

The Saskatchewan Table

Gordon Barnhart

On October 7, 1876, Amédée Emmanuel Forget was named first Clerk at the Table of the newly appointed Council of the North-West Territories. He thus joined a long line of Clerks in the British Parliamentary System dating back to 1363 when Robert de Merton was appointed first Clerk of the British Parliament. Forget was entrusted with the duty of being the custodian of the principles, practices and traditions of the parliamentary system. There was no similarity between Livingstone, site of the first council meeting and Westminster yet these early pioneers were able to adopt this age old parliamentary tradition to fit their needs and to conduct the legislative business of the Territories in an orderly manner.

The first Council, composed of His Honour David Laird, Lieutenant-Governor; Matthew Ryan; Lieutenant Colonel Hugh Richardson and Lieutenant Colonel James F. MacLeod, Commissioner of the North-West Mounted Police, was sworn in on November 27, 1876 and held its first meeting in Livingstone in March 1877. Pascal Bréland was later appointed as the fifth Councillor. Thus began the first form of local government in the North West. It was totally appointed but was a beginning for the vast Canadian frontier.

Forget assumed the responsibility of assisting this new Council in conducting its business in accordance with British parliamentary practice and began to keep the records of the Council and of the Territories. He was born and educated in Quebec and after some experience as a lawyer and a journalist came West as secretary to Lieutenant-Governor Laird in 1876. Since the Council was small and appointed, rather than elected, it was no easy task for the Clerk to adapt the British parliamentary procedures to the new Council. No Speaker was provided for in the *North-West Territories Act* but instead, Lieutenant Governor Laird presided over the Council meetings. The early Lieutenant Governors were similar to colonial governors under the constitution and were expected to administer federal policy. Although the powers and jurisdiction of the Council were limited and often indefinite there were many interesting challenges and experiences facing the Clerk of a new Council. For example, at the first

meeting of the Council, when the Lieutenant-Governor was to open the Session with the formal speech from the Throne, only one member of Council was present! Due to the vast distances, the remainder of the members of Council were late. In order for Colonel MacLeod to attend the Session in Swan River Barracks, Livingstone (near the present Pelly, Saskatchewan), he had to travel from Fort MacLeod (Alberta) to Franklin (Minnesota), by stage to Winnipeg and from there by dog train 330 miles to the provisional capital.

The first topics of debate for the Council dealt with registration of deeds, the protection of the buffalo and the prevention of the spread of infectious diseases. The revenue to the government of the North-West Territories for the period March 1877 to July 1878 was \$526.



Amédée E. Forget (Saskatchewan Archives Board)

Gordon Barnhart is Clerk of the Saskatchewan Legislative Assembly.



Gordon L. Barnhart (1969 to present)



Samuel Spencer Page (1905-1916)



C.B. Koester (1960-1969)



George Arthur Mantle (1917-1939)



George Stephen (1949-1960)



John Mason Parker (1939-1949)

Clerks of the Legislative Assembly since 1905.

Not unlike today, the Council found that the length of their sessions soon increased. Norman Fergus Black in *A History of Saskatchewan and the Old North West* records that maintaining a quorum at the Council meetings became a problem. He noted that in 1885 Council met from October 13 to November 17 and apparently the members had worked very hard. On the 18th of November a quorum was not present which forced the Lieutenant Governor to adjourn the sitting until Friday. On the Friday,

only two members (out of twelve) were present. "His Honour expressed special regret at the somewhat cavalier desertion of their posts by the other weary legislators, as important matters were still pending. However, as the great majority of the members had already left for their homes, he bowed to the inevitable and prorogued the Council."

Although the problems for the early Council were many, the Members soon began to push for an elected form of govern-

ment in the North West. The first territorial election was held in March 1881 and by 1887 the Council was pushing for the creation of a totally elected Legislative Assembly. In 1888, Parliament amended the *North-West Territories Act* to abolish the Territorial Council and create a Legislative Assembly composed of 22 elected Members together with three appointed Members who were chosen from the judiciary to act as legal experts. These three appointees were not allowed to vote in the Assembly. The year 1888 thus marks the second major milestone whereby the North West, for the first time, had an elected Legislative Assembly which was empowered to choose one of its own Members as its Speaker — Herbert Charles Wilson.

