

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN  
First Session — Thirteenth Legislature  
27th Day

Friday, March 22, 1957

The House met at 2.30 o'clock p.m.

**SECOND READING – The Vehicles Act**

The Assembly resumed, from March 13, 1957, the adjourned debate on the proposed motion of the Hon. Mr. Fines:

That Bill No. 27 – An Act respecting the Operation of Vehicles – be now read the second time.

**Hon. C.M. Fines (Provincial Treasurer):** — Mr. Speaker, when I adjourned the debate about a week ago, on this motion, I had been replying to some of the statements made by the hon. Leader of the Opposition (Mr. McDonald) and had been pointing out that we do not, for one minute, think that this legislation is an answer to all the problems which have to do with the use of alcohol. This is only one, but we think it is one that is so important that we cannot afford to delay it at all. The hon. member at that time made a very scathing indictment against every hotelkeeper in Saskatchewan and the law enforcement officers as well.

**Mr. McDonald:** — Mr. Speaker, on a point of privilege. I made no such attack at all. I pointed out at that time that you were making a tremendous amount of revenue out of the sale and distribution of alcoholic beverages and you were using no part of that revenue to enforce any of the liquor legislation that you have in this province. I made no attack on the hotelkeepers.

**Hon. Mr. Fines:** — Mr. Speaker, the point is that the hon. gentleman stated that there was not a beer parlour in the province of Saskatchewan where the law wasn't being flagrantly broken.

**Mr. McDonald:** — Certainly I said that.

**Hon. Mr. Fines:** — All right. It is a very terrible indictment against every hotelkeeper that he would so allow his licensed premise to be operated as to have the law flagrantly violated.

The hon. Leader of the Opposition also stated, when he was speaking, that we are going to take these tests on people who are suspected before a charge is laid and that this is wrong; that first the charge should be laid and then, if necessary, the test taken. May I point out that one of the reasons for giving the test is to determine whether or not the charge should be laid, or whether it should not be laid. Today there is so much guesswork. The thing we are trying to get away from is this tremendous amount of guesswork that we have at the present time.

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Mr. Speaker, there is nothing new about this. The first chemical test law was introduced in the State of Indiana away back in 1939 – that is nearly 20 years ago. Two years later it was introduced in the State of New York; that is, in 1941. The original laws provided that the results of a chemical test, scientifically administered, would be accepted as prima facie evidence in the court. Today, in the United States there are 23 states that have such legislation where this evidence of a chemical test is accepted as prima facie evidence. In addition there are three states in the Union – the States of New York, Idaho and Kansas – that also have legislation which makes it mandatory for a driver suspected of drinking to take a chemical test; and if the driver refuses to take such a test then he must give up his driver's licence. Now that is the law today in these three states of the Union. Furthermore, at this very moment, in at least eight more states legislation is being enacted which will provide that consent to take this chemical test is implied on the part of anyone who uses the highways in those states, and if they refuse to take the test when called upon to do so the licence will be suspended.

So we are not proposing anything that is not already in effect elsewhere; and at this time I want to make the prediction that, within five years, this legislation that we are proposing today will be in effect in the majority of Canadian provinces. In 1951, Canada's Department of Justice gave very serious consideration to this q. They shelved the plan to legalize and encourage chemical tests as evidence in drunk-driving cases. We all know that the solution they found ultimately was to include in the Criminal Code of Canada another section – the section which pertains to impaired driving – believing, of course, that it would be easier to obtain a conviction under it than under the drunken driving. However, with the mass murder of 3,000 Canadians every year on our highways, it is only a matter of time, in my opinion, until our Criminal Code will provide for such tests.

In Saskatoon, under the very capable leadership of Detective Sergeant Wilson, the tests have been administered and have already proven their value in assisting the court in determining a man's guilt or his innocence.

Now here I would like to emphasize that these tests must be administered by persons skilled in their use. The courts must have confidence in the persons who administer them, and, of course, they will be used solely as corroborative evidence. We are not requiring that the courts must accept any evidence adduced by the tests whatsoever. However, for almost ten years now, the National Safety Council has been carrying on research work by trained scientists, and this research work has removed all doubt concerning their value and concerning their validity.

The hon. member for Humboldt (Mrs. Batten) has stated that there is no scientific way to judge the amount of alcohol in the blood. Well, if this statement were true then we must have . . .

**Mrs. Batten (Humboldt):** — As a matter of privilege, Mr. Speaker, I stated no such thing. I stated that the amount of alcohol in a person's blood is not conclusive evidence of the state of drunkenness of that person.

**Hon. Mr. Fines:** — Well, Mr. Speaker, I must accept the hon. member's statement. I have only the 'Leader-Post' to go by; I haven't the transcript of what the hon. member said. However, I would point out again, that it is now a universally accepted physiological fact that, within very slight limits of human variability, the concentration of alcohol in the circulating blood is a reliable index of the degree of alcoholic influence.

My hon. friend (and I am sure she will not deny this) has also stated that no legal or medical body had come out in favour of these tests.

**Mrs. Batten:** — Mr. Speaker, again that is not what I said. I said that no competent legal body or medical body had come out in favour of this proposed legislation making it compulsory.

**Hon. Mr. Fines:** — Well, again, Mr. Speaker, I have only the 'Leader-Post' version of this debate to go by.

**Mr. Cameron (Maple Creek):** — Get the transcript.

**Hon. Mr. Fines:** — I have sent for the transcript; in view of the denials I am getting the official statement. But the 'Leader-Post' said (and it was not corrected) that she pointed out that no legal or medical body had come out in favour of such tests – no medical group had said the tests were safe. Well now, in my notes, I certainly made a note to that effect also.

What are the facts, Mr. Speaker? Let me quote from a few eminent national organizations which are concerned with safety and with law and order. Take the American Bar Association, an association made up of very distinguished and capable people. They say:

“We approve the use of chemical tests for intoxication in the trial of traffic violators.”

Let us take the American Medical Association. What do they say?

“These standards have proved themselves to be fair and factual. Chemical tests can be performed with remarkable accuracy and are the best means of proving alcoholic influence.”

Or take another one I think is reliable – the Federal Bureau of Investigation, commonly known as the FBI. They state:

“The technical lab. of the FBI is fully equipped to handle for alcohol determinations specimens when submitted by law enforcement agencies.”

And the International Association of Chiefs of Police say:

“Give enforcement attention not only to

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the drunken drivers but also to the drinking driver. To make this possible of accomplishment adopt a scientific method of determining intoxication, using chemical tests. Prosecution for intoxication should follow in all cases where the blood content exceeds .15 per cent.”

And the American Association of Motor Vehicle Administrators, who are charged with the administration of motor vehicle legislation all across United States and Canada, in Winnipeg, in August 1956, under the chairmanship of Robert D. Bailey, Commissioner for Manitoba – incidentally, Mr. Speaker, this is the gentleman who said that you didn’t need to use a club to destroy a fly, when a fly swatter would do, or something to that effect, when this legislation was first introduced in this House; and yet, under his chairmanship, here is the resolution that was passed:

“We commend the growing use of chemical or other scientific tests for intoxication in the various member jurisdictions and recommend the adoption of the so-called ‘implied consent law’ with regard to such tests in all member jurisdictions.”

My hon. friend from Humboldt also claimed that because individuals differ in their capacity to absorb alcohol the drunkometer test could not prove drunkenness. Now what have the experts proved? We all know, of course, that people react differently to the amount of alcohol consumed. The amount of alcohol in the stomach has nothing whatsoever to do with the degree of intoxication. It is the amount of alcohol in the blood which determines that factor. The amount of food, for instance, in the stomach, the weight of the individual, his mental state, the degree of fatigue or his environment – all of these things influence the degree of intoxication. Many tests have been given in an effort to correlate the blood alcohol level with predictable behaviour, and the scientists now agree that individuals vary and that, in the lower percentage of blood alcohol, the actions and the ability of the accused should be carefully considered; we should not rely solely upon the tests. The American Medical Association in 1944, agreed that anyone having less than .05 per cent of alcohol in their blood should not be considered as intoxicated. So between .05 and .15 per cent we are doubtful, and the courts of law must consider the behaviour of the individual. It is agreed that anyone who had over .15 per cent of alcohol in the blood would be definitely impaired. Twenty-six states of the Union now accept that figure as being prima facie evidence of impairment; that is the 23 states plus the three, making 26 altogether. There may be some individuals in this category who would be acceptable socially, but they are certainly unsafe as a driver of today’s modern vehicle.

