

NORTH-WEST TERRITORIES ACT
AMENDMENT BILL.

REPORTED FROM COMMITTEE.

The House resolved itself into a Committee of the Whole on Bill (V) "An Act to amend the Act respecting the North-West Territories."

(In the Committee.)

HON. MR. ABBOTT said: There were certain points to which my attention was specially directed yesterday, with which I propose to deal to-day. Clause 12 of the Bill was not one of the clauses reserved, but it was one respecting which I promised my hon. friend from Calgary that I would make some enquiry, and I think that the House is indebted to him for the suggestion be made, as it appears that the clause is not exactly what was intended. Sections 36 to 40 which are repealed by this Bill, are sections applicable to the rights of married women, and as my hon. friend remarked yesterday, if those sections were repealed now there would be no provisions with respect to the rights of married women until the Assembly should make the requisite laws. The most convenient mode of meeting that difficulty obviously would be to leave the laws in force, and to give the Local Assembly power to repeal them, and that is the course which I have determined to propose to the House. I intend to do it in the first place by asking the House to strike out clause 12 of the Bill altogether. I, therefore, move that clause 12 be struck out.

The motion was agreed to.

HON. MR. ABBOTT—Towards the end of the Bill I shall ask the House to put in a clause which I can see will furnish the desired remedy. In clause 20, in re-copying the section, the words "of six" were left out. The provisions respecting juries which we all thought existed, would not have applied to this particular case, and it was intended as is necessary in order to make the law consistent, that there should be a jury of six as in the former Act. I, therefore, move that the words "of six" be inserted after "jury" in the 23rd line of clause 20.

The motion was agreed to.

HON. MR. ABBOTT—The next clause which was reserved for our consideration

yesterday is the 25th—the clause which enables the magistrate to send an offender to the custody of the North-West Mounted Police Force, and the Police guard-house is made a substitute for a penitentiary or place of confinement. My hon. friend from Calgary suggested that there were cases where this would create considerable hardship, inasmuch as there are some municipalities which have no lock-up; and he suggested that some arrangement might be made by the municipality with the Government for the maintenance of the prisoner while under conviction, the cost of maintenance being really the main objection to extending this law to persons convicted of municipal offences. That suggestion has been accepted by us, and I propose to add to section 79, as included in clause 25, these words:—

"Page 7, line 17.—After "law" insert "But if any Municipality shall make arrangements with the Commissioner of the Mounted Police for the maintenance of persons convicted of a breach of any By-law of such Municipality during the period of their sentence, the provisions of this section shall thereafter apply to such persons in like manner as to other offenders."

The motion was agreed to, and the clause, as amended, was adopted.

HON. MR. ABBOTT—In clause 26, section 81 is the section to which our attention was directed yesterday. That is provided for by the Summary Convictions Act, and is, therefore, no longer necessary in the Act, so I move that clause 26 be adopted.

The motion was agreed to.

HON. MR. ABBOTT—The amendment which I will now propose applies not only to these sections which have regard to the rights of married women, but also to the objection which my hon. friend from Calgary made yesterday, that it was not sufficiently clear in what way, or by what process, the Legislative Assembly was to exercise the powers with regard to intoxicating liquors, with which it might be vested by the fact that the people gave their verdict in favor of a change. I propose to put as a preamble or sort of preliminary clause to the 34th clause the following, which embodies all that is needed, not only with reference to the rights of married women, but also with reference to the subject of intoxicating liquors:—

"34. No change shall be made by the Legislative Assembly in the existing law as to intoxicating liquors in the Territories, nor shall any such legislation