Four Members of the Legislative Assembly made up the Advisory Council and together with the Lieutenant Governor formed the first Executive Committee, the forerunner to our present day Cabinet. The Territories had an elected Assembly and an Executive Committee but this still did not mark the end of the struggle for responsible government in the West. The Lieutenant Governor, as a servant of the Federal Government, still held great power in the affairs of the North West until 1897 when the Executive Committee was made responsible to the Legislative Assembly. It was from 1898 to 1905 that the struggle for the attainment of provincial status was waged.

It was through this struggle to establish a council, then a representative elected council, a Legislative Assembly and, finally, a responsible government, that the Clerks of the Council and later of the Assembly worked, always behind the scenes, as advisers to the Members, the Lieutenant Governor and finally the Speakers. Within the last 109 years there have been only eight Clerks of the Council and Assembly: Forget, 1876-1887; R. B. Gordon, 1888-1901; S. P. Page, 1901-1916; G. A. Mantle, 1917-1939; J. M. Parker, 1939-1949; G. Stephen, 1949-1960; C. B. Koester, 1960-1969 and G. L. Barnhart, 1969 to present. Unlike the practice followed in some other provincial assemblies the Saskatchewan Clerks have not all been lawyers. Forget was a lawyer but the others include farmers, writers, historians and school teachers.

The early Clerks were part-time since there were virtually no administrative duties and the session lasted only several weeks per year. George Mantle had the longest term some twenty-two years under five Premiers and seven Speakers. George Stephen, a journalist and a writer was the first full-time Clerk, in the sense that he did not have an "outside job." When he was appointed Clerk Assistant in 1927 he also served the government in many capacities as editor, speech writer and secretary to various commissions. By 1949, on his appointment as Clerk, he became a full time servant of the Legislative Assembly. From this time onward the difference between service to the Legislative Assembly and government in Saskatchewan became apparent.

Upon Stephen's retirement in 1960, C. B. Koester was appointed Clerk. Following the example set by Mantle and Stephen, he standardized the format of the *Votes and Proceedings*, helped reform the Public Accounts Committee, and establish a Regulations Committee to bring procedures more closely in line with the Westminster model.

In 1966 a Clerk of the House of Commons, Westminster, Kenneth Bradshaw, became Acting Clerk of the Saskatchewan Legislative Assembly while Bev Koester was on an educational leave. The close ties between the Saskatchewan Legislative Assembly and Westminster established by this exchange remain today.

The present Clerk was appointed in 1969. By the early 1970s the Legislative Assembly underwent a major transformation in its role and activity. The length of the sessions increased dramatically and the committees branch became active year round. This led to the appointment of the first permanent Clerk Assistant, Merry Harbottle, 1972 to 1974, followed by Gwenn Ronyk, 1974 to present. Prior to 1972, during session, the government had loaned a person to serve as a sessional Clerk Assistant. This practice was abandoned when the Clerk Assistant position was made permanent.

The growth in size of the department of the Clerk, due to the increasing needs of members for staff and services led to an increased administrative role for the Clerk. It also led to the establishment of an all-party Board of Internal Economy which reviews the budget and administration policy for the department of Legislation. Recent developments include an in-house television service which broadcasts the debates in their entirety throughout the province, a word processor based daily Hansard and an automated accounting system.

An attachment program, initiated under C. B. Koester, has been expanded to the point that two guest Clerks per year are invited to sit at the Saskatchewan Table and to study parliamentary procedure. Some of the Clerks have come from Canadian legislatures and others from Commonwealth parliaments such as Zimbabwe, Sri Lanka and Malawi. These attachments have been useful learning experiences for both guest and host and have helped to establish close ties between the Saskatchewan Table and Tables throughout the Commonwealth.

The 31st Commonwealth-wide conference in Saskatchewan in the fall of 1985 is another opportunity for members and Clerks from throughout the Commonwealth to meet, share ideas and plan the future development of Parliament.

Even though they came from different backgrounds and academic training all Saskatchewan Clerks have shared a common interest in the history of the development of the West and a respect for the British parliamentary system. It has always been one of the amazing characteristics of parliamentary democracy that a group of representatives can meet under very primitive conditions on the frontier and yet adapt very sophisticated parliamentary traditions to their needs.

The long tenure and experience of the Clerks added continuity to the Assembly's procedures. It is because of these early Clerks that the records of the Councils and the Assembly were kept and the Rules and Practices of our present Assembly were developed. These records have become all the more valuable as prairie historians are beginning to write about the early history of the province. ■