

*Northwest Territories Act*

attention on several occasions. This particular section deals with the appointment of sheriffs. In my provincial jurisdiction the right to levy distress under conditional sale agreements is placed in the hands of a sheriff as an officer of the court. That particular situation does not exist in the territories. I understand that, under the terms of most of these conditional sale agreements which are drawn—by the finance companies—and naturally are slanted in the favour of the finance companies who draw them—it is possible for the personal agent or representative of the finance company to levy distress on his own without intervention of the sheriff. I would suggest to the minister that one way in which to remedy this situation would be to invest the sheriff with the complete and sole jurisdiction and discretion in connection with these distress warrants.

The only other suggestion I have to advance is in line with what the minister has said about the gradual granting of a more autonomous form of government to the territories. The time may well come before too long when the appointment of an attorney general may be desirable to advise the council and to act as does the attorney general in the provincial jurisdictions in connection with the administration of justice. I think that the time may well come before too long when this is a consummation to be desired. I put these suggestions before the minister as a result of my own practical experience in dealing with the courts and the system of judicature in the territories.

**Mr. H. W. Herridge (Kootenay West):** Mr. Speaker, I just want to say a few words. I listened with a great deal of interest to the comments made by the hon. member for Mackenzie River (Mr. Hardie). I always pay attention to what he has to say. We all know that he has a keen mind, a warm heart, a fund of experience and a great reservoir of native wisdom. I thought that his criticisms of clause 1 had some validity. I should like the minister to deal with that matter at greater length and to reply to the criticisms of the hon. member. This clause seems to me to be somewhat contradictory having regard to regular democratic procedures in the territories. It reads as follows:

Every council shall continue for three years from the date of the return of the writs for the general election of the elected members thereof and no longer, but the governor in council may at any time dissolve the council and cause a new council to be elected and appointed.

As I understand that clause, if there were elected a council of a stripe of which it was not fond or whose personnel were unpopular with the government or the senior members of the administration, it would be possible

for the governor in council to get rid of the lot of them by just dissolving the council and having a new council elected. I may not understand the situation fully but I listened carefully to what the hon. member for Mackenzie River said. As I said before, throughout his years here he has come up with some practical suggestions. He has a great deal of knowledge with respect to the territories. I should like the minister to reply in committee to the criticisms made by the hon. member.

**Mr. Speaker:** I must inform the house now that if the hon. minister speaks he will close the debate.

**Hon. Alvin Hamilton (Minister of Northern Affairs and National Resources):** Mr. Speaker, there were two points made tonight that I think deserve an answer. The first one dealt with the suggestions made by the hon. member for Mackenzie River (Mr. Hardie) and the hon. member for Nickel Belt (Mr. Godin) on the resolution stage, and by the hon. member for Peace River (Mr. Baldwin) tonight concerning the judicial arrangements and procedures in the Northwest Territories. I mentioned casually on resolution stage that representations had been made to us over the past year with regard to reform in the administration of justice in the territories, and that as a result of those representations the Minister of Justice (Mr. Fulton) and one other would be going up there this summer. I looked into that recently and I found out I am slightly in error. The Minister of Justice is going up a little sooner than that, and I have an advance copy of a press release which is due out tomorrow, and I trust that when this is announced hon. members will see the extent to which the hon. minister is planning to cover the north in looking into this matter. I think I should say that the minister is being accompanied by the deputy minister and by the commissioner of the mounted police and is covering 14 places in the Northwest Territories.

The second point is the key one, I believe, and this was the reason why there was added in the first section these words:

—but the governor in council may at any time dissolve the council and cause a new council to be elected and appointed.

The first change was in the use of dissolution to make it similar to the provinces. Now you can dissolve at any time like the provinces and this house. It is the next stage which causes concern. If you can visualize this council made up of five appointed members, appointed by the minister under the governor in council, with a commissioner who happens to be my deputy minister, and then four elected members you see the picture a little