

which we have a Dominion charter, but we are not permitted to carry on business in the province of Ontario, without first paying a license and afterwards making returns every year. I understand my hon. friend from Toronto to say that the provincial law gives power to the local government to declare by regulations the manner in which the business shall be carried on. No such exaction is made of the company to which I have referred. We come under what is called the Extra Provincial Act; that is, it is an Act passed by the Dominion giving us power to carry on a business in the province though the province has the right to incorporate such a company, and under the provisions of the constitution they declare that, having the power to raise a revenue, they impose this tax. But I am not aware that there is any power in the provincial Act giving them the right to regulate the manner in which the business of the company shall be carried on. Hence I take it for granted that if this Bill is passed without clause 5, all that the provincial government of Ontario could do would be to impose and collect a tax without making any regulation or interfering with the manner in which the company should carry on their business.

Hon. Mr. EDWARDS—The provinces do appear to raise a certain amount of revenue in this way, but I undertake to say there is no such license in Ontario, although Ontario does impose a tax. Like the hon. gentleman from Hastings, I speak with a personal knowledge of what I am speaking about. None of the companies in which I am interested have licenses in Ontario, but the various provinces impose taxation. It is a question which I for one should like to see tested. I deny absolutely the right of the province to impose any such taxation or to issue any such license.

Hon. Mr. KERR—If my hon. friend will make inquiry, he would find that his companies have been licensed.

Hon. Mr. EDWARDS—No, none of them have ever been licensed, but Ontario does try to impose a tax.

Hon. Mr. BEIQUE—The hon. senator from Toronto objects to clause 5 of the

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Bill because he says it is unnecessary. He claims that the province will retain its powers. I take issue with the hon. member on that. Both Ontario and Quebec have passed extra-provincial companies' laws for the purpose of licensing all companies whether incorporated in the province or by the Dominion parliament. The object of the license law is to levy a tax on companies and require them to make certain returns, but they cannot exercise that power, beyond the issue of licenses. If clause 5 were left out of the Bill, the provincial legislature would have no right to pass any general law which would affect this company. Some members seem to be afraid that this company may be at the mercy of the province of Ontario, and that Ontario may interfere with the rights of the company. I re-affirm the statement that I made; I represent the promoters of the Bill, and I had the promoters accept the clause. I am not aware that the hon. member from Halifax is justified in questioning my word in that respect. I stated the reason why. The position I take on this Bill is the same position that I have taken with reference to other Bills. The hon. senator from Toronto himself joined me three or four years ago on other Bills—not going to the same extent I admit—in framing a clause in that direction.

Hon. Mr. KERR—This clause declares that the provisions of any general Act of the local legislature now or at any time hereafter in force shall, insofar as they are not inconsistent with a certain Act relating to electricity, apply to the works and operations of the company. Supposing they refuse to license this company, where would we be?

Hon. Mr. BEIQUE—License what? To license any company? The company is not subject to a license. If the company were refused a license it would not prevent them from going into operation. Anyway, the fact that this company will be the creature of this parliament, if there was any law passed by any of the provinces, which would be oppressive of the rights of this company, it would be entitled to come back to this parliament and have that very clause expunged or mo-