

VOTES AND PROCEEDINGS
of the
COUNCIL OF THE YUKON TERRITORY

Wednesday, Nov. 2, 1955
3:00 o'clock P.M.

The third session of the Council for the year 1955, being the first session of the Seventeenth Wholly Elective Council of the Yukon Territory, was convened in the Council Chambers at 3:00 o'clock p.m. on Wednesday, November 2, 1955, the Members having previously been sworn and taken the Oath of Allegiance.

The Members present were:

Alexander Raymond Hayes, of Carmacks, Y.T.
Vincent Cooper Mellor, of Dawson, Y.T.
Duncan Campbell McGeachy, of Mayo, Y.T.
John Livingston Phelps, of Whitehorse East, Y.T.
Ronald Hulland, of Whitehorse West, Y.T.

The Members elected Mr. A.R. Hayes of Carmacks to be Speaker,

Mr. Speaker directed that the Rev. Triggs offer prayers for the guidance of the Members of Council concerning their deliberations.

The Commissioner addressed the Council outlining the legislation which he proposed to place before Council at this Session (See Sessional Paper No. 1).

Mr. Speaker replied to the address of the Commissioner (see Sessional Paper No. 2).

Mr. V.C. Mellor addressed the Council (see Sessional Paper No. 3).

Mr. R. Hulland addressed the Council (see Sessional Paper No. 4).

Mr. Speaker read the Orders of the Day.

Mr. J.L. Phelps gave notice that the undermentioned Bills would be introduced for first reading at the next sitting of Council:

- Bill No. 1 - An Ordinance Respecting Cemeteries and Burial Sites.
- Bill No. 2 - An Ordinance Respecting Masters and Servants.
- Bill No. 3 - An Ordinance Respecting Trustees and Executors and the Administration of Estates.
- Bill No. 4 - An Ordinance to Provide for the Maintenance of Children of Unmarried Parents.
- Bill no. 5 - An Ordinance Respecting Lands of the Yukon Territory
- Bill No. 6 - An Ordinance Respecting the Election of Members to the Council of the Yukon Territory.
- Bill No. 7 - An Ordinance Respecting Newspapers,
- Bill No. 10 - An Ordinance to Authorize the Commissioner of Yukon Territory to enter into an Agreement with the Government of Canada Respecting the Relief of Indigent Immigrants.

Mr. V.C. Mellor gave Notice that the undermentioned Bills would be introduced for first reading at the next sitting of Council:

- Bill No. 8 - An Ordinance Respecting Controverted Elections.
- Bill No. 9 - An Ordinance Respecting the Practice of Chiropractic.
- Bill No. 11 - An Ordinance Respecting the Practice of Optometry.
- Bill No. 12 - An Ordinance Respecting Garage Keepers.
- Bill No. 13 - An Ordinance to Repeal Certain Ordinances.
- Bill No. 14 - An Ordinance Respecting Transfers of Land to Joint Owners.

Mr. R. Hulland gave Notice that the undermentioned Bills would be introduced for first reading at the next sitting of Council:

- Bill No. 15 - An Ordinance Respecting Steam Boilers and Pressure Vessels.
- Bill No. 16 - An Ordinance Respecting Ferries.
- Bill No. 17 - An Ordinance Respecting the Imposition and Collection of a Tax on Motor Vehicle Fuel.
- Bill No. 18 - An Ordinance to Amend the Amusement Tax Ordinance.
- Bill No. 19 - An Ordinance to Amend the Interpretation Ordinance.
- Bill No. 20 - An Ordinance to Amend the Landlord and Tenant Ordinance.
- Bill No. 21 - An Ordinance to Amend the Marriage Ordinance.

Mr. D.C. McGeachy gave Notice that the undermentioned Bills would be introduced for first reading at the next sitting of Council:

- Bill No. 22 - An Ordinance to Amend the Protection of Children Ordinance.
- Bill No. 23 - An Ordinance to Amend the Conditional Sales Ordinance.
- Bill No. 24 - An Ordinance to Amend the Evidence Ordinance.
- Bill No. 25 - An Ordinance to Amend the Workmen's Compensation Ordinance.
- Bill No. 26 - An Ordinance to Amend the Old Age Assistance and Blind Persons Allowance Ordinance.
- Bill No. 27 - An Ordinance to Amend the Government Liquor Ordinance.

Council adjourned at 4:30 o'clock p.m.

Clerk

Speaker

Opening Address
by
Frederick H. Collins, Esquire,
Commissioner of the Yukon Territory
At The
First Session of the Seventeenth Wholly Elective Council
of the Yukon Territory

Mr. Speaker, and Members of the Yukon Council.

I am pleased to welcome you to this the First Session of the Seventeenth wholly elected Council of the Yukon Territory.

Revenues and expenditures are following the estimated trend, indicating the soundness of the 1955-1956 budget.

On the City of Whitehorse Sewer and Water project work commenced on July 15th and sixty-five percent of the mains have been laid. Concurrently connections were made with the Army system which will be incorporated into that of the City. No work has been done on pipe laying in the new subdivision, but a contract has been let for the clearing of the streets in order to facilitate inspection and sale of the lots and permit pipe laying. Preliminary work, excavation and dewatering has been undertaken on the pumphouse and is in hand for the main sewage lift station. More than half of the steel water pumping main has been laid across the river and is proceeding. Scheduled date for completion of the project is October 15th, 1956.

Work on the bridge across the Yukon River commenced on September 3rd and concrete is being poured for the abutments. The project should be completed next July, but it should be available for traffic by June of 1956.

Work on the Takhini River Bridge commenced on August 19th and good progress has been made. This project also should be completed by July, 1956.

A summary of principal territorial activities follows:

(a) Roads:

Carcross: A start was made on the rehabilitation of this road. The first seven miles inward was ditched, some curves eased and minor dips and rises eliminated, and this mileage surface gravelled. Some work was also done on the Carcross Bridge to place it in satisfactory condition.

Tagish: Normal maintenance only was carried out.

Atlin: The reconstruction and maintenance program was continued with excellent results.

Two-Mile Hill: Work on the realignment of the upper portion was completed to winter road condition. Soil and drainage problems encountered will require a year of consolidation and stabilization before the realignment program can be considered finished.

Access Road to Indian Reserve: This road was necessitated by the acquisition and fencing of property acquired by Department of National Defence.

Recreational Roads - Whitehorse District: All these roads received surface blading to make the areas served accessible during the summer months.

Whitehorse - Mayo Road: This was maintained and some reconstruction work carried out in accordance with the agreement with United Keno Hill Mines, Limited. For the most part it was in excellent condition throughout.

Mayo - Elsa - Duncan Creek Road: Construction under agreement with United Keno Hill Mines, Limited, proceeded satisfactorily.

Dawson-Stewart River Crossing Road: Due to late wet spring this construction program was delayed. The first fifteen miles was ditched, the slopes trimmed and the grade widened and gravelled. Other maintenance was given between Miles 15 and 40. From Flat Creek Hill to the Ogilvie Bridge most of the realignment has been stripped and eight miles in various locations completed. The new bridge at Hunker Creek has been completed.

Dawson-Boundary Road: Forty-one miles of road from the Alaska Boundary were worked on with a view to widening the narrow side hill cuts, ditching and resurfacing. The program will be continued next year.

(b) Buildings:

Teslin School: A new septic tank was installed and a new disposal field completed. A new fire escape was constructed and the interior renovated as far as funds permitted.

Carcross School: An oil burner was installed and the basement walls and floor cleared and painted to provide indoor recreational space.

Whitehorse Elementary and High School: The new addition was completed and new doors and tiling in the main building were installed.

Steele Street Teacherage: The interior and exterior of the building was painted.

Lambert Street Teacherage: The building was completed and occupied for the Fall term.

Dawson School: The exterior was repainted.

Keno School: This work has not been completed. The plumbing and heating contractor has had difficulty with supply of materials, but these are now available and the work is proceeding.

Mayo School: The interior of the primary school was painted.

You will be requested to consider the design and description of the proposed Coat of Arms of the Yukon Territory, and if you approve, signify this by the passing of a Resolution.

