

Yukon Act

Mr. Winters: No, I have had no representations as to the adequacy or otherwise of revenues for education. In Whitehorse, for example, where quite a large percentage of the population is composed of service personnel, the government contributes on a per capita basis to education both in the primary and secondary schools.

Mr. Low: Including the capital costs?

Mr. Winters: Including capital cost. Otherwise we have had no representations.

Mr. Pearkes: May I ask if there are combined Indian and white schools in the Yukon on the same basis as there are in British Columbia.

Mr. Winters: There are, Mr. Chairman.

Mr. Knowles: Perhaps I might seek to answer the question asked a moment ago by my colleague the hon. member for Vancouver East, and to which the minister did not seem to know the answer. If one looks ahead to sections 31 and 35 of the act he will find that the court in the Yukon Territory is given authority in all civil cases, and so on, and apparently that must include divorces; because when you read section 35 you find that the court of appeal for the Yukon Territory is the court of appeal for the province of British Columbia. Section 35 (2) (g) refers to actions for divorce or judicial separation as being amongst the classes of cases that can be dealt with from the court of the Yukon in the appeal court of British Columbia. Apparently divorces from the Yukon Territory do not come here to parliament because they have their own court.

Mr. Browne (St. John's West): I would like an answer to that question if the minister can find one. I do not believe there is any divorce in the Yukon because there is no power for it.

Mr. Winters: I am told that the governing section is section 22 which reads:

Subject to the provisions of this act, the laws relating to civil and criminal matters and the ordinances in force in the Northwest Territories on the 13th day of June, 1898, shall be and remain in force in the territory, in so far as the same are applicable thereto, and in so far as the same have not been or are not hereafter repealed, abolished or altered by the parliament of Canada, or by any ordinance.

Section agreed to.

Sections 17 and 18 agreed to.

On section 19—*Borrowing*.

Mr. Black (Cumberland): Before section 19 carries, may I ask the minister whether any moneys have been borrowed up to the present time under the act?

[Mr. MacInnis.]

Mr. Winters: There have been no moneys borrowed.

Section agreed to.

Sections 20 to 34 inclusive agreed to.

On section 35—*Meaning of court of appeal*.

Mr. Browne (St. John's West): On section 35, has the minister found out whether in the Northwest Territories there is power for divorce?

Mr. Winters: There is.

Section agreed to.

Sections 36 to 44 inclusive agreed to.

On section 45—*Power to hold lands*.

Mr. Pearkes: Do the lands covered in section 45 carry the mineral rights?

Mr. Winters: The answer is no, Mr. Chairman.

Section agreed to.

Section 46 agreed to.

On section 47—*Manufacture and importation of intoxicants*.

Mr. Knowles: May I ask the minister if he can tell us what the present situation is with respect to the manufacture, compounding or importing into the Yukon Territory of intoxicants. I note that according to this provision, which is more or less the same as it was previously, intoxicants are not allowed into the territory except by permission of the commissioner. I gather that this is not a question that is left to the decision of the territorial council but rather it is a decision made by the commissioner, which in effect means that decisions in this matter are made here in Ottawa. Can the minister say what the present situation is in that regard?

Mr. Winters: As hon. members may remember, two years ago, I think, there was a change made in the Yukon Act to enable intoxicating liquors to be manufactured in the Yukon Territory under the authority of the commissioner in council. That was intended to bring the authority into line with that prevailing in all other provinces in Canada and in the Northwest Territories. There have been no instances where liquor has been manufactured there, so the clause has not been applicable. It has been decided that for administrative purposes it would be very difficult to summon the council to deal with instances should they occur. It is quite different from the situation here, where it is easy to assemble the council. For this reason