In passing I might add that many experts believe that .15 per cent is too high a figure and that it should be lower before one is presumed to be under the influence of liquor. Now to get .15 per cent means for the average person about 8 ounces of alcohol, and I think we

will agree that 8 ounces of alcohol is certainly more than the average person should take and then go out and drive a vehicle.

In Norway, anyone driving with .05 per cent is considered to be under the influence and is guilty of an offence. In Sweden, .08 per cent is considered to be an 'impaired condition'; and in Denmark, .10 per cent is considered to be under the influence.

**Hon. Mr. Kuziak:** — How about Iceland?

**Hon. Mr. Fines:** — There are many European countries that have different figures, but all of them are below .15 per cent, which is the figure which is used generally in this country.

Now I should like to discuss the types of tests. Again I must refer to the hon. member for Humboldt, when she said that blood, urine, saliva and breath tests often conflict. Well again, I must say that scientists disagree. In their report, based on 1,700 analyses they found that the analysis of the breath, as determined by a drunkometer, the intoxometer and the alcameter, were in almost complete agreement with the results obtained by testing the blood, the urine or the saliva directly.

At this time I would like to refer to the experiments carried on in Saskatoon during 1955 and 1956. They studied the behaviour of subjects having various levels of blood alcohol, and they also conducted clinical behaviour tests. They made a total of approximately 200 of these tests; I believe the most ever undertaken at one time anywhere in Canada. The subjects were tested by using the drunkometer balloon, and blood samples were also tested. Although the number of tests was not large, yet it confirmed the result of the similar larger projects in the United States. The Saskatoon Committee found that there is satisfactory correlation between the blood alcohol levels estimated by the drunkometer test and the blood test.

Mr. Speaker, I would like to refer back to the hon. member for Humboldt. I now have her exact words. She said:

“We should be convinced of the necessity of this legislation. We should be convinced of the validity of these chemical tests and who is convinced of their validity? Certainly not the legal writers; certainly there has been no group of recognized medical men who have come right out and said, ‘this test is valid absolutely’. Nobody has. It is still in the state of experimentation.”

Well, I have read these reports of the American Bar Association, the American Medical Association, the FBI and the American Association of Chiefs of Police, and all of them are heartily behind it as to its reliability.

Now there is one other criticism that has been made by at least two of the Official Opposition, and that is that the police have not the equipment to carry out the tests. That is perfectly true. To my

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knowledge the only equipment available at the moment is in Saskatoon. However, when we decided to install radar equipment we didn't have it; but we got it! And I have every confidence that we can get the necessary equipment; in fact I know we can get the necessary equipment. It will mean, too, that certain of our police officers will have to learn how to operate this equipment. I want to reiterate what the Premier has already stated. When this legislation was introduced we introduced it according to the uniform wording recommended by the National Safety Council. However, we had never expected to use blood, urine or saliva tests; such tests could only be undertaken by a medical practitioner or a nurse. We have always considered a breath test to be the most practical, and it is the one which is already being used so effectively in Saskatoon. I am quite prepared to move in Committee to delete any reference to these objectionable words – blood, saliva, urine.

May I also make one other proposal. Our original proposed legislation would require all applicants for a licence to drive, to sign a declaration declaring their willingness to submit themselves to a test when asked to do so by a police officer. Our law officers have now examined the section requiring applicants to sign such a declaration to see if it was necessary. They believe it is not. Today the Highway Traffic Board has the power to suspend licences for a great many causes. So what I propose now is to not require any signatures in advance, but merely to provide that the Highway Traffic Board may suspend the licence of anyone who refuses to co-operate with the police when requested to take the breath test. This proposed amendment would make it possible for the legislation to become effective almost immediately, whereas if we required the signature on the application it would not become effective until May 1, 1958, when the new licences would be issued.

Mr. Speaker, there have been some who have said in editorials that the Government has been forced into this position . . .

**Mr. Cameron:** — That's right.

**Hon. Mr. Fines:** — . . . That the pressure has been so great. May I say, Mr. Speaker, before I came up, I had my secretary check all the correspondence that I have had concerning this, and I want to assure you that there has been no pressure. On the contrary, the correspondence which I have got has been overwhelmingly in support of the idea of the requiring of these tests as a condition of driving in this province.

**Mr. Cameron:** — You back-tracked fast.

**Hon. Mr. Fines:** — Now speaking of legality. Our learned friend across the way has given as her definite opinion that this legislation is unconstitutional, and the hon. member for Turtleford (Mr. Foley) has stated that the Attorney General should know what the Supreme Court will do. Well, may I suggest to him that when the day comes that the Attorney General is going to know what the Supreme Court will do, we won't need to have many lawyers in the province.

**Mr. Cameron:** — You would pass legislation like you did last night.

**Hon. Mr. Fines:** — Never at any time have we suggested that our legislation would force anyone to take a test. If a driver isn't drunk he should have no objection to taking a test; indeed, he should welcome it, as it will provide him with evidence of his innocence.

**Mr. McDonald:** — Oh, your hospitality!

**Hon. Mr. Fines:** — In the city of Detroit, for example, where they use chemical tests and have for a good many years, 22 per cent of those people suspected of driving while intoxicated were released immediately after the chemical tests. These were the suspects which appeared to the officers to be sufficiently impaired to warrant holding them in custody, and yet 22 out of every hundred were released after they were given the tests. So the tests can serve to help the innocent persons just as well as the guilty ones.

**Mrs. Batten:** — The guilty ones, too.

**Hon. Mr. Fines:** — An officer bases his decision of driving while impaired on several factors, but he needs the help of scientific facts to support decisions based on a suspect's erratic driving and physical signs of intoxication. When an officer stops a suspect his decision involves considerable responsibility. He must either remove that driver from the wheel and subject him to prosecution or else he must let a potential killer continue on his way on our highways. Now the officer is under a terrific moral pressure to be just, both to the suspect and to the general public. Chemical testing removes all doubt of the officer's duty, and the test can be made on the spot with the result determined immediately.

**Mr. McCarthy (Cannington):** — That isn't what the Royal Canadian Mounted Police say.

**Hon. Mr. Fines:** — I will deal with that later, my friend. It has been claimed that I made a foolish statement when I said driving is a privilege, not a right. I would like to repeat it right here and now — driving is a privilege; it is not a right.

**Mr. McCarthy:** — That's your opinion.

**Hon. Mr. Fines:** — And I would like to tell you also, Mr. Speaker, that it is a responsibility as well as a privilege. It is a privilege which carries with it many very grave and serious and heavy responsibilities. It is a privilege which we give only to those who can pass a test, both a written test and a driving test, and it is a privilege which will soon be lost if a driver becomes a hazard either to other drivers or to other passengers, or even to themselves. We have now reached a time in our history when on this continent there is a traffic death every 13 minutes — over 40,000 people every year killed as a result of automobile accidents. There is someone injured every 12 seconds — over 2,900,000 people injured every year on this continent. There is a traffic accident every four seconds — over 8,500,000 every year; and there are nearly 25,000,000 drivers going to traffic court for some violation every year. In Saskatchewan alone, in 1955, 141 drivers were involved in our 125 fatalities. Of this number 43 were reported to have been drinking. That, Mr.

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Speaker, is over 30 per cent. In 1955, we revoked the licences of 768 drivers who were convicted for driving after drinking, but by 1956 this figure had risen to 952 – an increase of 25 per cent in one year. We had hoped that with enough general public safety education we could get our motorists to comply with our traffic laws, but education alone has not worked. Control of the driver licence is the one weapon that can end this mass murder. This legislation alone will not solve all our problems. Other steps must, and will, be taken.