Copies of the Brief to be presented by the Government of the Yukon Territory to the Royal Commission on Canada's Economic Prospects will be available for your perusal. While the actual drafting of the Brief and its schedules, supporting maps, graphs, etc., has been carried out at Ottawa, the Deputy Minister and myself have been in constant communication and the

views expressed embody my own and those of the people of the Yukon insofar as I have been able to ascertain these. The earnest attempt has been made to avoid cluttering up the submission with a number of details of short-term or only local import, and to touch on all the major long-term problems. It should also be remembered that other bodies in the Territory are presenting briefs, which will undoubtedly supplement in more detailed form this official brief of the Territory.

At this session you will be asked to consider the following Ordinances:

- (1) An Ordinance Respecting Cemeteries and Burial Sites;
- (2) An Ordinance Respecting Masters and Servants;
- (3) An Ordinance Respecting Trustees and Executors and the Administration of Estates;
- (4) An Ordinance to Provide for the Maintenance of Children of Unmarried Parents;
- (5) An Ordinance Respecting Lands of the Yukon Territory;
- (6) An Ordinance Respecting the Election of Members to the Council of the Yukon Territory;
- (7) An Ordinance Respecting Newspapers;
- (8) An Ordinance Respecting Controverted Elections;
- (9) An Ordinance Respecting the Practice of Chiropractic;
- (10) An Ordinance to Authorize the Commissioner of the Yukon Territory to enter into an Agreement with the Government of Canada Respecting the Relief of Indigent Immigrants;
- (11) An Ordinance Respecting the Practice of Optometry;
- (12) An Ordinance Respecting Garage Keepers;
- (13) An Ordinance to Repeal Certain Ordinances;
- (14) An Ordinance Respecting Transfers of Land to Joint Owners;
- (15) An Ordinance Respecting Steam Boilers and Pressure Vessels;
- (16) An Ordinance Respecting Ferries;
- (17) An Ordinance Respecting the Imposition and Collection of a Tax on Motor Vehicle Fuel;
- (18) An Ordinance to amend the Amusement Tax Ordinance;
- (19) An Ordinance to amend the Interpretation Ordinance;
- (20) An Ordinance to amend the Landlord and Tenant Ordinance;
- (21) An Ordinance to amend the Marriage Ordinance;
- (22) An Ordinance to amend the Protection of Children Ordinance

- (23) An Ordinance to amend the Conditional Sales Ordinance;
- (24) An Ordinance to amend the Evidence Ordinance;
- (25) An Ordinance to amend the Workmen's Compensation Ordinance;
- (26) An Ordinance to amend the Old Age Assistance and Blind Persons Allowance Ordinance;
- (27) An Ordinance to amend the Motor Vehicle Ordinance.

May wisdom guide your deliberations.

(Sessional Paper No. 2)

November 2, 1955

Reply to Commissioner's Opening Address

by

The Speaker

A.R. HAYES, Esquire

Mr. Commissioner:

Council thanks you for your presence in the Chamber, and for your address. May I assure you the Ordinances you have mentioned will receive most careful consideration from Council. As we'll do nothing in an official capacity today except introduce Bills, may I ask if your business does not prevent you from doing so, you stay with us for the remainder of the afternoon.

I have nothing further to say about the Speech from the Throne at this time.

I thank you again for being here, Mr. Commissioner, and call on Mr. Mellor.

Address to Council

by

V.C. MELLOR, Esquire

Mr. Speaker:

I would like to first of all congratulate my colleagues from Mayo and Whitehorse West, being representatives in the present assembly.

I would also like to recall to mind to past members of Council the remarks the Honorable Jean Lesage, Minister, made in which he hoped that cooperation between Administration and Legislation would be. I sincerely hope that during this term of office we will have cooperation from the Administration, and as far as I am concerned, as a representative from the Dawson district, the Commissioner can be assured there will be cooperation as far as I am concerned.

I think that's all I have to say, Mr. Speaker, other than just a few remarks on the Sixty-Mile Road, which I was very, very pleased to hear in the remarks of the Commissioner. I hope that it will not be forgotten, or that it will be side-tracked. I think that at the present time as far as the Stewart-Crossing and Dawson Road is concerned, they have done a very good job. It has to be completed, and I trust on next year's program that will be so. I also hope and trust that the Sixty-mile road will then be started upon, and taking the views of our Minister in which he declared publicly that was one aim he intended to see, the sixty-mile road put through as an all-weather road. I will be like the late Prime Minister of Great Britain, Mr. Asquith, I will wait and see.

Address to Council

by

J. HULLAND, Esquire

Mr. Speaker:

Mr. Collins, as one of the new members this year, I would like to welcome you who are also a new Commissioner, and to wish you every success during your term of office. I was gratified to hear you remark that the Elections Act is to be changed, as I understand it the Federal election authorities are going to take care of elections in future in Yukon. I felt that much confusion surrounded our recent elections, that the registration was not well conducted--not through anybody's fault but because the Registrar was entitled to only three cents per name. I would recommend that be raised to ten cents a name, in line with Federal Statutes, and there would not be this repetition of the so-called registration at the elections.

I also would like to express my intention of trying to influence the members of the Council to make representations to Ottawa to have that iniquitous Mining Act deferred for another year. The prospectors and miners provide the basis of prosperity for the Yukon Territory. We must always remember that eventually we may have to depend upon a more stable source of income than we do at present in certain parts of the Territory. We depend a great deal for our revenues on the Department of National Defence, and no one can foresee how long that - shall I say happy - state of affairs continues. Happy for the Yukon because undoubtedly they have contributed much to our prosperity in the last few years.

I wish also to repeat the pledges that I made during the election, that my main plank will be education, health and welfare, and that during the next three years I hope to support any and all measures which will insure the proper treatment of those vital subjects.

Thank you, Mr. Speaker,

VOTES AND PROCEEDINGS
of the
COUNCIL OF THE YUKON TERRITORY

Whitehorse, Y.T.,
Thursday, Nov. 3/55
10:00 o'clock a.m.

The Speaker assumed the Chair and read the Orders of the day.

The "Rules of the Council of the Yukon Territory" as drafted and circulated were adopted after the following amendments had been agreed on (See Sessional Paper #5):

1. Section 3, subsection (2) "The Commissioner may be invited to attend Council only upon request of the Speaker or Chairman acting on motion passed by Council or Committee.

2. Section 4, subsection 5, to read "Introduction of Bills", following subsections renumbered.

3. Section 10, add the following: "Except when the Speaker requests the opinion of Council."

4. Section 17 to read "The Deputy Speaker, or such member as the Council designates, shall take the Chair of the Committee of the Whole."

5. Section 23, add the following: "On motion of Council, a Bill may be read twice or thrice or advanced two or more stages in one day, but a Bill may not be introduced and given three readings in one day."

Council recessed at 12:00 o'clock noon.

1:30 o'clock p.m.

The Members of Council elected Mr. V.C. Mellor of Dawson Deputy Speaker.

First and Second reading was given to the following Bills:

- Bill No. 1 - "An Ordinance Respecting Cemeteries and Burial Sites."
Bill No. 2 - "An Ordinance Respecting Masters and Servants."
Bill No. 3 - "An Ordinance Respecting Trustees and Executors and the Administration of Estates."
Bill No. 4 - "An Ordinance to Provide for the Maintenance of Children of Unmarried Parents."
Bill No. 5 - "An Ordinance Respecting Lands of the Yukon Territory."
Bill No. 6 - "An Ordinance Respecting the Election of Members to the Council of the Yukon Territory."
Bill No. 7 - "An Ordinance Respecting Newspapers."

