

*Criminal Code*

I believe this is particularly important because the preference that was given at that time was in this order:

The authority is:

- (1) uses for domestic and sanitary purposes;
- (2) uses for navigation;
- (3) uses for power and for irrigation purposes.

Mr. Kyte went on to comment:

Thus, not only is the importance and essential need of a constant supply of pure water for the citizens of both countries recognized, but it is given first place as to the uses to be made of it; and any use of boundary waters by navigation, power or irrigation companies that interferes with the purity of this supply may be a subject of reference to the commission to be regulated or prohibited.

The study mentioned previously which was begun under the authority of the international joint commission dating from 1912 stems from article 9 of the treaty of January 11, 1909, and a progress report was published under date of January 6, 1914. I think we all appreciate what the date January 6, 1914, meant to this country. I believe it is significant that the report should have been made at that time. The progress report indicated that a very full study was being made with respect to the pollution of boundary waters particularly as it contained a report of sanitary experts.

While memories are short perhaps hon. members will recall that the greatest single disability arising from polluted waters was typhoid fever. Fortunately that problem no longer exists in Canada but other problems of equal importance exist today.

A final report on this investigation dating from August 1, 1912, was submitted on September 10, 1918. The contents of the report include an introduction stating the terms of reference, the final procedure of the investigation and details on existing pollution in various locations at that time.

In this particular instance it is interesting to note the observations of the commission concerning the pollution from sawmill and industrial wastes existing in the Saint John and Rainy rivers which was not of a bacteriological character but had the effect of causing nuisances by making the shores and the bed of streams unsightly, unclean and malodorous. The report also states that this pollution is injurious to fish life. It also mentions that pollution due to chemical waste is likewise injurious to fish life and the fishing industry, and that both of these pollutions had in these instances trans-boundary effects detrimental to property and to health.

With respect to pollution from sawmill and industrial wastes I was reminded of this this afternoon when I heard the able remarks of the hon. member for Carleton on the subject.

[Mr. Vivian.]

This was perhaps the beginning of the interest of pulp and paper companies in the question of pollution.

Several hon. members who spoke this afternoon referred to those federal acts in which some attention has been paid to the problem of pollution as it affects activity in this country but not as it affects human life. Some sections of the Fisheries Act relate to the protection of fish and there is a particular interesting section in the Navigable Waters Protection Act which I find highly entertaining because of the fact that it speaks entirely of the effect of sawdust and other sections of wood which may be dumped into waters as a hazard to navigation but no mention is made of the effect of such dumping on human health.

And so, we go on from there. Not only does this report make those observations—and I have drawn from it what happened in terms of protection to navigation and also the Fisheries Act—but there is also the matter of injury to health and property within the meaning of the reference to limits of permissible pollution and standards of sewage purification. Chapter VII of the 1918 report deals at some length with remedial treatment required and makes mention of the attitude of municipalities.

I submit that this problem of water pollution cannot be solved simply by an amendment to the Criminal Code, if that is possible. This is a matter of joint action between all levels of government and in this the attitude and behaviour of municipalities is of prime importance.

I now leave that point and refer back to the mention which was made by the hon. member for Carleton (Mr. Bell) today of two problems which devolved from and resulted in the 1946 survey undertaken by that extremely able person, Dr. Berry, an official of the government of the province of Ontario. Because of that survey and for other reasons there developed the Ontario water resources commission. Mention was made of his effort in the 1946 report. I hold in my hand a brochure of the Ontario water resources commission of which there are interesting observations which I wish to relate directly to this matter of the attitude of municipalities. I should like to add one word before I speak on that. I am a very firm believer that all government that is possible to be kept within a local area should be so kept, and that all government worthy of the name should be kept as close to the people as it is possible to do. In this we have the full responsibility of those elected to the municipal council level in as sane government as is possible in this country.