

province. The law now requires five years standing at the bar. It has been found extremely difficult in recent years to find a suitable and competent person, a barrister or advocate, particularly one with five years' standing at the bar of any of the provinces of Canada, who would be willing to accept the appointment of public administrator. The few barristers or advocates practising their profession in the Yukon Territory are, for one reason or another, unable to undertake the responsibility of acting as public administrator, and it has become necessary to recruit a barrister.

There is at present no authority in the Yukon Act for the acceptance of holograph wills and, under some of the isolated conditions prevailing in Yukon, this is about the only evidence that certain people can leave of their desires. The acceptance of a holograph will is not provided for in the Yukon Act, but it is in the Northwest Territories Act. It is desired to make the practice uniform, and the bill provides for this.

At present the controller of the Yukon Territory is authorized to administer the oath of office to a stipendiary magistrate. Since the amendments proposed in this bill change the title of the chief executive officer to "commissioner", this power will be exercised by the commissioner and an amendment to the act is provided for this purpose.

The legal officers advise that there is apparent conflict between the terms of the Yukon Act and the criminal code. It is therefore proposed to repeal section 118 of the Yukon Act, because this section has created a conflict in interpretation as to whether, for the purpose of the criminal code in the Yukon Territory, the court of appeal is the Supreme Court of Canada or the court of appeal for British Columbia. It is desired to make it clear that an appeal shall lie, as provided for in the code, to the court of appeal for British Columbia.

It is also proposed that section 129 of the Yukon Act be repealed and a new section substituted. This section refers to the sale of liquor and provides for its importation or manufacture only with the permission of the governor in council. In order to facilitate the administration, it is proposed to give this authority to the commissioner. In the case of the Northwest Territories, this authority is exercised by the commissioner; thus the two acts will be consistent.

Mr. CASE: The minister left the impression that he is reverting to the title which was used some time ago. When was the

change made in the title to which he is reverting, and what was the reason for the change?

Mr. MacKINNON: By order in council P.C. 745 of March 28, 1918, the positions of commissioner and administrator were abolished, and it transferred the duties and powers vested in the commissioner and the administrator to the gold commissioner of the Yukon Territory under the authority of the War Measures Act. The next order in council is P.C. 2152 of October 18, 1919. In the meantime the Yukon Act had been amended by the inclusion of section 132, chapter 50 of the 1918 statutes, and this order in council confirmed the abolishment of the two positions and the vesting of their powers and duties in the gold commissioner of the territory.

Order in council P.C. 1481 of June 30, 1932, ordered as follows:

All the powers and duties vested in the gold commissioner under the provisions of the Yukon Act or any other act respecting Yukon Territory be and are hereby transferred to and vested in Mr. George Allan Jeckell, comptroller of the Yukon Territory under the authority of section 132 of the Yukon Act.

Section 132 of the Yukon Act reads as follows:

The governor in council may abolish any position or office authorized or created under the provisions of this act, and may transfer to any officer of the crown any or all of the duties or functions of the position or office so abolished, whether any of such duties or functions are defined in this act, or in any other act, or in any regulations made under the authority of this act or any other act applying to the Yukon Territory.

Order in Council P.C. 35/343 of the 20th February, 1934, deals with the superannuation of George Ian MacLean, gold commissioner, and goes on to recommend that the above-mentioned position of gold commissioner be abolished with effect from March 26, 1933.

Order in council P.C. 3072 of December 3, 1936, amends P.C. 1481, changing the designation of George Allan Jeckell to controller of Yukon Territory with effect from December 1, 1936.

Section agreed to.

Section 2 agreed to.

On section 3—Sessional indemnity and expenses of councillors.

Mr. BLACK (Yukon): Section 3, which substitutes a new section 20 in the Yukon Act, gives to the members of the elected Yukon council an indemnity of \$1,000 a year. Prior to now they have been paid \$400, which was very much less than their services entitled