- Bill No. 8 - "An Ordinance Respecting Controverted Elections."
- Bill No. 9 - "An Ordinance Respecting the Practice of Chiropractic."
- Bill No. 10 - "An Ordinance to Authorize the Commissioner of Yukon Territory to enter into an Agreement with the Government of Canada Respecting the Relief of Indigent Immigrants."
- Bill No. 11 - "An Ordinance Respecting the Practice of Optometry."
- Bill No. 12 - "An Ordinance Respecting Garage Keepers."
- Bill No. 13 - "An Ordinance to Repeal Certain Ordinances."
- Bill No. 14 - "An Ordinance Respecting Transfers of Land to Joint Owners."
- Bill No. 15 - "An Ordinance Respecting Steam Boilers and Pressure Vessels."
- Bill No. 16 - "An Ordinance Respecting Ferries."
- Bill No. 17 - "An Ordinance Respecting the Imposition and Collection of a Tax on Motor Vehicle Fuel."
- Bill No. 18 - "An Ordinance to Amend the Amusement Tax Ordinance."
- Bill No. 19 - "An Ordinance to Amend the Interpretation Ordinance."
- Bill No. 20 - "An Ordinance to Amend the Landlord and Tenant Ordinance."
- Bill No. 21 - "An Ordinance to Amend the Marriage Ordinance."
- Bill No. 22 - "An Ordinance to Amend the Protection of Children Ordinance."
- Bill No. 23 - "An Ordinance to Amend the Conditional Sales Ordinance."
- Bill No. 24 - "An Ordinance to Amend the Evidence Ordinance."
- Bill No. 25 - "An Ordinance to Amend the Workmen's Compensation Ordinance."
- Bill No. 26 - "An Ordinance to Amend the Old Age Assistance and Blind Persons Allowance Ordinance."
- Bill No. 27 - "An Ordinance to Amend the Government Licuor Ordinance."

Council resolved itself into a Committee of the Whole, Mr. Mellor in the Chair.

The Chairman of the Committee presented the report of the Committee as follows:

Bill No. 1 - Report Progress.

Council accepted the Committee's report.

Council adjourned 4:50 o'clock p.m.

W.D. Robertson - Clerk

A.R. Hayes, Speaker

VOTES AND PROCEEDINGS
of the
COUNCIL OF THE YUKON TERRITORY

Whitehorse, Y.T.
Friday, Nov. 4, 1955
10:00 o'clock a.m.

The Speaker assumed the Chair and read the Orders of the Day.

Council resolved itself into a Committee of the Whole, Mr. Mellor in the chair.

Council recessed at 12:00 o'clock noon.

1:30 o'clock p.m.

Mr. Pratt of Day, Pratt & Co., Edmonton, and Mr. F.H. Murphy attended Council. The Workmen's Compensation Ordinance was the topic of discussion, and it proved to be highly informative.

The Chairman of the Committee presented the Report of the Committee as follows:

Bill No. 1 - With following amendments:

Section 12, "interment" not "internment";

Section 36, "aquaduct" to "aqueduct";

Section 43, should read "No person shall deposit garbage, rubble, brush, ashes or refuse within a distance of three hundred feet of a burial site."
Subsections (a), (b), and (d) deleted;

Section 46, Delete. Renumber Sections 47 and 48 as 46 and 47;

New Section
47, Delete words "or any regulation under."

Bill No. 2 - Without amendment.

Council accepted the Committee's report.

Council adjourned at 5:00 o'clock p.m.

W.D. Robertson, Clerk

A.R. Hayes, Speaker

VOTES AND PROCEEDINGS
of the
COUNCIL OF THE YUKON TERRITORY

Whitehorse, Y.T.
Saturday, Nov. 5, 1955
10:00 o'clock a.m.

The Speaker assumed the Chair and read the Orders of the Day.

The following Resolution was moved by Councillor McGeachy and seconded by Councillor Hlland:
"Resolution to seek approval of a Coat of Arms for the Yukon Territory" (See Sessional paper #6). Approved.

The Council resolved itself into a Committee of the Whole to consider Bill #3, Mr. Mellor in the Chair.

The Chairman of the Committee presented the report of the Committee as follows:

Bill No. 3 - Without amendment.

Council accepted the Committee's report.

Council adjourned at 12:10 o'clock p.m.

W.D. Robertson, Clerk

A.R. Hayes, Speaker

RESOLUTION TO SEEK APPROVAL OF A COAT OF
ARMS FOR THE YUKON TERRITORY
(Passed by the Yukon Territorial Council
on the 5th day of November, 1955)

WHEREAS Canada, all the provinces of Canada and most of the cities of Canada have coats of arms designed to be symbolic of their character and background, which are used as their official emblems and for incorporation in their official seals and on documents and other material relating to them;

AND WHEREAS the Yukon Territory does not, at the present time, have any coat of arms or other emblem that has been officially adopted or granted for their use;

AND WHEREAS the Council of the Yukon Territory considers it desirable for the Yukon Territory to have an official Coat of Arms;

AND WHEREAS the Council, after careful consideration, is of the unanimous opinion that a coat of arms as described in the attached schedule would be appropriately symbolic of the character and background of the Territory and would be suitable for use as the official Coat of Arms of the Yukon Territory;

THEREFORE the Council of the Yukon Territory does hereby request the Commissioner to take such steps as may be appropriate to seek the approval of Her Majesty the Queen for the adoption of the Coat of Arms described in the attached schedule as the official Coat of Arms of the Yukon Territory.

HERALDIC DESCRIPTION

PROPOSED COATS OF ARMS FOR THE YUKON TERRITORY

SHIELD: Azure, between two piles issuing from the base gules fimbriated argent each bearing two bezants palewise, a pallet undy of the third charged with a like endorse of the first, and on a chief argent a cross of the second surmounted by a Roundel vairy.

CREST: On a wreath of the colours or and gules a Yukon Malamute dog statant, standing on a mount of snow, all properly coloured.

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EXPLANATION

SHIELD: The wavy white and blue vertical stripe represents the Yukon River and refers also to the rivers and creeks where placer gold was discovered and led to the Klondike Gold Rush. The red spire-like forms represent the mountainous country and the gold discs the mineral resources. The St. George's Cross is in reference to the early explorers and fur traders from England who were mainly responsible for the exploration and early development of the Yukon Territory. The roundel in vair in the centre of the cross is a symbol for the fur trade.

THE CREST: The crest displays a Malamute dog, an animal which has played an important part in the early history of the Yukon, and is noted for its loyalty, stamina and courage.

VOTES AND PROCEEDINGS
of the
COUNCIL OF THE YUKON TERRITORY

Whitehorse, Y.T.,
Monday, Nov. 7, 1955
10:00 o'clock a.m.

The Speaker assumed the Chair and read the Orders of the Day.

A Committee known as "Committee of General Purposes" was appointed, Mr. Phelps as Chairman.

Council resolved itself into a Committee of the Whole, Mr. Mellor in the chair.

Council recessed at 12:00 o'clock noon.

The Chairman of the Committee presented the report of the Committee as follows:

Bill No. 4 - With following amendments:

Section 14 should read "the Justice may order that he be imprisoned for a term not exceeding twelve months, or until he furnishes the security and pays the costs and charges of his commitment and conveyance to jail."

Section 21 - delete "to a justice".
Marginal note to read "Appeal from justice."

Bill No. 5 - Report progress.

Bill No. 7 - Report progress.

Bill No. 9 - Report progress.

Bill No.10 - Without amendment.

Council accepted the Committee's report.

Council adjourned at 5:00 o'clock p.m.

W.D.ROBERTSON, Clerk

A.R. HAYES, Speaker

VOTES AND PROCEEDINGS
of the
COUNCIL OF THE YUKON TERRITORY

Whitehorse, Y.T.
Tuesday, Nov. 8, 1955
10:00 o'clock A.M.

Mr. Speaker assumed the chair and read the Orders of the Day.

Third reading was given to the following Bills:

- Bill No. 1 - An Ordinance Respecting Cemeteries and Burial Sites.
- Bill No. 2 - An Ordinance Respecting Masters and Servants.
- Bill No. 3 - An Ordinance Respecting Trustees and Executors and the Administration of Estates.
- Bill No. 4 - An Ordinance to Provide for the Maintenance of Children of Unmarried Parents.
- Bill No. 10 - An Ordinance to Authorize the Commissioner of Yukon Territory to enter into an Agreement with the Government of Canada Respecting the Relief of Indigent Immigrants.
Council voted unanimously against Bill No. 10.

Council resolved itself into a Committee of the Whole to consider Bill No. 25.

Mr. F.H. Murphy attended Council.

Council recessed at 12:00 o'clock noon.

1:30 o'clock p.m.

The Chairman of the Committee presented the Report of the Committee as follows:

- Bill No. 5 - With following amendments:
Section 8 to read "The Territorial Secretary shall lay before the Territorial Council a copy of every document disposing of Yukon Lands at the Session of the Council next following the date of such document."

