 6 and at the rate of \$250.00 per year for the pupils in grades 7 to 12:

That in calculating the costs to be borne by the Territorial Government in respect of pupils attending the Sir John Franklin School a division be made between the cost of vocational training and that of academic education to reflect the difference in cost between the two types of education.

- (5) That it was desirable to establish a separate territory comprising most of the present District of Mackenzie with the exception that the Eastern boundary should commence at a point East of the intersection of the Saskatchewan and Alberta borders with the 60th parallel and should continue in a northeasterly direction to the junction of the 102nd parallel with the Arctic coast. Banks Island and Victoria Island should be included in the new territory;
- (6) That the Council of the new territory should continue to have appointed as well as elected members;
- (7) That a territorial administration based at Fort Smith was a prerequisite for the establishment of a new territory;
- (8) That the region remaining after the formation of a new territory should have an appointed Council initially;
- (9) That the Territorial administration be asked to prepare for the next session of the Council a Reference for Advice on tourism in the Northwest Territories;
- (10) That the building of an additional six classrooms for the Federal Day School at Hay River be delayed pending a decision of the Roman Catholic ratepayers at Hay River regarding the establishment of a separate school there;
- (11) That there be no relaxation of the restrictions on the use of caribou for food because the small increase recently in the number of caribou was caused by an unusually good calf crop during the past three years;

- (12) That the Territorial administration obtain information for the Council on the cost of implementing the recommendations in the brief submitted by the Yellowknife District Miners' Union regarding benefits under the Workmen's Compensation Ordinance. The brief should be sent to the **principal mine operators** in the Territories and to the Hay River Chamber of Commerce and the Yellowknife Board of Trade to enable those groups to make representations to the Council if they wished;
- (13) That the Council should provide mine safety equipment where required at isolated mines in the Territories and that the mining companies should be responsible for maintaining and housing the equipment;
- (14) That the opening date of the mink season should continue to be November 1st;
- (15) That, subject to refinements in detail by the Territorial administration, the Committee agreed in principle to a policy of making available in the Territories second mortgages for the construction of houses or to enable householders to install water and sewer services, the funds to finance the program to be lent to the Territorial Government by the Federal Government;
- (16) That the franchise to install and operate a **telephone** system at Inuvik be granted to Canadian National Telegraphs and that any legislation required to implement this decision be presented at the next session of the Council.

The Committee recommended favourably on the Commissioner's Opening Address.

The question being put on the motion, it was carried unanimously.

The Council accepted the report of the Committee.

Mr. Goodall tabled a report on the trapper's meeting held at Fort Simpson on the 5th of July, 1960. This report is set forth in Sessional Paper No. 21.

On a motion by Mr. Brown, seconded by Mr. Gall, Bill 10, An Ordinance Respecting Additional Expenditures for the Public Service of the Northwest Territories for the Financial Year Ending the 31st day of March, 1961, was read the second time.

The Council resolved itself into Committee of the Whole to consider Bill 10, and the Reference for Advice on Community Centres, Mr. Jones in the chair.

Mr. Brown explained the purposes for which it was proposed to provide additional funds in the current financial year:

Allotment 207A - (Free Treatment of Venereal Disease)

Northern Health Services had considered the amount proposed, \$2,000, necessary to ensure the best possible case-finding, reporting and follow-up facilities for the Territories. The amount proposed would represent the Territorial share of the cost of the salary of additional staff for the Social Hygiene Division of the Alberta Department of Health which participated in this program.

Allotment 207A - Agreed to.

Allotment 219 - (Hospitalization of Indigents other than Tuberculosis and Cancer)

Expenditures under this heading would in future be provided for in the budget of the Territorial Hospital Insurance Services scheme. Allotment 219 agreed to.

Allotment 305A - (Transportation and maintenance of Delinquent, Neglected and Homeless Children)

Since the Territorial Government arranged for the custody in a Manitoba institution of juvenile offenders sentenced in Territorial courts, it was proposed the Territorial Government pay bills received from the Manitoba institution and be reimbursed by the Department of Justice. This arrangement had been agreed to by the Department of Justice. Allotment 305A agreed to.

Allotment 1003A - (Grant to Yellowknife School District No. 1.)

Mr. Nicholson recalled that as a result of the Fire Marshal's inspection of the school it had been necessary to carry out substantial alterations to the building.

Mr. Brown said that \$45,000 of the total of \$52,500 requested would be a revote to carry out additions and renovations already approved by the Council in the Appropriation Ordinance 1960-61. An additional \$7,500 was being requested now to cover the Territorial Government's share of a revised estimate for the work submitted by the Public School Board. Allotment 1003A agreed to.

Allotment 5003A - (Fire Protection in Local Improvement Districts)

Mr. Brown explained this would be a revote of funds to pay for fire protection equipment approved in the Appropriation Ordinance 1959-60. The equipment had been purchased late in the 1959-60 fiscal year and no bill for it was received until after the books for that year were closed. Allotment 5003A agreed to.

