

of deputy police magistrates in the Northwest territories, and to provide that subsection 2, which I have just read, does not apply to deputy police magistrates in that area. That is to say, the deputy magistrates may live outside the Territories and carry on their practice as barristers and solicitors, and still act as police magistrates in the Territories when their services are required. Provision is made for their remuneration and so on.

Hon. Mr. Roebuck: Does the amendment say how long they may act as deputies and carry on a practice?

Hon. Mr. Aseltine: As long as they are deputies they can carry on their practice. No term is fixed by the section. Subsection 3 of section 2 reads:

The Governor in Council may appoint one or more persons who are barristers or advocates of at least three years' standing at the bar of any province to be deputy police magistrates, and may fix their remuneration and allowances . . .

Hon. Mr. Macdonald: What is an advocate?

Hon. Mr. Aseltine: "Advocate" is another name for a lawyer.

Hon. Mr. Macdonald: He may be a solicitor.

Hon. Mr. Aseltine: Yes, he would have to be a solicitor. In the province of Quebec lawyers are called advocates.

Hon. Mr. Macdonald: That is the French translation.

Hon. Mr. Aseltine: But in the other provinces they are called barristers and solicitors. In the province of Saskatchewan we make no distinction between barristers and solicitors, such as is made in the Old Country. In that province every lawyer is a barrister and solicitor, except in one or two cases where a solicitor who is not a barrister has been allowed to practise there.

Hon. Mr. Macdonald: It is not necessary that a police magistrate be both?

Hon. Mr. Aseltine: No; the section says "barristers or advocates".

That is all there is to that amendment, honourable senators.

The other amendment contained in the bill would amend the Northwest Territories Act by adding a new section 19A. Section 19 of the act deals with the Northwest Territories Revenue Account, and reads in part as follows:

(1) All territorial revenues shall be paid into the Consolidated Revenue Fund.

(2) There shall be established in the Consolidated Revenue Fund an account to be known as the Northwest Territories Revenue Account to which shall be credited

(a) amounts equal to the territorial revenues paid from time to time into the Consolidated Revenue Fund pursuant to subsection . . .

And so on.

This amendment is for the purpose of giving the commissioner, who is defined in section 3 of the act, the power to borrow money. At present municipalities and school districts in the Northwest Territories apparently have no power to borrow money for carrying on their work. This amendment would give the territorial Government, through the Commissioner of the Northwest Territories, the same right as the territorial Government of the Yukon has to borrow money for local purposes; and the commissioner has the right, with consent of the Governor in Council, to lend this money to the municipalities and school districts.

This bill is really a step toward self-government in the Northwest Territories; and no doubt other steps will be taken until such time as these territories have full self-government. As I said, some of these amendments were in contemplation prior to the election of last June, and are now being brought down by the present Government. I feel that the Senate will have no difficulty in giving them its full approval.

Hon. Arthur W. Roebuck: Honourable senators, I have two observations to make in connection with this bill, having had some experience in the appointing of magistrates. When I held the office of Attorney General of Ontario I changed the system very extensively in that province, and the reforms that were made at that time are still in existence. Instead of having a local magistrate living in each little town all over the province and being paid by fees, we divided the province into 17 large districts, and appointed a stipendiary magistrate for each, and then we appointed justices of the peace to take complaints and prepare charges. It was a major reform, and a very good one.

My experience has been in turning a temporary magistrate, with a small jurisdiction and paid by fees, into a stipendiary magistrate with a much wider territorial jurisdiction, and I have seen the benefit which can come from that change.

Here we are proposing to change the law so that deputy magistrates may carry on their practice. I know there is some difficulty in reaching a satisfactory solution, because at times the stipendiary magistrate because of illness or for some other reason is unable to carry on his duties and somebody must take his place. There are times when a barrister is called in and is made a temporary magistrate. That is necessary in certain circumstances, but I do not think it is necessary to allow a magistrate to be called a deputy and to be allowed to carry on a practice indefinitely.