Repealing and coming into force is now Section 9.

Delete old Section 9.
- Bill No. 7 - Report progress.
- Bill No. 9 - Report progress.
- Bill No. 18 - Without amendment.
- Bill No. 19 - Without amendment.
- Bill No. 25 - Report progress.

Council approved the By-laws of Association of Professional Engineers of Yukon Territories as tabled.

Council accepted Committee's Report.

Mr. Phelps gave notice that Bill No. 5 would be given third reading at the next sitting of Council.

Mr. Hlland gave notice that Bill No. 18 and Bill No. 19 would be given third reading at the next sitting of Council.

The following opinions of Council were expressed:

Mr. Mellor

Mr. Speaker, I would like to draw your attention to a discussion which took place on March 24th, 1955, recorded on Votes and Proceedings, and a statement made by me concerning Territorial employees, the low salaries; and Sessional Paper #13, March 31st, 1955, of the Resolution in respect to salaries of Territorial Government employees which was unanimously passed by Council. I would like to draw to your attention that this is in no way interfering with Administration in my opinion, it is a matter of justice being done to Territorial servants.

First of all I would like to bring to your attention appointments and promotions. As it stands at the present time, we have members of the staff of the Territorial Government who are qualified for positions that arise, and which have been overlooked. The Assistant to the Superintendent of Liquor, this position was not open to any other member of the Territorial staff. In view of the starting salary of \$5,500.00 per year, we have Territorial agents, one in particular who I am thinking about in the Whitehorse electoral district, and to my knowledge a fully qualified man to fill this position, was never considered.

It seems to me that no consideration has been given by the former Commissioner, Mr. Brown, as far as the raising of salaries to Territorial employees, other than to the heads of the departments. It is my opinion that an injustice is being done, and I would like to see the position altered, and that in future all appointments will be open for any servant of the Territorial Government who so desires to sit and qualify for that appointment, and that the increase of salaries which was recommended by Resolution of Council be acted upon immediately.

Mr. Hlland

I would like to endorse Mr. Mellor's recommendations, with regard to the employment of Territorial employees. I feel that the morale of Territorial employees is low; that although the Government has always been fortunate in retaining the services of competent and hard-working servants, too often this work has not been appreciated. If loyalty is undermined the efficiency of the staff will be lowered. A happy group of employees is commonly an efficient staff.

Mr. Phelps

I heartily endorse Mr. Mellor's observations, and wish to point out that the case he quoted of the Assistant to the Liquor Superintendent is merely one of many positions which have been filled in this manner in the past four years. I think that all positions falling open in the Territorial Government should be open to all employees of the Territorial Government, and that any advantages in filling the positions should be given to senior employees of the Territorial Government.

Mr. McGeachy

I would like to endorse Mr. Mellor's remarks, and believe something should be done along those lines.

Mr. Hayes

Thank you Mr. Mellor, Mr. Hulland, Mr. Phelps and Mr. McGeachy. I relinquish the chair to the Deputy Speaker so that I too can take part in this debate.

Mr. Speaker, with reference to the remarks from the member from Dawson, appointments and promotions are Administrative. Under the Public Service Ordinance, the Commissioner is head of all departments, and there can only be one head. Only the Commissioner can hire and fire employees of the Territory, and he does so under powers given him by the former Council. Recommendations by Council as to salaries of Territorial employees are perfectly in order and within the power of Council to make. Under the present Public Service Ordinance the Commissioner is not obliged to consult Council before making an appointment or granting a promotion. If Councillors wish this to be done, their only course is to change the Public Service Ordinance.

Under the Yukon Act the Commissioner in Council is responsible for the appointment and tenure of offices and officers, not the Commissioner.

I repeat that Council gave the Commissioner powers that Council holds under the Yukon Act.

Council adjourned at 5:00 o'clock p.m.

W.D. ROBERTSON, Clerk

A.R. HAYES, Speaker

VOTES AND PROCEEDINGS

of the

COUNCIL OF THE YUKON TERRITORY

Whitehorse, Y.T.
Wednesday, Nov. 9, 1955
10:00 o'clock a.m.

Council resolved itself into a Committee of General Purposes to discuss the Yukon Territorial Public Service Ordinance, Mr. Phelps in the chair.

Council recessed at 12:00 o'clock noon.

1:30 o'clock p.m.

Mr. Speaker assumed the chair and read the Orders of the Day.

A Resolution whereby Council is of unanimous opinion that the present Yukon Quartz Mining Act be retained. Moved by Councillor Phelps, seconded by Councillor Mellor. Approved. (See Sess. Paper #7)

Third reading was given the following Bills:

Bill No. 5 - An Ordinance Respecting Lands of the Yukon Territory.

Bill No. 18 - An Ordinance to Amend the Amusement Tax Ordinance.

Bill No. 19 - An Ordinance to Amend the Interpretation Ordinance.

Council resolved itself into a Committee of the Whole, Mr. Mellor in the chair.

The Chairman of the Committee presented the Report of the Committee as follows:

Bill No. 7 - With following amendments:

Section 2, subsection (b) to read "Newspaper" means any paper sold or distributed to the Public containing public news or observations on such news published periodically at intervals not exceeding twenty-six days; and.

Section 3, subsection (1), substitute "business manager" for "managing director."

Section 3, subsection (2), substitute "business manager" for "managing director."

Section 3, subsection (2) will read as follows: Every proprietor, editor or business manager of a newspaper who neglects to file a declaration in accordance with subsection (1) is guilty of an offence and liable on summary conviction to a fine not exceeding fifty dollars for each day of such neglect.

Bill No. 9 - With following amendments:

Section 4 subsection (2) substitute twenty-five for fifty.

Section 5, substitute twenty-five for twenty.

Section 9, delete "medicine."

Section 12 subsection (3) substitute five for one.

Sections 16 to 20 as follows:

Board of
Inquiry.

16. (1) The Commissioner may appoint two or more persons to act as a Board of Inquiry for the purpose of investigating any complaint made against a chiropractor with respect to an alleged contravention of this Ordinance or any complaint of malpractice

or infamous, disgraceful or improper conduct on the part of a chiropractor.

- Powers of Board (2) The Board of Inquiry appointed pursuant to subsection (1) may make rules and regulations under which the inquiry is to be held and has power
- (a) to summon and bring before it any person whose attendance it considers necessary to enable the Board properly to inquire into the matter complained of;
 - (b) to swear and examine all such persons under oath;
 - (c) to compel the production of documents; and
 - (d) to do all things necessary to provide a full and proper inquiry.
- Security for costs. (3) A Board of Inquiry may direct that the person who made the complaint it is appointed to investigate shall deposit with the Board, as security for the costs of the inquiry and to the person complained against, a sum not exceeding five hundred dollars.
- Frivolous and vexatious complaint. (4) Where the Board of Inquiry finds that a complaint is frivolous or vexatious, it may cause to be paid to the Territorial Secretary out of the deposit for security mentioned in subsection (3) such portion of the costs of the inquiry and to the person complained against as it deems advisable, and where the Board does not so find or where there is any balance of the deposit remaining the deposit or balance thereof shall be returned to the person who deposited it.
- Quorum. (5) A majority of the members of the Board of Inquiry is a quorum.
- Findings and recommendations. (6) A Board of Inquiry shall, after investigation of a complaint pursuant to this section, make a finding and shall immediately report its finding to the Commissioner, and where it finds that the person complained against is guilty of contravention of this Ordinance or of malpractice or of infamous, disgraceful or improper conduct, may, in its report to the Commissioner, recommend that such person be
- (a) reprimanded;
 - (b) fined in an amount named by the Board, such amount not to exceed five hundred dollars;
 - (c) struck off the register and his licence cancelled; or
 - (d) struck off the register and his licence suspended for a definite period named by the Board.
- Notification to the person complained against. (7) The Board of Inquiry shall, at the time it sends its report to the Commissioner pursuant to subsection (6), notify the person complained against of its finding and of the recommendations for punishment, if any, made by it in such report.
- Offences. (8) Every person who
- (a) fails, without valid excuse, to attend an inquiry as required under this section;
 - (b) fails to produce any document, book or paper in his possession or under his control, as required under this section; or
 - (c) at an inquiry under this section
 - (i) refuses to be sworn or to affirm, or to declare, as the case may be, or
 - (ii) refuses to answer any proper question put to him by the Board of Inquiry,
- is guilty of an offence.