Allotment 5004A - (Construction of Water Systems)

Mr. Brown said this amount was required for the completion of the water treatment plant at Hay River.

Mr. Porritt said a call for tenders for this project had been published in a newspaper dated the 2nd of July which had not been received in Hay River until the 4th



of July. The last date for the filing of tenders was the 22nd of July; therefore, the time allowed of only 18 days was too short to allow contractors to prepare estimates and tender papers.

Mr. Goodall added that an advertisement for tenders for work estimated to cost \$16,000 at Fort Simpson had appeared on only one occasion in the Edmonton Journal. He suggested tenders for local work be displayed in Post Offices in the areas concerned.

Mr. Porritt said he wished to see local contractors perform work wherever possible so that local people could be employed.

Mr. Robertson explained that the Engineering Division of the Department of Northern Affairs had been asked to advance the dates of calls for tenders but that the volume of capital works being directed by this Division was so heavy it had difficulty in handling it. Certainly the situation had improved but he realized that a great deal of improvement could still be made.

Mr. Porritt asked that the Department of Northern Affairs and National Resources pay much more promptly for work performed. He knew of a trucker whose equipment had been repossessed by a finance company when the trucker was unable to meet a payment because of the delay in the payment of accounts due him by government agencies. Allotment 5004A agreed to.

Allotment 5006 - (Grants Towards Community Centres)

Mr. Robertson referred to the Reference for Advice on community centres in which it was mentioned that the Treasury Board had approved in principle a joint program by the Federal and Territorial Governments whereby 50% of the cost of constructing an approved community centre would be paid by the two Governments, providing the remaining 50% was contributed by the community concerned. The Federal

Government would contribute in proportion to the number of Eskimos and Indians in the community up to a total of \$50,000 for any one community centre. Contributions from organizations such as the Imperial Order of the Daughters of the Empire would be counted as part of a community's share.

The Treasury Board had agreed that a maximum of \$75,000 might be placed in the estimates in the Department of Northern Affairs for each of the next two years for community centres. Mr. Robertson recommended that the Committee approve the provision of \$5,000 in the Supplementary Appropriations to allow the Territorial Government to assist with community centres immediately.

Sessional Paper No. 15 - Fort Smith Community Centre.

Mr. Brown explained that there would be no Federal contribution this year towards the community centre proposed for Fort Smith since the Treasury Board Minute gave authority for Federal assistance in 1961-62 and 1962-63.

Mr. Robertson added that Lot 38 comprising of two acres could probably be made available for the proposed community centre since it was part of a parcel of 12 acres designated in the Fort Smith Development Plan as a future park and recreation area. The Fort Smith Community Society wished to build a curling rink and an indoor skating rink as a start for a community centre. The Fort Smith Community Society thought it could raise \$5,000 this year towards the project.

Mr. Nicholson suggested that the only control over the amount of the Territorial contribution appeared to be the size of the Federal Government's contribution which was to be no more than \$75,000 per year.

Mr. Porritt suggested that, where there were applications from more communities than the Territorial

Government could afford to assist, grants should be made on a priority basis to those communities having fewest recreational facilities.

Mr. Robertson noted that Alberta and Saskatchewan made grants to community centres. These centres would encourage co-operation in the communities.

Mr. Goodall said the community hall at Fort Simpson had been financed by local contributions and built by voluntary labour. A curling rink was to be built in the same way.

Mr. Nicholson recommended that the Committee agree in principle to the provision of \$5,000 for this year with the proviso that the Territorial Government set a limit in future Appropriation Ordinances on the extent of Territorial assistance for this purpose in any one year.

Allotment 5006 agreed to.

Allotment 7002 - (Mine Rescue Station - Yellowknife)

Mr. Brown explained that this item was to provide a new roof for the mine rescue station in Yellowknife.

Allotment 7002 agreed to:

Allotment 8001 - (Construction or Acquisition of Building, Land and Equipment)

Mr. Brown explained that the sprinkler system approved by the Council in the Appropriation Ordinance 1960-61 had not been installed during that fiscal year and, therefore, a revote was required. The Committee also **approved the** provision of \$65,000 to construct a warehouse and liquor store at Frobisher Bay. Allotment 8001 agreed to.

The Committee also considered the desirability of contributing towards the construction of emergency landing strips at Fort Liard, Fort Norman, and Fort Simpson.

Mr. Porritt asked whether the Department of Transport would contribute towards the cost of such facilities.

Mr. Merrill said the landing strips proposed would not meet the Department of Transport standards and, therefore, no contribution could be expected.

Mr. Robertson suggested that no decision be taken on the building of emergency landing strips until plans and more detailed estimates for the strips had been prepared by the Territorial administration. The Committee agreed.