I think, Mr. Speaker, this is a good time to announce that it is the intention of the Government, this year, to put on additional traffic officers, to put on additional equipment, to catch these people and see that they are removed from our highways. These will, of course, be engaged by and under the direction of the Royal Canadian Mounted Police.

Mr. Speaker, in this debate the Government was accused of not being interested in security more convictions for drunken driving, but rather to save...(Will you look that up? The hon. member for Humboldt is shaking her head)...the Government Insurance Office money. Mr. Speaker, I think that that statement was one of the most reprehensible statements that has ever been made in this l n. I hope...

**Mrs. Batten:** — Mr. Speaker, on a matter of privilege. That statement was not made. I said, as a matter of fact, that the Government was, of course, interested in saving lives, and I said but even more so it was interested in saving insurance. Since that has been amended, of course, that is no longer true; the Government is not trying to save insurance money under this section.

**Hon. Mr. Fines:** — Well, Mr. Speaker, let us then go back to the official journal.

**Mrs. Batten:** — Read the whole thing.

**Hon. Mr. Fines:** — What does she say:

“May I suggest I am very much afraid that this is one of those instances where our Government is perhaps, although interested in saving lives of the people and certainly it must be – everyone is; is perhaps a little more interested in this point in saving insurance money.”

More interest in saving money! More interested, Mr. Speaker. Let me read it again:

“Perhaps a little more interested in this point in saving insurance money.”

**Mr. McDonald:** — That is a lot different to what you said.

**Mr. Cameron:** — Get it straight from the records.

**Mrs. Batten:** — Mr. Speaker, on a matter of privilege; I did not make the statement that the Government is not interested in



saving lives and the hon. member has just read exactly what I said. I said it was interested in saving lives.

**Hon. Mr. Fines:** — Well, Mr. Speaker, the other place, earlier what did the member say?"

"I suggest, reading the section of The Vehicles Act it gives the Traffic Board the power to cancel licences if somebody's conduct is undesirable (and you all know the Traffic Board has just that power). Why is this legislation being proposed? For one purpose only. . .

And listen to this:

"Not, Mr. Speaker, in order to secure more convictions; not, Mr. Speaker, to prevent drunken driving on the highways; but merely to save the Saskatchewan Automobile Accident Insurance office some money."

That is right in the record.

**Mrs. Batten:** — Mr. Speaker, on a matter of privilege. I did not say that the Government was not interested in saving lives. I said that this section was not being proposed in order to save lives – and that is not the same thing.

**Hon. Mr. Fines:** — Well, I'll read it all.

**Mr. Cameron:** — Read it all, not just a sentence.

**Hon. Mr. Fines:** — I shall read it again.

**Mr. Cameron:** — Read what you read first.

**Mr. Howe (Kelvington):** — Keep quite.

**Mr. Speaker:** — Order!

**Hon. Mr. Fines:** — If the hon. member from maple Creek (Mr. Cameron) will be quiet we will go on. She says:

"Why are we proposing – or why is this legislation being proposed? For one purpose only – not, Mr. Speaker, in order to secure more convictions; not, Mr. Speaker, to prevent drunken driving on the highways; but merely to save the Saskatchewan Automobile Accident Insurance fund some money."

And then in the other place she says:

"Now I suggest – I am very much afraid that this is one of those instances where our Government is perhaps, although interested in saving lives of people; certainly it must be, everyone is; is perhaps

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a little more interested in this point in saving insurance money.”

**Mr. McDonald:** — Hear! Hear! That’s absolutely true.

**Hon. Mr. Fines:** — I still say, Mr. Speaker, it is a very despicable statement and one which I hope was not premeditated. I am willing to admit in my own mind that the hon. member made that statement on the spur of the moment and in the heat of battle, and that she certainly didn’t premeditate it.

**Mrs. Batten:** — Mr. Speaker, on a point of privilege, I don’t need apologies from the hon. member for anything I have said. I will stand on what I said.

**Hon. Mr. Fines:** — Then in that case I shall read it again, if she wishes to stand on it. Listen again:

**Mr. Cameron:** —Tedious repetition!

**Mr. Speaker:** — Order!

**Mr. Cameron:** — What does she need apologies from you for?

**Hon. Mr. Fines:** — May I suggest . . .

**Mr. Speaker:** — Order! The hon. Minister has read that three or four times now. . .

**Hon. Mr. Fines:** — Well, Mr. Speaker, you allowed the hon. member to get up on a point of privilege, which wasn’t a privilege to start with. . .

**Mr. McDonald:** — Certainly it was a privilege.

**Hon. Mr. Fines:** — . . . and try to leave the impression that she had not made the statement that we were more interested in saving money for the Insurance Office than we were in trying to save lives.

**Mr. Cameron:** — Quit arguing with Mr. Speaker.

**Hon. Mr. Fines:** — Now, Mr. Speaker, I would like to point out again. . .

**Mr. McDonald:** — Read us something else.

**Hon. Mr. Fines:** — . . . that we would hope that all members could support this legislation in order that we could make our highways safe. We could save the lives of many who would otherwise die by the actions of a drunken murderer. I am confident that this legislation will do this. I realize already that our efforts have brought forth much bitterness and misunderstanding and public recrimination and misrepresentation, but all this and a great deal more I shall gladly accept as a cheap price for prolonging human life.

**Some Gov't Members:** — Hear! Hear!

**Hon. Mr. Fines:** — Now, Mr. Speaker, I would like to point out some of this misrepresentation and I think we have got, in this morning's 'Leader-Post' one of the most contemptible editorials that I have ever had the privilege of reading. Last night, Mr. Speaker, it said this:

“Balloon drunk tests little used.”

May I say again that the 'Leader-Post' has conducted this campaign almost single-handed to start with, and now they have the support of the Opposition.

**Mr. Cameron:** — How do you know; we haven't voted yet.

**Hon. Mr. Fines:** — The 'Leader-Post', Mr. Speaker, has conducted this campaign for the purpose of trying to discredit this Government by trying to discredit this legislation. What did they do yesterday? They phoned an officer of the Mounted Police. I have been in touch with this officer, and with his superior office, and I am authorized to state that the information as reported in the 'Leader-Post' is designed to mislead the people of the province. I am informed by the man who made the statement that he told the 'Leader-Post' that he did not want any opinions expressed by him as to the value of breath tests. He first told the 'Leader-Post' that he was speaking solely as the officer in charge of the laboratory, and when he made the statement that breath tests had not been used much and were of little use in the lab., he was quite right, because we all know that results of the breath test must be taken shortly after they are administered. You cannot send a sample of breath to the lab, several days after, or even several hours after. It must be taken immediately, whereas the blood can be kept for hours or for days or weeks. The same is true with the others. But he was speaking as the man in charge of the lab. He was not speaking as one who had been using these tests on the highways. The statement here – the headline:

“BALLOON DRUNK TEST LITTLE USED”

I want to go on with this:

“The balloon breath test is not used to any extent by the police in western Canada.”

But of course, that is common knowledge. I pointed out, Mr. Speaker, that it . . .

**Mr. Cameron:** — What's wrong with the article then?

**Hon. Mr. Fines:** — You wait a minute. I said that Saskatoon was the only place I knew of in western Canada where it was being used, and there it has been very satisfactorily used. Now then, it goes on:

“Inspector Mason-Rooke, officer in charge of the lab. said the force relies more on chemical tests of blood, urine and saliva in attempting to determine degrees of drunkenness.”

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Now, Mr. Speaker, the point there is that the 'Leader-Post' has deliberately tried to give the impression that the Mounted Police prefer these other types of test to the breath test, when in reality they were not passing judgment on this at all. I am further authorized to state here this afternoon, Mr. Speaker, that the Royal Canadian Mounted Police will stand ready, as soon as this legislation is passed and as soon as the equipment can be obtained, and as soon as the men can be trained to administer it, they will be prepared to put their officers to work to use this test.

**Mr. Cameron:** — Why wouldn't they be.

**Mr. McDonald:** — They couldn't refuse.

**Hon. Mr. Fines:** — Now, Mr. Speaker, here we have the 'Leader-Post' this morning:

"The eithicacy of breath tests has been open to question."