- Appeal to Judge, 17. (1) A person against whom a finding has been made by a Board of Inquiry may, within thirty days after the finding has been made, appeal from such finding to a Judge.
- Powers of Judge, (2) The Judge before whom an appeal is made under subsection (1) may hear the appeal at such time and in such manner as he deems just and he may, by order, quash, alter or confirm the finding of the Board of Inquiry.
- Commissioner powers on recommendation by Board, 18. (1) Where a chiropractor has been found guilty of a contravention of this Ordinance or of malpractice or of infamous, disgraceful or improper conduct by a Board of Inquiry and no appeal has been taken from the finding or the time for appeal has expired, the Commissioner shall, after receiving the report from the Board, impose the penalty recommended by it, and
- (a) in the case of a reprimand, reprimand the chiropractor in writing and note the reprimand in the registers;
 - (b) in the case of a fine, make an order fining the chiropractor, which order shall be filed in the appropriate court and have the same effect as an order of that court;
 - (c) in the case of a recommendation to strike off the register and cancel his licence, have the name of the practitioner struck off the register and cancel his licence; and
 - (d) in the case of a recommendation to strike off the register and suspend his licence, have the name of the chiropractor struck off the register and suspend his licence for such time as the Board has recommended.
- Commissioner to enforce order of Judge, (2) Where a Judge on appeal confirms or alters the finding of a Board of Inquiry, his order in the case of a fine shall be carried out in the usual way and in the case of any other punishment referred to in subsection (1) shall be directed to the Commissioner and carried out by him in the same manner as provided by subsection (1).
- Application for reinstatement, 19. (1) A chiropractor whose name has been struck off the register and whose licence has been cancelled or suspended pursuant to section 18 may,
- (a) where he had not taken any appeal from the finding within one year from the date of the finding of the Board of Inquiry, apply to the Commissioner to have his name restored to the register, or
 - (b) where he had appealed from the finding within one year from the date of an order under subsection (2) of section 17, apply to a Judge for an order directing the Territorial Secretary to have his name restored to the register.
- Order by Commissioner or Judge, (2) The Commissioner or Judge may, upon application under subsection (1), order the Territorial Secretary to reinstate a chiropractor on the register and renew his licence and restore his rights and privileges in such manner and upon such conditions as the Commissioner or Judge may decide.
- Territorial Secretary to reinstate, (3) The Territorial Secretary shall, upon receiving an order under subsection (2) to do so, reinstate a chiropractor on the register and renew his licence and restore his rights and privileges in such manner and upon such conditions as the order directs.

Repeal

- Repeal. 20. The following Ordinances are repealed:
- (1) The Chiropractic Ordinance, chapter 5 of the Ordinances of 1940; and
 - (11) an Ordinance to amend the Chiropractic Ordinance, chapter 16 of the Ordinances of 1948.

Bill No. 11 - With following amendments:

Section 4, subsection (2) substitute twenty-five for fifteen.

Section 5, substitute twenty-five for seven dollars and fifty cents.

Section 11, subsection (1) (a) substitute "of" for "or".

Section 11, subsection (3), substitute five for one.

Sections 15 to 19 as follows:

- Board of Inquiry. 15. (1) The Commissioner may appoint two or more persons to act as a Board of Inquiry for the purpose of investigating any complaint made against an optometrist with respect to an alleged contravention of this Ordinance or any complaint of malpractice or infamous, disgraceful or improper conduct on the part of the optometrist.
- Powers of Board. (2) The Board of Inquiry appointed pursuant to subsection (1) may make rules and regulations under which the inquiry is to be held and has power
- (a) to summon and bring before it any person whose attendance it considers necessary to enable the Board properly to inquire into the matter complained of;
 - (b) to swear and examine all such persons under oath;
 - (c) to compel the production of documents; and
 - (d) to do all things necessary to provide a full and proper inquiry.
- Security for costs. (3) A Board of Inquiry may direct that the person who made the complaint it is appointed to investigate shall deposit with the Board, as security for the costs of the inquiry and to the person complained against, a sum not exceeding five hundred dollars.
- Frivolous and vexatious complaint. (4) Where the Board of Inquiry finds that a complaint is frivolous or vexatious, it may cause to be paid to the Territorial Secretary out of the deposit for security mentioned in subsection (3) such portion of costs of the inquiry and to the person complained against as it deems advisable, and where the Board does not so find or where there is any balance of the deposit remaining the deposit or balance thereof shall be returned to the person who deposited it.
- Quorum. (5) A majority of the members of the Board of Inquiry is a quorum.
- Findings and recommendations. (6) A Board of Inquiry shall, after investigation of a complaint pursuant to this section, make a finding and shall immediately report its finding to the Commissioner, and where it finds that the person complained against is guilty of contravention of this Ordinance or of malpractice or of infamous, disgraceful or improper conduct, may, in its report to the Commissioner, recommend that such person be
- (a) reprimanded;

- (b) fined in an amount named by the Board, such amount not to exceed five hundred dollars;
- (c) struck off the register and his licence cancelled;
- (d) struck off the register and his licence suspended for a definite period named by the Board.

Notification to the person complained against. (7) The Board of Inquiry shall, at the time it sends its report to the Commissioner pursuant to subsection (6), notify the person complained against of its finding and of the recommendations for punishment, if any, made by it in such report.

Offences. (8) Every person who

- (a) fails, without valid excuse, to attend an inquiry as required under this section;
- (b) fails to produce any document, book or paper in his possession or under his control, as required under this section; or
- (c) at an inquiry under this section
 - (i) refuses to be sworn or to affirm, or to declare, as the case may be, or
 - (ii) refuses to answer any proper question put to him by the Board of Inquiry,

is guilty of an offence.

Appeal to Judge. 16. (1) A person against whom a finding has been made by a Board of Inquiry may, within thirty days after the finding has been made, appeal from such finding to a Judge.

Powers of Judge. (2) The Judge before whom an appeal is made under subsection (1) may hear the appeal at such time and in such manner as he deems just and he may, by order, quash, alter or confirm the finding of the Board of Inquiry.

Commissioner's powers on recommendation by Board. 17. (1) Where an optometrist has been found guilty of a contravention of this Ordinance or of malpractice or of infamous, disgraceful or improper conduct by a Board of Inquiry and no appeal has been taken from the finding or the time for appeal has expired, the Commissioner shall, after receiving the report from the Board, impose the penalty recommended by it, and

- (a) in the case of a reprimand, reprimand the optometrist in writing and note the reprimand in the register;
- (b) in the case of a fine, make an order fining the optometrist, which order shall be filed in the appropriate court and have the same effect as an order of that court;
- (c) in the case of a recommendation to strike off the register and cancel his licence, have the name of the practitioner struck off the register and cancel his licence; and
- (d) in the case of a recommendation to strike off the register and suspend his licence, have the name of the optometrist struck off the register and suspend his licence for such time as the Board has recommended.

Commissioner to enforce order of Judge. (2) Where a Judge on appeal confirms or alters the finding of a Board of Inquiry, his order in the case of a fine shall be carried out in the usual way and in the case of any other punishment referred to in subsection (1) shall be directed to the Commissioner and carried out by him in the same manner as provided by subsection (1).

Application 18. (1) An optometrist whose name has been struck off the register and whose licence has been cancelled or suspended pursuant to section 17 may,
for reinstatement.
(a) where he had not taken any appeal from the finding within one year from the date of the finding of the Board of Inquiry, apply to the Commissioner to have his name restored to the register, or
(b) where he had appealed from the finding within one year from the date of an order under subsection (2) of section 16, apply to a Judge for an order directing the Territorial Secretary to have his name restored to the register.

Order by Commissioner or Judge. (2) The Commissioner or Judge may, upon application under subsection (1), order the Territorial Secretary to reinstate an optometrist on the register and renew his licence and restore his rights and privileges in such manner and upon such conditions as the Commissioner or Judge may decide.

Territorial Secretary to reinstate. (3) The Territorial Secretary shall, upon receiving an order under subsection (2) to do so, reinstate an optometrist on the register and renew his licence and restore his rights and privileges in such manner and upon such conditions as the order directs.

