

EVIDENCE

WEDNESDAY, December 18, 1963.

The CHAIRMAN: Gentlemen, we now have a quorum.

Mr. ALKENBRACK: Mr. Chairman, I should like to speak on a point of privilege. Yesterday at the meeting of this committee Mr. Turner—I do not know whether he was listening to the echoes of his own volubility or not—in my estimation was quite deliberately frivolous and abusive with Mr. Justice Sissons. The point that he made was that there was no legislation before 1875. Now, I have the legislation which Judge Sissons referred to here. It is the Senate bill here, in the *Journals* of the Senate, volume IV, in the year 1871. I refer to Bill B,—apparently they were simply lettered in those days—an act to make further provision for the government of the Northwest Territories. On Thursday, March 2, 1871, page 40, the bill was introduced by Mr. Campbell, and read for the first time. On page 44, it was read for the second time. On page 50, it was reported with amendments, and the amendments were read in the order of consideration. On page 54, the amendments were read, passed and sent to the House of Commons. On page 141, the bill was agreed to by the House of Commons.

I do not want to take up any more of our valuable time—here is the copy of the bill.

In my estimation our learned witness was correct. I recall he mentioned the date in the legislation of 1870.

Mr. TURNER: It is 1872. The record will bear me out. He referred to the Northwest Territories Act of 1872 and I challenge my friend to show me that act.

Mr. ALKENBRACK: You claimed there was no legislation.

Mr. TURNER: I said that there was temporary legislation of 1869—Rupert's Land Act—but the first Northwest Territories Act was in 1875, and that was the first general legislation covering the territories in those terms. I would be prepared to introduce evidence from the Department of Justice after Christmas to establish it. I would hope, however, that we would not belabour that point at the moment so that we can proceed with hearing the witness.

Mr. ALKENBRACK: I am not belabouring it; I am proving to you that you were not correct in your unneeded abuse of the witness.

The CHAIRMAN: It would be simple to have an expert on the laws of the Northwest Territories come here to give the committee, if required at a later date, a full enlightenment as to what the laws are.

Mr. RHÉAUME: We may have the Minister of Justice after Christmas and he may testify before us.

Mr. TURNER: On this question of privilege, I would say that I object to the term "abusive". The learned judge introduced evidence that he has alleged to be constitutional and I was perfectly within my rights to cross-examine him on that basis, and someone has yet to produce a statute of 1872 entitled the Northwest Territories Act which states what Mr. Justice Sissons alleged it did state. That is the limit of what I want to say now, but I would be prepared to stand by on this until after Christmas.

Mr. ALKENBRACK: Mr. Chairman, on a point of order, here is what the bill states by sections.