And then, the contemptible person who wrote this editorial attributes to the man in charge of the R.C.M.P. — yes, in my opinion he is the same gentleman who is paid to write articles for the Canadian Insurance Underwriters . . .

**Mr. Cameron:** — How many do you pay?

**Hon. Mr. Fines:** — . . . and the same man who was paid for many years to write editorials for the Saskatchewan Liberal party. He was the publicity director for the Liberal party. He is the same man, Mr. Speaker, who, yesterday, came up with a copy of a booklet and sat in the gallery while the hon. member for Humboldt read her little statement. It all fitted in so beautifully. At the time she was reading the statement, Mr. Speaker, the 'Leader-Post' was being distributed on the streets drawing attention to it. And shortly after the editorial writer was writing this up . . .

**Mrs. Batten:** — Mr. Speaker, on a matter of privilege . . .

**Hon. Mr. Fines:** — Mr. Speaker, you can see the plot that is going on.

**Mr. McDonald:** — On a matter of privilege, Mr. Speaker, there is an insinuation there that I was in cahoots or had some agreement with the 'Leader-Post! I saw no member of the 'Leader-Post' before I spoke.

**Hon. Mr. Fines:** — This is just sheer circumstance!

**Mr. McDonald:** — If you had any decency, you'd withdraw.

**Hon. Mr. Fines:** — This is just a chain of circumstances, that Mr. David of the 'Leader-Post' would be sitting up here in the

gallery, yesterday, and that, as the hon. member finished her statement, he left and wrote this editorial. The article appeared in the paper at the same time that she was making her statement.

**Mr. McDonald:** — If you had a spark of decency, you would withdraw, too.

**Hon. Mr. Fines:** — It is most amazing, Mr. Speaker, that the hon. member did not get up and criticize me for putting in The Vehicles Act the fact that we are extending for one month the licence year. That was a part of it.

**Mrs. Batten:** — I didn't have time to read it all.

**Hon. Mr. Fines:** — And yet it is much more important than this. But my hon. friend wasn't interested in this at all.

**Mr. Cameron:** — You're not above criticism.

**Mr. Speaker:** — Order!

**Hon. Mr. Fines:** — The editorial said:

“Breath tests have a limited usefulness because they have to be run within an hour after the samples have been taken. Breath-testing equipment was declared still to be in the experimental stages.”

May I say again that the R.C.M.P. pointed out to this reporter on the telephone that they had been doing experimental work with different types of equipment. Already they have done experimental work with three different types of equipment and have a fourth type of equipment on order, in order that they can find out for themselves the type of equipment which is best suited to their purpose. At no time has any member of the R.C.M.P. ever said that they are not convinced that there is value in the breath-testing equipment at all.

Now, Mr. Speaker, I thought, too, that at this time you might be interested to know that just today the Saskatchewan Highway Safety Council, which is meeting, and which I had the pleasure of addressing at noon, passed this resolution:

“That we compliment the Government on this stand on breath-test legislation and that this Council is in full support of any measure that will result in the reduction of traffic fatalities on our streets and highways.”

Mr. Speaker, that is the reaction that I am getting from all over this province — messages congratulating us and urging us to stand pat. I want to say here today that we intend to proceed with this legislation.

**Some Gov't Members:** — Hear! Hear!

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**Hon. Mr. Fines:** — We are not going to be intimidated, either by the ‘Leader-Post’ or by the Liberal party. We are going to do what we can to stop this drunken driving on our highways. We are going to go to the limit that the law of this country will allow us to go, in making sure that these people are put off and are kept off our highways for all time.

So, Mr. Speaker, if hon. members opposite believe with us that the drunken driver is a menace on the highways, that they should be kept off the highways and that we should use every means at our disposal to see that they are kept off, then they cannot oppose this second reading as some of them have stated they would do.

I move second reading of this Bill.

(The motion for second reading was agreed to on recorded division by 48 votes against 2, and the Bill referred to a Committee of the Whole at next sitting.)

### **INTEGRATION AND ADVANCEMENT OF INDIANS**

The Assembly resumed, from March 21, 1957, the adjourned debate on the proposed motion of Mr. Berezowsky:

“That this Assembly commends the Government of Saskatchewan for the interest it has shown in the problem pertaining to our Indian population and urges that the Government take steps to:

negotiate with the Government of Canada with a view to implementing such programs as will lead to an effective integration and advancement of Indians;

prepare drafts of legislation tending to place the Indians on a basis of equality with citizens of this province;

consult with representatives of Indian Bands throughout the province on all matters having to do with the aforesaid.

**Hon. J.H. Sturdy (Assistant to the Premier):** — Mr. Speaker, I cannot hope to generate as much interest in the debate on this motion as was generated in the previous debate. Nevertheless, I do contend that the matter under discussion is of equal or greater importance, and I rise to speak on this resolution because this Government is genuinely and sympathetically interested in the welfare and advancement of our Indian population. This Government intends to do

what it can do toward the solution of the problems pertaining to Indians and the Metis people of this province.

Mr. Speaker, there is little point in indulging in recrimination or in assessing the blame for the unfortunate and unhappy position in which our Indian population have existed, and continue to exist today. Personally, as I hope, a responsible citizen of this province and this country, I am as much responsible as anybody else; and this Government could scarcely be true to its political and social philosophy of "Humanity First", if it didn't recognize its responsibility for the 18,000 Indian population of this province and for our Metis people.

I hope, Mr. Speaker, that we can approach this problem in a social, moral and scientific attitude, free from all thought of personal or political kudos or advantage. If we do, we can count on the support of every socially-minded citizen of this province, on the support of the Churches and organizations, and on the support of the Indians and the Metis themselves.

But if it becomes a political football, our best efforts are doomed to failure and the victims will be the Indians and the Metis themselves, and the victims will also be the moral conscience of both Church and State. Throughout the world, Mr. Speaker, minority groups in time die out or are forced to conform to the standards and behaviour of the majority population, and that we refer to as integration. Or minority groups exist on sufferance as isolated cultural islands, almost completely disassociated from the life of the dominant group in the community, and that is segregation.

Now, Mr. Speaker, the Indian is too tough and too stubborn to die. With the coming of the white man, in this country there were some 200,000 Indians. They reduced in population over the years to less than 90,000. Today they have re-established themselves as 160,000 in the Dominion of Canada. So 'dying out' will not provide a solution to our minority problem, the Indians, nor can we force them to conform to the pattern of living of the dominant group, to integration. However, I am confident that, with wise leadership, leadership in which they will have confidence, and careful planning and programs, they can be persuaded to integrate into the general society and economic life of this province. I assure you, Mr. Speaker, that no longer will public morality permit the situation as it exists today, where Indians are compelled to live in isolated, segregated reservations or communities in this province. And there is plenty of evidence of this. Scarcely a day goes by but that paper prints the views of individuals, of church organizations and other organizations, of the Indians themselves, and these views are all antagonistic towards the situation which presently exists. So the call for immediate action becomes stronger day by day, and must result in Government programming to include the welfare and the whole general question of future Indian development and advancement, which is citizenship, for which we strive. There are certain things which have been done in the interests of Indians and Metis, but they have not begun to solve their problems. They have been altogether too little and, in many cases, too late.

There are certain things which we can and should do forthwith. First, we can extend, as an example, and it is our intention to extend,

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to the Indians the provincial franchise, and I hope that we can persuade the Federal Government to do likewise. This would constitute a step towards citizenship. I also think certain privileges (however doubtful these privileges may be) of The Saskatchewan Liquor Act should be extended to the Indians. But these and all other steps must be taken with the full consent and knowledge of the Indian people themselves.

Secondly, there should be instituted immediately a comprehensive research program; (1) to determine what alternative lines of development are presently open to the Indians of Saskatchewan in order that integration may be defined, and in order that planning roles or planning objectives can be set down in understandable and certain terms; (2) this research program should provide a body of factual data upon which to base the planning of specific programs which we must undertake; (3), to discover the communication channels, the power structure, the value systems of Indian communities in order that the most effective implementation methods may be devised.