Repeal 19. Repeal
The Optometry Ordinance, chapter 3 of the Ordinances of 1945 is repealed.

Bill No. 14 - Without amendment.

Bill No. 20 - Report progress.

Bill No. 25 - Report progress.

Council accepted Committee's Report.

Mr. Phelps gave notice that Bill No. 7 would be given third reading at the next sitting of Council.

Mr. Mellor gave notice that Bill No. 14 would be given third reading at the next sitting of Council.

Moved by Mr. Mellor, seconded by Mr. Hulland, that Commissioner Collins be invited to attend Council in the Committee stage Thursday morning. Approved.

Council adjourned at 5:06 o'clock p.m.

W.D. ROBERTSON, Clerk

A.R. HAYES, Speaker

(Sessional Paper #7)

November 9, 1955

RESOLUTION

Whereas the proposed new Yukon Quartz Mining Act, Bill No. 482, has been given the most careful and extensive consideration by organizations and individuals in Yukon most concerned;

Whereas these individuals and organizations have made detailed objections to the Act, and particularly to the regulations, and the Yukon Council supports these objections believing them to be justified;

Therefore be it resolved that the Yukon Council is of the unanimous opinion that Bill Number 482 should be discarded and the present Yukon Quartz Mining Act retained.

VOTES AND PROCEEDINGS
of the
COUNCIL OF THE YUKON TERRITORY

Whitehorse, Y.T.,
Thursday, Nov. 10, 1955
10:00 o'clock a.m.

Council resolved itself into a Committee of the Whole, Mr. Mellor in the Chair.

Council resolved itself into a Committee of General Purposes, Mr. Phelps in the Chair. Commissioner Collins attended Council. The following topics were discussed: Territorial staff, street lighting in Keno City, fire protection throughout the Territory, and transportation for students residing five miles or more from a school.

Council recessed at 12:00 o'clock noon.

1:30 o'clock p.m.

Discussion on the above mentioned topics continued.

The Chairman of the Committee presented the Report of the Committee as follows:

Bill No. 20 - Report Progress.

Bill No. 25 - Report Progress.

Council accepted Committee's report.

Third reading was given the following Bills:

Bill No. 7 - An Ordinance Respecting Newspapers.

Bill No. 14 - An Ordinance Respecting Transfers of Land to Joint owners.

Council adjourned at 5:00 o'clock p.m.

W.D.ROBERTSON, Clerk

A.R. HAYES, Speaker

VOTES AND PROCEEDINGS
of the
COUNCIL OF THE YUKON TERRITORY

Whitehorse, Y.T.,
Saturday, Nov. 12, 1955
10:00 o'clock a.m.

The Speaker assumed the Chair and read the Orders of the Day.

A Petition was received from residents living on the Alaska Highway between Mile 918 and 922, requesting transportation for children attending the Whitehorse School (See Sessional Paper #8).

Council resolved itself into a Committee of the Whole, Mr. Mellor in the Chair.

The Chairman of the Committee presented the Report of the Committee as follows:

Bill No. 20 - Without amendment.

Bill No. 21 - Report progress.

Bill No. 22 - Without amendment.

Bill No. 23 - With following amendment:
Section 4, subsection 5, delete word "and"
between statement and clearly.

Bill No. 24 - Without amendment.

Bill No. 25 - Report progress.

Bill No. 26 - Report progress.

Council accepted Committee's Report.

Third Reading was given to the following Bills:

Bill No. 20 - An Ordinance to Amend the Landlord and Tenant Ordinance.

Bill No. 22 - An Ordinance to Amend the Protection of Children Ordinance.

Bill No. 24 - An Ordinance to Amend the Evidence Ordinance.

Mr. McGeachy gave notice that Bills No. 23 and 25 would be given third reading at next sitting of Council.

Council adjourned at 12:00 o'clock noon.

W.D. ROBERTSON, Clerk

A.R. HAYES, Speaker

PETITION

We, the undersigned, citizens living along the Alaska Highway between Mile 918 and 922, respectfully petition the Government of the Yukon Territory to provide transportation for our children who are attending Whitehorse Elementary High School. We wish to emphasize the following points:

1. The first question that is asked when this situation is discussed is this: Why did we move out along the highway when we knew that there were no schools or buses provided in the area. The answer is this: At the time we moved out, there were no lots in Whitehorse to build on. The lots which were available were away beyond the average working man's income. Rentals were from sixty-five to one hundred and fifty dollars per month, plus fuel, plus lights, plus water, which left us about eighty dollars per month to feed an average family--that cannot be done.
2. Every child should be provided with an education.
3. No school facilities nearer than Whitehorse.
4. Up to the end of October, 1955, we had a taxi hired to transport the children to and from school. This cost us twelve dollars per month per child. At the present time we have released the taxi as two of the fathers are layed off for a period of time due to the fact that they work for United Keno Hill Mines Ltd., and they cannot haul ore until such time as the rivers freeze over. One father has a broken arm and with three children, it is an impossibility for him to pay thirty-six dollars per month.
5. A list of pupils, ages, grades, etc., is enclosed (certified by the Superintendent of Schools).

We feel that this urgent situation should be attended to immediately by the Commissioner and by the Territorial Council.

SIGNED BY:

<u>NAME</u>	<u>MILE NO.</u>
D. F. OLSON	920.5
E. LISTER	920.5
E. LAPUSHINSKY	921.5
L.M. WHITE (Mrs.)	922.3
E.J. DAHLGREN	921.3
A. LISTER (Mrs.)	921
G. MORLEY (Mrs.)	921
E.C. SCANLON (Mrs.)	921
ROBERT M. SIMMONS	921
I.D. STOUT	921
R.W. ANDERSON	922

(Sgd.) R. HULLAND

VOTES AND PROCEEDINGS

of the

COUNCIL OF THE YUKON TERRITORY

Whitehorse, Y.T.,
Monday, Nov. 14, 1955
10:00 o'clock a.m.

Mr. Speaker assumed the chair and read the Orders of the Day.

Third reading was given the following Bills:

Bill No. 23 - An Ordinance to Amend the Conditional Sales Ordinance.

Bill No. 25 - An Ordinance to Amend the Workmen's Compensation Ordinance.

Council resolved itself into a Committee of the Whole, Mr. Mellor in the chair.

Council recessed at 12:00 o'clock noon.

1:30 o'clock p.m.

The Chairman of the Committee presented the Report of the Committee as follows:

Bill No. 12 - With following amendment:
Section 4 subsection (1) add marginal note
"Garage Keeper May File Lien".

Bill No. 15 - Report progress.

Bill No. 26 - Without amendment.

Council accepted Committee's report.

The following opinion was expressed:

Mr. Mellor

Mr. Speaker:

I would like to draw your attention to the assessment of land and property in the Dawson electoral district. We have territorial assessment on cabins, one particular case a cabin on Middle Dominion which is taxed on land at \$25.00, and improvements at \$605.40. The land tax applies to every one of these cases which have been brought to my attention, and not one of the persons concerned owns the land. The land is under a concession to the Yukon Consolidated Co., who pay the tax. I have other cases here, of improvements which have jumped quite high, and to me it is ridiculous. I quite agree that assessments have got to be made for revenue, and I also understand that it not only applies to our district, it applies to the whole of the Yukon, but as an illustration, where you may have assessed property and land on the Alaska Highway which is in the Yukon, there is a difference of real estate value to the properties there in comparison to the properties in the Dawson district.

This particular cabin, one I am giving as a very good illustration, is an old cabin which is falling down. It has not been occupied for three years and yet is still being assessed and jumped up to the \$605.40. That is more than double the amount of assessment on properties throughout the whole of these cases which have been brought to my attention. I am given to understand by the Commissioner, and I would like to have his remarks recorded as to what the intent of the Commissioner is as far as the reassessing of these properties and also the explanation as to the land tax which is

all based on the \$25.00.