Mr. Porritt mentioned that lots 23 and 24 in Block B on the waterfront at Hay River were being returned to the Department of Northern Affairs and National Resources by the Canadian Pacific Airlines. The Municipality of Hay River would like to have these lots reserved for a refuelling station for float aircraft and would attempt to interest oil companies in buying the lots.

Mr. Robertson said that the Federal Government made an annual grant of \$1,000 to the museums at Yellowknife and at Whitehorse. The Yellowknife Museum Society had so far been unable to find permanent accommodation for their collection.

Mr. Gall said it had been hoped the Wildcat Cafe could be renovated and used as a museum but it was in such a state of disrepair it would have to be demolished.

Mr. Drury recommended that the building should be in the old town because of the historic interest of that part of Yellowknife to visitors.

Mr. Robertson suggested the Committee consider making a grant of \$3,000 to provide building materials for a small building to house the collection. The Committee agreed.

Mr. Jones presented the report of the Committee which recommended Bill 10 with amendments.

The Council accepted the report of the Committee.

The Committee recommended further that the Commissioner be advised to implement a program of assisting with the establishment of community centres in the Northwest Territories along the lines proposed in the Reference for Advice on this subject. This Reference for Advice is set out in Sessional Paper No. 22.

On a motion by Mr. Gall, seconded by Mr. Jones, Bill 11, An Ordinance to Amend the Liquor Ordinance, was read the first time.

On a motion by Mr. Gall, seconded by Mr. Drury, Bill 11, An Ordinance to Amend the Liquor Ordinance, was read the second time.

The Council agreed unanimously not to refer Bill 11 to a Committee of the Whole for consideration.

Mr. Brown, seconded by Mr. Porritt, moved  
"That notwithstanding Rule 2 of the Rules of the Council of the Northwest Territories, the Council sit at 9 o'clock A.M. on Saturday, July 16, 1960."

The question being put on the motion, it was carried unanimously.

The Council adjourned at 6 o'clock P.M.

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SATURDAY, JULY 16, 1960

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PRAYERS

9 o'clock P.M.

On a motion by Mr. Drury, seconded by Mr. Jones, Bill 2, An Ordinance to Amend the Fur Export Ordinance, as reported by the Committee, was read the third time and

passed. Bill 2 is set out in Sessional Paper No. 23.

On a motion by Mr. Gall, seconded by Mr. Drury, Bill 3, An Ordinance Respecting the Preservation of Game, as reported by the Committee, was read the third time and passed. Bill 3 is set out in Sessional Paper No. 24.

On a motion by Mr. Goodall, seconded by Mr. Nicholson, Bill 4, An Ordinance to Amend the Insane Persons Ordinance, as reported by the Committee, was read the third time and passed. Bill 4 is set out in Sessional Paper No. 25.

On a motion by Mr. Drury, seconded by Mr. Porritt, Bill 5, An Ordinance to Amend the Judicature Ordinance, as reported by the Committee, was read the third time and passed. Bill 5 is set out in Sessional Paper No. 26.

On a motion by Mr. Gall, seconded by Mr. Goodall, Bill 6, An Ordinance to Amend the Mining Safety Ordinance, as reported by the Committee, was read the third time and passed. Bill 6 is set out in Sessional Paper No. 27.

On a motion by Mr. Goodall, seconded by Mr. Drury, Bill 8, An Ordinance to Amend the Pharmaceutical Chemists Ordinance, as reported by the Committee, was read the third time and passed. Bill 8 is set out in Sessional Paper No. 28.

On a motion by Mr. Nicholson, seconded by Mr. Porritt, Bill 9, An Ordinance to Amend the School Ordinance, as reported by the Committee, was read the third time and passed. Bill 9 is set out in Sessional Paper No. 29.

On a motion by Mr. Brown, seconded by Mr. Gall, Bill 10, An Ordinance Respecting Additional Expenditures for the Public Service of the Northwest Territories for the Financial Year Ending the 31st day of March, 1961, as reported by the Committee, was read the third time and passed.

Bill 10 is set out in Sessional Paper No. 30.

On a motion by Mr. Gall, seconded by Mr. Nicholson, Bill 11, An Ordinance to Amend the Liquor Ordinance, as reported by the Committee, was read the third time and passed. Bill 11 is set out in Sessional Paper No. 31.

The Commissioner assented to Bills 2, 3, 4, 5, 6, 8, 9, 10 and 11, as passed by the Council.

Mr. Drury thought the Council would wish to express its appreciation to the Commanding Officer and staff of the R.C.A.F. Detachment at Resolute for their **excellent hospitality** and co-operation. Mr. Nicholson suggested that some formal indication of this appreciation should be given. The Commissioner instructed the Secretary to prepare a suitable letter expressing the appreciation of the Council.

PROROGATION.