Two types of information under this research program are desirable and are required. The first is legal and administrative information regarding the responsibility and possibilities for improvement and extension of existing services both federal and provincial; secondly, sociological data concerning contemporary Indian life and, if possible, future development, and based on this information, proposals for new programs and possible ways of implementation can be formulated. On Monday last I discussed the advisability and possibility of research along these lines with the Hon. Mr. Pickersgill and his deputy, Col. Fortier, in Ottawa, and I am encouraged to believe that something will be worked out.

May I again, Mr. Speaker, emphasize the value and need for a careful study of all aspects of the Indian and Metis problems. We must know the Indian himself, his way of life, the political and social structure of his community, the ways by which he can be persuaded to accept programs for his advancement. If integration is the acceptable goal, not only must he be educated to our way of life, but we, into whose society he is being integrated, must accept him as an equal and make him completely welcome. We must avoid jurisdiction disputes. In other words, governments and all agencies concerned must work harmoniously, efficiently and effectively together and the only way by which this can be done is to have available a body of factual material, clear-cut objectives and administrative direction and know-how.

Thirdly, as an immediate step, we must proceed with self-evident, desirable and useful programs. I shall deal with some of these later in my talk.

We must immediately open up channels of communication with the Indians. We must consult with him, inform him and inform our own people, every step of the way. If we cannot gain the Indian's confidence, his co-operation, his acceptance of programs and changes in the status quo, we fail. Let us consider some of the problems that confront us so that we may better understand the problems that confront the Indians.



In the first place, the Indian pins his hopes and his sense of security on the Constitution of Canada and I quote for you, Mr. Speaker, from the British North America Act, Section 91, wherein it states:

It is hereby declared that the exclusive legislative authority of the Parliament of Canada extends to all matters coming within the classes of subject next herein enumerated . . .”

and then are enumerated 29 of these subjects over which it has complete jurisdiction, and No. 24 of those subject is: “Indian lands reserved for the Indians.”

The Indians have been an exploited people and so they desperately cling to what they have, which, in all conscience, is little enough. In 1923, I went to Fort Qu’Appelle as Principal of the school there and remained for a period of twelve years. May I in passing state that, next to Saskatoon, Fort Qu’Appelle is the most desirable place in which to live in the province of Saskatchewan. The first thing that struck my eye in this little town, in the park there, was a monument to one of the most monumental land steals that has been perpetrated on this continent. There have been many such land steals and this was one of them. The monument reveals the fact that the Indians surrendered their empire for segregated reservations which were often too small, and many of them were sub-marginal, and many of these reservations became mere domiciles for the custody of the Indians and for the distribution of such relief as a paternalistic government cared to grant.

Such security as was granted to the Indians by the Indian Treaty of 1874 was to be guaranteed, so this monument says, ‘as long as the sun shown and the waters flowed’. Mr. Speaker, this finality, this seemingly insurmountable roadblock towards progress of the Indian people must be removed. But it must not be forcibly and, I would say, callously removed in the manner which I am going to point out and indicate.

According to the British North America Act, which I have quoted, the Federal Government has complete jurisdiction over the Indians of the Dominion of Canada, and that includes health, education and all services pertaining to the welfare of the Indians. I have been sent a number of copies of directives; as a matter of fact one of these was brought to me by an Indian chief accompanied by four councillors of his reservation, and these Indians were and are greatly disturbed. They said, “By reason of this directive, which is so contradictory, we are threatened with the loss of the medical services that we have enjoyed in the past, and which we thought were guaranteed to us in the British North America Act.” I shall read a part of this directive. This directive is from the National Department of Health and Welfare, issued January 31, 1957, and was sent, I presume, to all the bands on reservations in the province. It goes on to state this:

“Since the funds at the disposal of Indian and Northern Health Services are limited, the Indian people who can pay

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should pay for their transportation, medical care, hospitalisation, drugs, glasses and dental care. Those who cannot pay the full amount should contribute at least a part of the cost of these services.

“When an individual is not able to pay for these services, he should contact the representative of Indian and North Health Services so that appropriate arrangements can be made to assist him.”

This also applies to those living off a reserve. To go on:

“Those people who have disassociated themselves from the Indian way of life should cease to be a charge against Indian and Northern Health Services. In other words, those Indians who have lived off the reserve for a period of over 12 months are considered to be making an adequate income, and thus should be responsible for providing for their own medical care.

“If he is a taxpayer in the community for a 12-month period, the individual becomes the responsibility of the municipality in which he resides, if he is not able to provide for himself for some reason. People who have lived off the reserve for this period should take out Saskatchewan Hospital Services Plan insurance for themselves and their families. Eventually all those who are able to pay, and/or those who live off the reserves, will receive notifications that acceptability for medical attention through Indian and Northern Health Services has ceased, and that they will be responsible for all their medical care.

Now, Mr. Speaker, we had hoped that the gradual integration of Indians would take place but this is a contradiction to the first principle of integration, which is confidence. How can an Indian, in any safety whatsoever, venture off the reservation and establish himself, if he is going to be deprived of the health services so necessary to himself and to his family? I would point out this also. How can Ottawa expect the province and the municipalities to go ahead with a desirable integration program if they are going to be saddled with the costs which they have hitherto believed, and were led to believe, were the responsibility of the Federal Government?

As I said, I lived for 12 years in Fort Qu'Appelle, as Principal of the school there. Like my friends who have spoken – the members from Cumberland (Mr. Berezowsky) and from Touchwood (Mr. Meakes), I had to come to know the Indians pretty well, members of the Cree, the Sioux, the Saulteaux and the Assiniboine Tribes, and I know one member of the Sheep Indian Tribe. He was the last of the Mohicans! The Federal or Provincial Governments will not have to worry about the Sheep Indians any more; they are extinct.

I learned some valuable lessons at Fort Qu'Appelle. I learned that in order to solve the many problems in my school, disciplinary problems among children and adolescents, it was unwise to resort to force. I did it outside the classroom. I solved disciplinary problems and teacher-pupil relation problems on the playgrounds, during extra-curricular activities and in the homes of the students in a social way. It convinced me that, whether they be children or adults, people of all classes, races, colours and creeds, cannot be forced. But they can be led, and they will accept leadership providing that leadership is wise, providing they have confidence in it and it is sympathetic.

Later, Mr. Speaker, as Minister of Social Welfare, the staff of our Department, in devising ways and means of improving the lot of our Metis people and formulating programs for them, learned that the problems of the Metis and Indian people were so closely interrelated that one could not successfully be solved without solving that of the other, and wherever a reservation exists in the province, there is an adjoining Metis Settlement problem. So for this reason, our Government is deeply interested in coming together with the Federal Government in order to solve jointly these two problems.

Moreover, I learned, as Minister of Social Welfare, this valuable lesson. I learned that programs, in order to be successful, could not be imposed or forced upon the recipients of those programs. In order to be successful, they had to be understood and accepted by those who were going to receive them, and I think exactly the same thing applies to any attempt towards the solution of our Indian problems. Also this, Mr. Speaker, I learned to avoid bureaucracy and centralization of services' control which gives rise to bureaucracy.

**Mr. McDonald:** — What are you doing over there, then?

**Hon. Mr. Sturdy:** — In order to bring services and their administrators closer to the people, we decentralized the organization of the Department of Social Welfare.

Because of our experience in welfare, Mr. Speaker, I think that the administration of Indian Affairs is beset with bureaucracy; that Ottawa is too far away from the problem and the solution of its every-day difficulties. I do not say this in criticism of the Minister, Hon. Mr. Pickersgill and his staff, because I think they are doing a creditable job, much better than has been done before. I believe that eventually the administration of Indian Affairs must be transferred to the Provinces, and, God knows, the Provinces are not anxious to assume more responsibilities, especially financial responsibilities.