I would also like to draw to your attention, Mr. Speaker, that the Court of Revision, having looked over the assessment notices, is being held in the Council Chambers in Whitehorse. To me that is imposing hardship on people in the Dawson district, to come down to plead their case before this court. To come down they would have to pay in the neighborhood of \$100.00 to \$150.00. I think that a Court of Revision should be held in the Mayo area for Mayo, in the Dawson area for Dawson, and for places which would be easy for people in the Carmacks area and other parts of the Territory. In the Whitehorse area many people along the Alaska Highway have their own pickups and cars and it is not going to cause hardship for them to come in, but it certainly is a hardship as far as the people in the Dawson area are concerned.

Mr. F.H. Collins

Mr. Speaker:

A complete review of the assessments throughout the Territory will be conducted in 1956 and priority will be given the Dawson district. It is agreed that there are wide differences in values of land and property throughout the Territory and no fixed formula can be applied.

It is agreed that the holding of a Court of Revision in Whitehorse for the whole Territory imposes a hardship on that living at long distances from Whitehorse. However, if Courts of Revision were held at even one hundred mile intervals along the highway of the Territory the territorial expense would be very high and in some cases only a few dollars would be affected. Perhaps it could be discussed by Council in Committee and the suggestion made that at centres of two hundred or more population the Court would there sit. This would include the City of Dawson and the town of Mayo and I think is as far as we should go in view of the probable expense involved.

Would you please advise your reaction to this proposal.

Council adjourned at 5:00 o'clock p.m.

W.D. ROBERTSON, Clerk

A.R. HAYES, Speaker

VOTES AND PROCEEDINGS

of the

COUNCIL OF THE YUKON TERRITORY

Whitehorse, Y.T.,
Tuesday, Nov. 15, 1955
10:00 o'clock a.m.

Mr. Speaker assumed the Chair and read the Orders of the Day.

Third reading was given the following Bills:

Bill No. 11 - An Ordinance Respecting the Practice of Optometry.

Bill No. 12 - An Ordinance Respecting Garage Keepers.

Bill No. 26 - An Ordinance to Amend the Old Age Assistance and Blind Persons Allowance Ordinance.

Council resolved itself into a Committee of the Whole to consider Bill No. 21, Mr. Mellor in the Chair.

The Chairman of the Committee presented the Report of the Committee as follows:

Bill No. 21 - With following amendment:
Repeal subsection (2) of section 24.
Subsection (1) of section 34 is repealed and the following is substituted: "(1) Licences shall be in Form D".

Council accepted Committee's report.

Third reading was given to:

Bill No. 21 - An Ordinance to Amend the Marriage Ordinance.

Council resolved itself into a Committee of the Whole, Mr. Mellor in the Chair.

Council recessed at 12:00 o'clock noon.

1:30 o'clock p.m.

The Chairman of the Committee presented the Report of the Committee as follows:

Bill No. 16 - Without amendment.

Bill No. 17 - With amendment: Delete section 9. Renumber section 10 as section 9 and delete subsection (c). Renumber subsection (d) to (c) and delete "refuses to answer or." Renumber subsections (e), (f) and (g) to (d), (e) and (f). Renumber sections 11, 12, 13 and 14 to 10, 11, 12 and 13. Section 13 subsection (1V) "ordinances" misspelled.

Bill No. 15 - With amendment as follows:
Section 2 subsection (a), (i) and (ii) as follows:

.....2

Section 2, subsections (a), (i) and (ii) as follows:

In this Ordinance,

- (a) "boiler" means a vessel in which steam is generated or contained under pressure and includes all engines, apparatus and appliances connected therewith, but does not include any such vessel that is capable of developing,
- (i) in respect of a school, hospital, church, theatre, hall, auditorium or building where the public assembles, not more than two horsepower or that is not less than three cubic feet in capacity, and
 - (ii) in respect of any place except those places mentioned in sub-paragraph (i), not more than five horsepower or that is less than three cubic feet in capacity;.

Subsection (n), (i), (ii) and (iii) as follows:

- (n) "receiver" means a vessel used for receiving or containing ammonia or gaseous substances under pressure and all apparatus and appliances connecting therewith, but does not include a vessel that
- (i) is less than six inches in diameter or one and one-half cubic feet in volume,
 - (ii) is operated at less than fifty pounds pressure to the square inch, or
 - (iii) is used only for compressed air and not over ten cubic feet in capacity; and.

Section 15 (1) as follows: Subject to this Ordinance, no person shall operate or take charge of a steam plant having a capacity exceeding five horsepower, unless he holds an engineer's certificate entitling him to operate steam plants of the capacity of that steam plant.

Section 15 (2) as follows: Notwithstanding subsection (1), an owner who has attained the age of twenty-one years may operate his own steam plant where the pressure in any part thereof does not exceed fifty pounds per square inch and the steam plant cannot develop more than ten horse-power.

Section 19, delete. Renumber sections 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, and 33 as 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32.

New Section 19 (1) and (2) as follows:

- (1) An engineer's certificate, other than a temporary engineer's certificate expires on the 31st day of March following the day upon which it came into effect but, subject to subsection (2), may be renewed in any year thereafter on payment of the prescribed fee in respect of the certificate.
- (2) The Commissioner may require a person who has not renewed his engineer's certificate to write a prescribed examination and if the person fails to pass the examination he is not entitled to a renewal.

Old section 21: Delete word "any" in first line, substitute "a".
Subsection (c) delete.

Old section 21 subsection (2), delete.

Old section 22 subsection (2), delete.

New section 25 subsection (b) substitute "within twenty-four hours for "forthwith."

New section 29 subsection (1) (b) delete words "and welder's."

Old section 34, delete.

Renumber section 35 as 33.

Bill No. 6 - Report progress

Council accepted Committee's report.

Third reading was given the following Bills:

Bill No. 9 - An Ordinance Respecting the Practice of Chiropractic.

Bill No. 15 - An Ordinance Respecting Steam Boilers and Pressure Vessels.

Bill No. 16 - An Ordinance Respecting Ferries.

With reference to Bill No. 16, Councillors Hayes, Hulland and McGeachy voted for, Councillors Mellor and Phelps against.

Mr. Hulland gave notice that Bill No. 17 would be given third reading at the next sitting of Council.

Council adjourned at 5:00 o'clock p.m.

W.D.ROBERTSON, Clerk

A.R.HAYES, Speaker

VOTES AND PROCEEDINGS
of the
COUNCIL OF THE YUKON TERRITORY

Whitehorse, Y.T.,
Wednesday, Nov. 16, 1955
10:00 o'clock a.m.

Mr. Speaker assumed the chair and read the Orders of the Day.

Third reading was given the following Bill:

Bill No. 17 - An Ordinance Respecting the Imposition and Collection of a Tax on Motor Vehicle Fuel.

Council resolved itself into a Committee of General Purposes to discuss the advisability of introducing an Insurance Ordinance, Mr. Phelps in the Chair.

Council resolved itself into a Committee of the Whole, Mr. Mellor in the Chair.

Council recessed at 12:00 o'clock noon.

1:30 o'clock p.m.

The Chairman of the Committee presented the Report of the Committee as follows:

Bill No. 27 - With amendment:
Section 70 subsection (2) add "in respect of each store" between the words collected and during.

Bill No. 6 - Without amendment.

Bill No. 8 - Without amendment.

Bill No. 13 - Without amendment.

Council accepted Committee's Report.

Third reading was given the following Bills:

Bill No. 6 - An Ordinance Respecting the Election of Members to the Council of the Yukon Territory.
Reference Bill No. 6, Council voted unanimously against.

Bill No. 8 - An Ordinance Respecting Controverted Elections.
Reference Bill No. 8, Council voted unanimously against.

Bill No. 13 - An Ordinance to Repeal Certain Ordinances.

Bill No. 27 - An Ordinance to Amend the Government Liquor Ordinance.

Mr. Phelps introduced Bill No. 28 "An Ordinance to Amend the Yukon Territorial Public Service Ordinance".

First and second readings were given Bill No. 28, An Ordinance to Amend the Yukon Territorial Public Service Ordinance.

Council resolved itself into a Committee of the Whole.

The Chairman of the Committee presented the Report of the Committee as follows:

Bill No. 28 - Report progress.

Council accepted Committee's Report.

Mr. Phelps and Mr. Hayes spoke on Bill No. 6 (See Sessional Papers No. 9 and 10).

Council adjourned 5:10 o'clock p.m.

