

Mr. TURNER: I suggest to you with respect that referring the committee to this historical background, to this alleged statute, does not bring us too far forward, because, as I say, the 1872 statute does not exist; and we have a very retrograde statute in the one of 1875.

Judge SISSONS: I suggest that you ignore the reference to 1872. I am not particularly worried whether it be correct or incorrect. I want the same kind of government that we had in the old Northwest Territories just prior to its becoming—

Mr. TURNER: I shall read to you from page 78 of the book entitled "The Struggle for Responsible Government in the Northwest Territories 1870-1897" by Mr. L. H. Thomas, a leading student of this subject. I read as follows:

In one respect only did this act produce an immediate improvement in the status of the territorial government—ordinances did not require prior approval at Ottawa before coming into effect. On the whole the act was a conservative measure—too indefinite in many of its provisions to be a blueprint of future constitutional evolution.

If the committee wants to follow the evolution of government in the Northwest Territories they should refer to this book which is a leading work on the subject.

If the witness is to base his entire recommendations, as he does, on the legislation as it stood in the 1870's, we would not be too far advanced. I would like to refer to other parts of that 1872 statute. On the subject of who may vote, in section (13), subsection (3) the formation of electoral districts, they had to have a population of at least 1,000 inhabitants for an area not exceeding 1,000 square miles. This would limit the electoral districts to less than three. Basically it was government in the hands of the lieutenant governor appointed from Ottawa and who, in turn, appointed the council. I am interested in your comments, but I do not think this gets us anywhere.

Judge SISSONS: Well, of course, that is quite proper. All I have in mind is the kind of representative government that we had when the west was being developed, and that of course we are not having. But we would have it if we had that kind of government with a legislative assembly, an executive council, and a lieutenant governor. We would then be away ahead of where we are now. But if we cannot have that, at least let us have an elected council anyway, and then let us wait until we have a government which is analogous to it. But certainly this government is not analogous to that of the provinces at the present time.

The CHAIRMAN: Are there any further questions?

Mr. DOUCETT: I would like to ask a question. Would the witness be in favour of a legislative council similar to those the provinces have? Is that right, a council which is elected and legislating in these terms?

Judge SISSONS: Well, that would be a legislative assembly analogous to those of the provinces, and of course, with the difference here, at the present time, of an executive council.

Mr. DOUCETT: There would have to be some division of the territory to get constituencies or territories which the legislative council would represent.

Judge SISSONS: There would be no difficulty but you cannot divide them over night.

Mr. DOUCETT: That is what I mean. I did not mean to say there would be difficulty.

Judge SISSONS: There are constituencies for the elected council of the western Arctic all down "here", and in fact this new bill would create one for "here", and "here".