

Proceedings on Adjournment Motion

of Indians; that is, wards of the Queen. In this regard I think the situation is not all it might be.

I will agree that during a transitional period, directed toward increased self-government within Indian bands, some help and assistance in the techniques of elections and the exercise of what is considered by non-Indians to be the process of democracy, should be made available. However, I do believe that some steps should be taken to avoid the possible recurrence of this kind of situation.

It is my hope that the minister will consider that in the matter of band elections it would be desirable to select someone not engaged in the Indian affairs branch of his department as a returning officer, preferably someone chosen by the members of the band, and preferably an Indian—either a member of that band or of some other band.

It does seem to me that such a step would be a step toward making it clear that those of us here in parliament, and particularly those of us who hope that the functions of the Indian affairs branch will in the present and foreseeable future undergo a rather rapid transformation in its basic functions, have a desire that Indians should become self-governing. I am interested now in hearing a reply from the minister as to what steps he has in mind regarding the situation which has developed on this particular reserve.

Hon. Arthur Laing (Minister of Indian Affairs and Northern Development): Mr. Speaker, this matter raised by the hon. member for Comox-Alberni (Mr. Barnett) relates to a vote which took place for the position of band chief of the Six Nations Reserve on December 17 last. As a result of that election Mr. Richard Isaac and Mr. Keith Martin were tied with 123 votes each.

I am of the opinion, as the hon. member indicated, that in such cases the lot of a returning officer, like that of a policeman, is not a happy one. That is no doubt why successive governments have been extremely careful in appointing returning officers for our elections, so that if a situation like this arose they would know enough to do the right thing.

The situation here was unfortunate, in that we had foreseen this difficulty as a result of a similar tie vote and had circularized all Indian bands in Canada with the suggestion that

we did not want our people involved. We asked them to see to it that an Indian be appointed as the returning officer.

The band met on this point on December 1. The result was that they insisted that our agency superintendent, Mr. Cassie, act as returning officer, which he did. We are now trying to break the tie by having a recount of ballots, and we have asked for an identification of the difficulties experienced in respect of those ballots that were spoiled.

In the meantime we have suggested to our superintendents that wherever possible an Indian should be appointed as a returning officer and, if necessary, the superintendent should act as deputy returning officer in order to give the required assistance. We have also asked the National Indian Advisory Board for its views of the suggestion that we enact a regulation to make this procedure mandatory; in other words make it mandatory that a member of the band be appointed as the returning officer.

In the case now under review, Mr. Keith Martin, the unsuccessful candidate for chief, has submitted an official appeal. This is currently under consideration, and as one preliminary step we have asked that the ballots be re-examined by the electoral officer who will provide a physical description of the spoiled ballots. As an adjunct of the re-examination, all the ballots will again be tabulated and recorded before appropriate witnesses.

In conclusion, I might mention that a similar situation arose in the Six Nations election in December, 1963. At that time Mr. Keith Martin, who is appealing the latest by-election, ran as a councillor in district No. 4. On that previous occasion Mr. Martin tied with another candidate for councillor and it was necessary for the electoral officer to cast a deciding vote to break the tie. In that instance the then superintendent, in his capacity as electoral officer, voted in favour of Mr. Martin.

I think our people would very much like to be rid of this responsibility, and we think we can bring this about by amending the regulations. In this regard we want the approval of the National Indian Advisory Board. I thank the hon. member for raising this matter.

Motion agreed to and the house adjourned at 10.38 p.m.