W.D.ROBERTSON, Clerk

A.R.HAYES, Speaker

(Sessional Paper #9)

November 16, 1955

Mr. Phelps

Mr. Speaker:

I'm going to vote against this Bill, because I think it is a matter that should be settled by the members of the Yukon Council.

At the Spring Session I believe the Commissioner of the Territory suggested that such a Bill be brought in, and at that time it was agreed to by the members of the Council. Our voting against it this time merely means that we've changed our minds on further consideration.

I think that we'd be making a great mistake to accept this Bill or amendments to this Bill as our Election Ordinance, and that we can do a better job ourselves by clearing up some of the minor points in our Election Ordinance of 1919.

Mr. Speaker:

The present Elections Ordinance has been in effect for thirty-six years without amendment, and some amendments may be overdue. However the controversial points in this Ordinance would not appear to be of an urgent nature, in view of the fact that no further Yukon Council election will be held for another three years in the ordinary course of events.

Mr. Deputy Minister Robertson in his telegram to the Commissioner dated November 4th, 1955, suggests Yukon Council may wish to consider how the disqualifications of Indians as voters will look, immediately following the relaxation of the Liquor Ordinance whereby Indians are now permitted to drink beer in beer parlours in Yukon. This, I would point out, is maximum relaxation permitted by the Indian Act, Federal Government enactment, and the Yukon Council could not give greater relaxation if it wished. The Federal Government, and not the Yukon Council, discriminates against the Indian in the matter of drinking in Cocktail bars, buying liquor at government liquor stores, or buying beer or spirits to take home to drink as does the white man.

Mr. Robertson further suggests that an interpretation could be taken to the effect that Indians were being exposed to the dangers of civilization without being given civilization's benefits, should this Ordinance not pass in Council.

The Indian shows a marked inclination to and facility for adopting the white man's vices, much more readily than he adopts the white man's virtues. It is less than sixty years since Yukon Indians first came in contact with white men in numbers. Indians in Eastern Canada have lived in close contact with white men for three hundred years or more, but the Federal Government still does not feel that straight discrimination against Indians in the matter of drinking should be removed. Indians in Yukon do not pay taxes on land they own in fee simple, nor on improvements on their land. They do not pay poll tax; they do not pay fishing or hunting licence fees; they may and do earn as much as white men, but they are given free medical treatment, free hospitalization, and free transportation to and from hospital or centers where medical advice is available. If the Indian is to be given all or most of the benefits of civilization and citizenship, he should be willing and ready to assume the full responsibilities and obligations of a citizen.

As written, this Ordinance permits candidacy as a Yukon Councillor to any person who may vote, without further qualification. In Yukon the majority of Indians of voting age, through no fault of their own, are illiterate. This Ordinance would make possible a Yukon Council of five members, the majority of whom could neither read nor write. I feel that this is not the wish of the majority of voters in Yukon, or the wish of the majority of residents. I am quite certain that racial discrimination is not a factor and has no bearing whatsoever on any action Council may take in connection with this Ordinance.

I also feel that if a British subject must be a resident of Canada for five years before he may become a Canadian citizen, then he should be a citizen before he can vote at a Yukon Council election, and consequently qualify as a candidate for election to Yukon Council.

I am opposed to the Bill in it's present form, Mr. Speaker, and will vote against it.

VOTES AND PROCEEDINGS

of the

COUNCIL OF THE YUKON TERRITORY

Whitehorse, Y.T.,
Thursday, Nov. 17, 1955.
10:00 o'clock a.m.

Mr. Speaker assumed the chair and read the Orders of the Day.

With reference to Commissioner Collins' reply to Mr. Mellor's opinion on property assessment dated November 14, 1955, Council is of the unanimous opinion that when an appeal is received, Court of Revision should be held in Whitehorse, Dawson, Mayo, Watson Lake and Haines Junction. Council recommends that the board comprising the Court of Revision be appointed locally.

With reference to the Welfare and Recreational Fund, the opinion of Council is as follows:

This fund was initiated in 1952 to assist local organizations and groups to provide recreational and welfare centres for their communities.

Qualifications for participation are as follows:

- (a) Organization or group to be registered under the "Societies Ordinance."
- (b) Must be formed for recreational and welfare purposes.
- (c) Must provide facilities for all residents of the Territory.
- (d) Incorporated municipalities for purposes outlined below.

Uses to which funds may be applied:

- (a) Purchase and improvement of land and buildings or acquisition of material and cost of construction of buildings, title to same to remain with the organization.
- (b) Purchase of equipment for recreational and welfare purposes.
- (c) Replacement of buildings and equipment.

How to apply for funds:

- (a) Contact the Territorial Council member for your community.
- (b) Submit proof of your requisition.
- (c) Submit plan of operation and facilities which will be made available.

When to apply:

Commencing with the fiscal year 1956-1957 application must be filed with your Member by September 30th, to participate in fund which may be available commencing April 1st following.

Who will approve application:

On recommendation of Member of Council, the Commissioner if satisfied as to qualifications will approve.

How will funds be apportioned:

By recommendation of the Members of Council as set out by resolution of Council, 1953 Third Session.

Request that mimeographed copies of above be made available to Members of Council on request for distribution.

Council resolved itself into a Committee of the Whole.

Chairman of the Committee presented the Report of the Committee as follows:

Bill No. 28 - Without amendment.

Council accepted Committee's Report.

Third reading was given Bill No. 28, an Ordinance to Amend Yukon Territorial Public Service Ordinance.

Council recessed at 12:00 o'clock noon.

2:00 o'clock p.m.

A Resolution moved by Councillor Mellor, seconded by Councillor Phelps, was approved (See sessional Paper #11).

Commissioner Collins addressed Council (See Sessional Paper #12).

Mr. Speaker replied to the address of Commissioner Collins (See Sessional Paper #13).

Council prorogued at 4:00 o'clock p.m.

W.D.ROBERTSON, Clerk

A.R.HAYES, Speaker

(Sessional Paper #11)

November 17, 1955

RESOLUTION

The Yukon Council in Session assembled views with regret the failure of the Department of Justice to give an interpretation of the terms of Bill No. 180, an Act to amend the Yukon Act, February 24th, 1955, dealing with the allowance for living expenses payable to members of the Yukon Council, as requested November 9th, 1955, in a telegram to the Honorable Jean Lesage, Minister of Northern Affairs and National Resources, and requests Commissioner Collins forward this Resolution to Ottawa immediately.

Moved by V.C. Mellor, seconded by J.L. Phelps.

Mr. Speaker,
and Members of the Yukon Council,

I am advised that you have completed your deliberations in respect of the present Session and I wish to inform you that assent has been given to the following legislation which you have passed:

<u>Bill No.</u>	<u>Short Title</u>	
1	Cemeteries and Burial Sites	As amended
2	Masters and Servants	
3	Trustee	
4	Illegitimate Children's Maintenance	As amended
5	Yukon Lands	As amended
7	Newspaper	As amended
9	Chiropractic	As amended
11	Optometry	As amended
12	Garage Keepers	
13	Repeal	
14	Tenants in Common	
15	Steam Boilers	As amended
16	Ferries	
17	Motor Vehicle Fuel Tax	As amended

Amending Ordinances:

18	Amusement Tax	
19	Interpretation	
20	Landlord and Tenant	
21	Marriage	As amended
22	Protection of Children	
23	Conditional Sales	
24	Evidence	
25	Workmen's Compensation	As amended
26	Old Age Assistance and Blind Persons	
27	Government Liquor Ordinance	As amended
28	Public Service Ordinance	

I would like to take this opportunity of thanking the Members of Council for the courtesy and co-operation during the session as extended not only to me personally but also in respect of the office I have the honour to hold and to wish them and the people of their Districts every good fortune until we meet again.

I now declare this Council closed until such time, as by Proclamation, it is again convened for the transaction of territorial business.

(Sessional Paper #13)

November 17, 1955

Mr. Hayes

Mr. Commissioner:

Thank you for the cooperative help you have given us during the past sixteen or seventeen days session.

I would also like to express the thanks of Council to the clerical staff, Mr. Frank Smith, and to the heads of the departments for their help and cooperation, and the manner in which they always get out the printing so quickly.

I also thank each member of the Council for his help and cooperation during this session.