Now, what are the problems? I would like to deal with a few of these. What are the problems pertaining to education? In the solution lies much of the hope of the future of our Indian population. I would like to associate myself with the hon. members who have spoken before, from Cumberland and Touchwood, in paying tribute to the churches of this province and this nation. When governments neglected to provide educational services, church organizations went forward and provided, to my mind, a very fine academic education to Indian children indeed. There are limitations to the type of education which they can provide, more especially in this technological age in which we live.

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I think, too, that the continuation of the residential-school type of education, perpetuates segregation. Let us look at the picture. Here is an Indian reservation. To all intents and purposes, it is an area of segregation; and then at the tender age of six or seven years, the child is taken to a residential school and he continues in a segregated school throughout his childhood and the formative period of his life. The child, having attained the age of 14 or 15 or 16 years, having been born into segregation, having been educated in segregation, returns to the reservation and, during his advanced adolescent age, remains on that segregated reservation. Then when he attains the age of 18, 19 or 20, he leaves the reservation, and we expect this young man or this young woman to suddenly become integrated into the society of our province. That, of course, is beyond the realm of human possibility. The young Indian man or woman goes into a society of which he or she has very little knowledge and from which they receive very little sympathy or understanding.

As was pointed out yesterday, our jails provide the best example of the results of segregation. I have been to our women's jail in Prince Albert many times discussing problems with Miss Hesseltine, the Superintendent. In that women's jail, it is true that from 20 to 85 per cent of the inmates are Indian Treaty women. She said (and her explanation is a plausible one) this. These Indian girls at age 15 or 16, after having learned some of the amenities of life, learned to appreciate electric lights, running water and other modern facilities in residential schools, leave school and go back to the reservation, back to the primitive conditions of which we know, and which we must admit exist on these reservations. It isn't long before they become dissatisfied, and so they leave and go out into a community where they are taken advantage of; they get into trouble. The easiest way of disposing of this problem young men and women is to send them to jail. And that is what the J.P. or magistrate does, as has been pointed out. They go back into jail, remain there for the winter and, when the birds begin to sing, they go out again to the reservation and so the vicious system continues on and on.

I do think the ideal system of education insofar as the Indian is concerned is our public school system; an integrated school system and I must give the Department of Education full credit, and also the Department of Indian Affairs, who are encouraging it; integrated schools such as we have at Lac La Ronge and other centres in the northern part of our province where Indian children, Metis children and white children learn to mix, commencing with childhood and continuing through the formative periods of their lives. I am much more hopeful of the solution of the Indian problem and the Metis problem in the northern part of the province than I am in the southern part, where segregation in education is so much in evidence.

I believe that technical and vocational training must be provided in any towns adjacent or close to an Indian reservation; that high school facilities with vocational and technical training must be provided; that conveyance must be provided, and that as early as possible the integration of white and Indian children must be accomplished. I re-emphasize, Mr. Speaker, that integration, if that is the desirable goal of the Indians of this province, must commence when the child enters school.

I would like to deal for a moment with reservations. The reservations are rapidly becoming a problem. Many of them are now seriously overcrowded and they are simply domiciles for the distribution of relief. That is all – nothing more, nothing less. The Indian is afraid to leave the reservation because he will be cut off relief, just as this directive on health indicates that he will be cut off health services if he dares to leave the reservation. So what incentive is there for him to leave?

We conducted a population survey of three reservations in the Pelly Agency of the province. We found, as an indication of increases in population: in 1940 the number of children born on the three reservations of this Agency that year was 24. In 1954, the number had stepped up to 55, and from 1950 to 1954, the record of births was 50, 46, 35 and 55. The school population of these three reservations in 1954 was 285 children of school age. the projected population as at 1965 is 427. I am happy to state, with regard to one of these reservations, that the children commencing at Grade 7 are being educated in the Kamsack school. The only improvement I can see to that type of education is to have integrated education commence when the child starts to school.

To return to the population trends. The population on these three reserves in 1940 was 720. In 1954, the population was 1,143 and the projected population for 1965 is 1,700 and, on the basis of the population that existed in 1954, the average acreage per head of population, on one of these reserves, was 29 acres; on another 35 acres. Why, you couldn't raise...

**Hon. Mr. Nollet (Minister of Agriculture):** — A steer on that.

**Hon. Mr. Sturdy:** — . . . a steer on that. I have the authority of the Minister of Agriculture. He said one couldn't raise a steer on that.

**Mr. McDonald:** — That's no authority.

**Mr. Cameron:** —He could raise a steer on one acre; you should know that.

**Hon. Mr. Sturdy:** — The Minister of Agriculture is a good authority; much better than those who interrupt me. So population, or rather over-population, is an immediate problem that must be faced up to and solved. Some of these reservations have excellent land and fairly large acreage; e.g. the Muscowpetung Reserve, south of Fort Qu'Appelle. To my mind, the leasing of good agricultural lands to white farmers should cease. A year or so ago I from Ottawa on a question on the Order Paper, the acreage of various reservations that had been leased out to white farmers over a period of 10 years. That ran into hundreds of thousands of acres. It does seem to me that farming, machinery and other types of co-operatives should be developed under skilled supervision and careful planning on these reservations. A program of sound agricultural practices and conservation and development should be undertaken. As an alternative to co-operative farming, individual ownership of land on the basis of economic farm units should be encouraged and, also, the reservations should be incorporated in our municipal system. I am sure they would be, as it is in

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Ontario, if we had the larger unit of municipal administration rather than the postage-stamp size that we have here in Saskatchewan.

Mr. Speaker, inherent in the reservation system are many elements that are repugnant to democracy – segregation, bureaucracy and inefficiency. It seems to me a sad state of affairs to have several thousand acres on an individual reservation leased out to white farmers on a share-crop basis, and the Indians themselves sit down and do nothing but watch the white man work. Surely there is a better way of administering the reservations, of soil conservation and production and development, than is being carried out at the present time. I am sure, with the resources of the provincial Department of Agriculture, its Representative Services, and all the other services that could be given, that these reservations could be much more productive, much better utilized in the interests of the Indians themselves.

I would like to point to the possibility of integration in the industrial centres of this province. I have pointed out to you that we are face to face with over-population on many reservations, and that all the reservations in the Pelly Agency are overcrowded. I think it would be desirable if there was some way of integrating a part of that population at least into the industrial centres of our province. We have tried this with respect to Metis people with very excellent results, but under the Department of Social Welfare, the Provincial Government assumes the total cost of social aid, the rental of the houses that were necessary, and other welfare services up until such time as the Metis family becomes a self-supporting family. I am sure that, if the Federal Government and the Provincial Government got together and relieved the municipalities of all responsibilities with respect to the Indians, many of these families from overcrowded reservations could be brought into our industrial centres. They should be given low-rental housing in which to live and guarantees given to the municipalities that their health needs and other social costs were taken care of. I am sure that the municipalities would welcome these people. Then think how rapidly integration would take place for these children – and Indian children are just as attractive, just as lovable, as white children. They would become a part of our public school and our high school education, and it is along these lines that I would like to see integration proceed.

Another need for research and planning lies in the fact that the problems of the north are different from those of the south. As a matter of fact, the problems on individual reservations are different, and must be handled in a different way. In the parklands and on the plains, the resources upon which the Indians originally depended have completely disappeared, and so a new way of life must be opened up to the Indians living on the plains and in the parklands. In the north some of the Indians' resources remain and, indeed, the whites, in many ways, conform to the Indian way of life; and the Indian skills in trapping and hunting and fishing and transportation are still in use in the north. But even in the north, the impact of governmental policy on the Indians and Metis, especially during the past few years when there has been so much development taking place there, resulted in certain adverse effects. The Government is to be commended for the efforts made towards northern development, but it cannot be denied

that its policies have disrupted to some degree the Indian and the Metis way of life, causing some resentment and a greater disposition on the part of the Metis and Indians to rely on social aid and so on, on the grounds that trapping, fishing and the credit system upon which they had depended, have been restricted. They have to be restricted insofar as trapping and fishing are concerned, for conservation must be observed if we are going to retain trapping and fishing in the northern areas.

The development of co-operative enterprise in this area has taken place and should be extended. The advent of mining, road building, pulp mills, radar and other activities provide wide employment and a greater degree of security. Here again the native population should have access to education and to training that will enable them to compete with white workers, and here also is a great opportunity for the integrated educational system at the public and high school levels. As I have already done, I again congratulate the Department of Education for the steps being taken in this direction.

In closing remarks, Mr. Speaker, are these. Let us proceed toward the improvement and the advancement of our Indian and Metis brothers speedily and with caution so that those things which we do will be wise, for their benefit and acceptable to them. May I again stress the need for exhaustive research into the whole Indian and Metis problem, and the need for careful planning and patience and wise administration. Anyone who professes to know all these problems and all the answers to these problems assumes a wisdom which, I am afraid, he does not possess; for with the best possible type of research we are capable of devising, we still have a great deal to learn of the problems pertaining to our Indian and to our Metis people.

**Mrs. J.E. Cooper (Regina City):** — Mr. Speaker, I also feel I would like to add a few words to this debate. I would like to say, first, that I think it has been a very interesting and a very helpful debate. I realize this is a very perplexing problem, and none of us know all the answers, but I am glad to see that a great deal of research is going on, and I am sure we will be able to improve the situation somewhat. However, I have been making somewhat of a study on infant mortality in Canada and in Saskatchewan, and was very appalled in looking over statistics to find something about infant mortality among Indian children, and I have just a few statistics that I think should be on the record.

I find that from 98.1 deaths per 1,000 live Indian births in 1954, the mortality rate rose to 134.5 in 1955, while among non-Indians, on the other hand, the infant mortality rate declined from 23.9 in 1954 to 23.5 in 1955. It is pointed out here that much as the infant mortality rate among Indians has declined in the last 10 years, it still is in Saskatchewan five and one-half times higher than the prevailing rate among non-Indians. It goes ahead and points out that the discrepancy is not too great with respect to those conditions which result in death in the first day or two of life, but it is great where deaths in the second and twelfth months are concerned — influenza, pneumonia and other conditions arising from poverty, poor housing, neglect and inaccessibility to good hospitals, medical and nursing care, continue to take a high toll among Indian families.

Just how great the toll is can be judged from the following data. The infant mortality rate among the Indians, when pre-natal deaths are excluded, was 109.9 per 1,000 live births; that is, one infant in ten who survived the first hour weeks will still die in the next eleven months. among Saskatchewan's non-Indian population, the death rate among infants surviving after the first four weeks of life was only 7.8 per 1,000 live births in 1955. Certainly that is a reason for concern. But this rate for Indians in 1955 was more than 15 times as large as the rate among non-Indians.

Outbreak of an epidemic such as measles has also a very serious affect on Indian populations. the last serious outbreak was in 1937. In that year 200 Indian infants died compared with 115 in 1956 and 137 in 1938. Pneumonia and influenza deaths among Indians in Saskatchewan are 30 times higher than among non-Indians. The rate per 1,000 live births is 71.6 and in whites 2.6 respectively. Deaths from gastro-intestinal diseases are 25 times higher.

I thought I would like to add those figures to the records of the House, because they shocked and appalled me, and certainly they point out very clearly the need for further attention to the health and welfare of these people. I felt this was something I had not known, that perhaps other members of the House had not known, and I thought it might be of value in considering this resolution.

**Mr. J.R. Barrie (Pelly):** — Mr. Speaker, in my constituency there are three large Indian Reservations which were referred to by one of the speakers, this afternoon. Having lived in that area for over 35 years, and having been in contact with the Indians, I find that certain statements that have been made in this House (and I am not saying they are not correct) don't really apply possibly to the Indian population we have in the Pelly constituency and do apply in other constituencies such as the member for Cumberland (Mr. Berezowsky) mentioned yesterday. I know that, in making reference to certain Indian people from the town of Kamsack, or the Cote or Keesekoose Reserves, and their jail records, he did not do that with the intention of making any particular reflection on the Indians. He had a purpose in view. I happened to discuss with him, yesterday afternoon, for a short time, his views and feelings on the subject. I give him credit for what he had to say; but I would not want the people of this Legislature or the people of the province in fact, to get the idea that, from the record of a few of the Indians off those reservations, they are a very low class of people.

When you look into the Prince Albert Women's Jail (which has been quoted here quite frequently in this debate), the average number of women confined to that jail, according to reports of the Department of Social Welfare, is only 21; and I will admit that, probably, a large percentage of those particular women confined to that jail come possibly from the district I represent. I think, however, if you examined the record more carefully, that probably a few of the same women, of the same character, are repeaters in that jail. I don't just know what can be done about that. It is not a desirable condition at all; but the whole fault, or a large part of the fault I should say, is not the fault of the Indians. We white people have to admit the responsibility, because it is the white people who came in contact with these Indian women and with the men, who have demoralized them and exploited them to the limit, and particularly when you have a reservation such as the Cote Reservation, that practically comes right up



to the limits of the town of Kamsack.

I don't want to say much more about that just now, but I would like to say, in this particular connection, that one of the greatest contributing factors to the trouble with the Indians is liquor.

If The Liquor Act, as it applies to you and me, could be applied to the Indians in this province, I think possibly it would have something to do with the solution. I don't think anybody of my acquaintance would accuse me of being a heavy drinker or an exponent of liquor or anything of the kind, but I do believe that the liquor legislation the Indians are governed by now, is certainly not in their best interests and not in the best interests of this province, or the rest of the population.

I am not going into the details as to what happens and what takes place with the bootleggers and the sale of extracts, hair tonics and so on and so forth. I think most people are familiar with that situation. And I believe, in the province of British Columbia and the province of Manitoba, they have taken some steps, possibly as an experiment, and I believe that possibly we would do well to observe that very carefully, and see what the results will be.

There is one thing I would like to mention in this connection and it is this. From the Cote and Keeseekoose and Key Reserves, we had a great number of men, both in the first war and in this last war, enter the armed services. Immediately they went into the armed services, they, of course, had the privileges other people have insofar as liquor is concerned, and that was particularly true overseas. I have had an opportunity on several occasions, to talk to officers who were in charge of units in which many of these men served, and the information they have given me is to the effect they had less trouble with the Indians and alcohol when it was available to them, than they had with the white men in their regiments or units. So, I don't think, as some people claim, that when the Indian takes a drink of alcohol he goes crazy, any more than some of us may go crazy. It is the situation and the circumstances under which they have to dispose of whatever supply they have, that causes a lot of the trouble.

In connection with the returned men, I would just like to say, in passing, that we are very proud of the men, the veterans who are on those particular Reserves I mentioned. I don't think it is generally known, but the Cote and Keeseekoose Indian Reserves have a branch of the Canadian Legion of their own. All their officers are members of those two Bands, and there is a situation that possibly people don't understand, and don't know anything about. I had one of these young men come to me; he served both in the European war and in Korea, and he is a member of the Cote Legion Branch; and he said that he was chosen as a delegate to go to some Legion affair in the city of Saskatoon, along with representatives from Togo and Kamsack and Pelly Legion Branches, and apparently in the city of Saskatoon the Legion has a club, or some kind of headquarters, where they have a canteen. Now this young man was wounded overseas, both in Korea and in Europe, and when he, as a member of the Canadian Legion,

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as a veteran of these last two wars, was barred when he came to the door of this particular canteen, he resented it very much. It was nothing that he had anything to do with; it is something that the white man had to do with. I think that is just one feature, one small thing, which possibly should be taken into consideration.

Just in passing I would like to mention another matter. I think this was purely a mistake, because the man in charge of the last election, the Chief Electoral Officer is a very good friend of mine, and I took this thing up with him before he retired from that position. I think it was purely a mistake; but the veterans of the Korean War were not given a franchise in the last provincial election. I think it was just a slip-up made in The Election Act. I hope the members of the Government will take it into consideration and see that possibly it is changed.

Now when it comes to our Indians on these particular Reserves, I know conditions are entirely different in other places. There was some criticism made (possibly I shouldn't say it was criticism) by the last speaker, or the Minister who just spoke, of leasing out so much land. Well, I know there has been a great deal of land leased out to the white man on the reservations in the Pelly Constituency; but I think that possibly the policy from here on will be one where the Indian himself will be established to operate his land, and, knowing the conditions at first hand, I believe the policy, particularly there, was a very good one when it was adopted. They have excellent land on these reservations, but in order to get it broken up, the bush cleared off, broken up, and brought under cultivation, it was quite a task for the Indians themselves. There was a suggestion at one time, I know, by the Department, that the Indian Department furnish large machinery in order to do that particular work, and they felt at that time that to turn over machinery of that kind, and then have to pretty well depend on Indian help to operate it, and then all of a sudden have to supply these particular Indian farmers with the equipment necessary, modern equipment, to carry on their farming – probably was a step too fast. So they leased this land out, and I know many of these people, who are the lessees in connection with this land, have had a very unfavourable return from the investment they have made. Some of them have done very well, but as the Minister who just spoke, mentioned, there is the matter of overcrowding. There is the matter of so much land being allotted to certain families, and certain of these Indians, and there certainly isn't enough to go around. I quite agree with him when he said something be done, and I would like to say that something is being done in the St. Phillips Indian Residential School at the present time about vocational training. Any of you who would like to visit this school, will find an up-to-date carpenter shop, machine shop, and a blacksmith shop established in the school, along where they teach motor mechanics, and so on. But on the whole on those Indian reservations, I don't want anybody to have the idea they are living in shacks and hovels, some of them do, but there are some very fine modern homes on both the Key, Cote and Keeseekoose reservations; where if you were to go into these homes today you would find modern furniture. You would find in the yard a modern up-to-date car, you would find modern tractors and machinery, and some of these particular Indians are doing very well for themselves. But they still have the old characteristic that they

like the outdoors, they like to go on a holiday once in a while; that is the thing I think you will have difficulty in breaking down. It is going to be the timing which will look after this particular angle.

As far as these people on these reserves are concerned, and the Department of Indian Affairs, I want to say I think the education provided for these people has been very well looked after, both with day schools, boarding schools, and certain of these children are sent to the Kamsack collegiate, and some to the Kamsack public school. These children are conveyed from different parts where they reside on the reserves by modern up-to-date equipment to the various schools, both at Kamsack, and to the Indian Residential and day schools. I might say they are possibly a little better off in some respects than some of our other schools, because they have an inspection made by a qualified Superintendent of Indian Schools, and these schools also, are under the supervision and inspection of the Superintendent of Schools of the Provincial Department of Education. In most cases, I think they will measure up pretty well, taking certain circumstances into consideration, which would be only fair, they measure up pretty well with many of the schools being used for wholly white children.

Well, the health and welfare, is one thing these residents of the reserves get a great deal of attention, I believe. There may be abuse in some cases, there may be certain times that due to circumstances some of these people don't get the care they should get, but there is a doctor in the town of Kamsack, who is on call to these Indians, and there is no difficulty with doctors on the north side of the reserves. If an Indian goes to them and needs medical care or attention, I don't think they would be refused when their bill was presented for payment. I think there is a definite understanding in this respect. In the Town of Kamsack, we have a very fine hospital, and the Indian Department contributed a large portion of the cost of this hospital, with the understanding, I believe, 15 beds are to be available at any time, and all times, to the Indian residents of the three reservations, north of Kamsack, and there is a full-time Indian health nurse, with an office in the Town of Kamsack, and she is provided with transportation, and is travelling back and forth on the reservations as is required. She has an office and dispensary and other facilities situated in the Town of Kamsack. They also have the facilities of the medical staff from Fort Qu'Appelle, and the facilities of that hospital, if necessary.

Now I could go on to considerable length, but I am not doing this to discredit anything that has been said before, but just to point out we possibly have quite a different situation in our part of the Province, to what people experience with Indians in other parts of the province; and insofar as Metis are concerned, in the Constituency of Pelly, there is no problem in this respect at all. No problem in the Constituency of Pelly insofar as Metis are concerned. The people I have been talking about are Indians resident on the three Indian reserves. We have some Metis people living in our communities, I am very pleased and happy to be able to say this, insofar as Kamsack, the Village of Pelly, and the municipalities are concerned, we have never had any difficulty with these people whatever. They are the type who will get out and make their own way, and do a very good job in that connection.

There are questions about the vote; possibly giving the Indian the franchise would be a very fine thing, but I think you would find,

unless they were guaranteed certain rights they now have, possibly many of them would not be too interested at the present time in having the franchise, because there is some very distinct advantage the Indian has, even if he hasn't a vote. There is nothing to stop any Treaty Indian today from being able to vote by applying for that privilege. I understand there is only one stipulation, and it is that, if he goes out of Treaty and accepts the franchise, he has to agree he will be subject to the income laws of Canada – and we have some of them, strange probably to say, who possibly would have to pay income tax, on the Cote and Keeseekoose Reserves, because they produce a large amount of grain. There are farmers who have good modern equipment and good modern homes; they produce substantial quantities of grain and livestock. There are many advantages, I say, such as exemption from all taxation. When a Treaty Indian wants to buy an automobile, for instance, for his own use, or a truck, he does not pay the same price you and I pay; there is no excise tax on the car or truck. The Education and Hospitalization Tax is not collected from the Indians. They certainly know all about it. No person had better try to collect the tax from them, insofar as the merchants and businessmen in my part of the country are concerned.

As far as the vote is concerned, possibly that is a move in the right direction; but, as the Minister stated, I think these things have to be proceeded with very cautiously and very much in the way of education first. I don't know what applies to the far north in the Cumberland constituency or in the touchwood constituency, such as the hon. members spoke about yesterday, but I do know this. The problem will not be educating the Indians so much as it will be educating the white man, who surround the reserve, to accept the Indians as equals. Once this is done, I don't think you will have much trouble with having the Indian become a part of the community and take his place, as he rightly should, in our way of life in all our communities.

Mr. Speaker, I intend to support the motion.

(The motion (Mr. Berezowsky) was then agreed to unanimously.)

## SECOND READINGS

Hon. C.C. Williams (Minister of Labour) moved second reading of Bill No. 69 — **An Act respecting the Summary Recovery of Wages by Employees.**

He said, this Bill, Mr. Speaker, is a consolidation and revision of the existing legislation and the amendments thereto. It was considered best to reserves-enact the whole measure. The new portions are all marked in the Bill which consists mostly of provisions that are found in other similar Bills as far as the collection of wages are concerned, such as The Hours of Work Act, The Holidays with Pay Act, The Minimum Wage Act, and so forth.

Perhaps the most important change proposed is the raising of the amount that can be collected from \$400 to \$500. The amount has been increased over the years from the \$200 it was (I think) about ten years ago. I might say that this is the same Bill or enactment that we had on the Statutes for many years under the title of 'The Masters and Servants Act. Due to the objectionable character of the title, we changed it, a few years ago,

to its present title, the Wages Recovery Act.

With that explanation, Mr. Speaker, I would move that the Bill be now read the second time.

(Motion agreed to, and Bill referred to a Committee of the Whole at next sitting.)

Bill No. 73 – An Act to provide for Exemption from Taxation of Certain Property of the Synod of the Diocese of Qu'Appelle and to repeal Chapter 47 of the Statutes of 1917 and Chapter 82 of the Statutes of 1920.

**Hon. C.G. Willis (Minister of Public Works):** — This Bill, No. 73, arises from the exchange of property between the Government and the Synod of the diocese of Qu'Appelle, here in the city of Regina. One of the conditions of the exchange of property was the enactment of this Statute exempting the Synod from all municipal and school taxes, with the exception of local improvement taxes, a privilege the Synod had previously enjoyed.

This is being introduced as a Public rather than a Private Bill because of the condition mentioned, and because of the fact that the Department of Public Works agreed that the exchange of property would be effected without cost to the Synod.

I might say, Mr. Speaker, that a resolution approving this exemption from taxes has been passed by the City of Regina.

With this explanation, I would move that the Bill be now read the second time.

(Motion agreed to, and Bill referred to a committee of the Whole at next sitting.)

The Assembly then adjourned at 10 o'clock p.m.