

an unfriendly act, and the result is that we have not been able to get that power back.

I am not objecting to the further development of power or to the Province of Ontario and the State of New York getting their respective shares, but if the power is ready to be delivered to industries that will use it, I wish to see that there will be no possible danger of the Treaty being interpreted so as to give this Board the power to say, without the consent of Parliament or the Government, whether or not any more electric power may be exported. I think we should be very careful on that point.

I do not know whether the question of the power to be developed at Niagara Falls came up in the reference to the Supreme Court, but whether the power belongs to the Dominion or the Province, I understand the Dominion has the right to say whether or not it may be exported. I believe that the Government and this Parliament want to do everything they can to meet the wishes of the Province of Ontario as to giving them this extra power, and also as to protecting the scenic beauties of Niagara Falls. As I have hurriedly read the Treaty, it says that at the end of seven years, if the works are not satisfactory, they are to be taken away. Well, we had one agreement with the United States which was vitiated by the International Waterways Commission allowing an obstruction to be built which Parliament said could not be made, and it strikes me that once these works are constructed, they will never be taken down, if it is to the advantage of the United States to continue them.

But that is not the main issue. It is this: that the Dominion Government and the Parliament of Canada, and they alone, have the right to say what power shall or shall not be exported. We in the Province of Ontario are very jealous of our power interests. I do not believe there is any difference of opinion among the Ontario people. We want whatever power is being developed at Niagara Falls to be used in the Province of Ontario. We have now a Treaty that gives 60 per cent of the water-power to us and 40 per cent to the United States, but there is so much of our Canadian power required that we should act very carefully now. We are taking power now into the Province of Ontario from the Gatineau at probably \$15 a horse-power, because we cannot get our rights in regard to 65,000 or 70,000 horse-power now exported to the United States at \$10 a horse-power. Thus the people of Ontario are paying \$5 more per horse-power to get the power from the Gatineau, plus the cost of transmission from

Hon. Mr. REID.

Ottawa to Toronto, all because the agreement with the United States limiting the export of power from year to year has not been observed. I fear that this particular clause of the Treaty could be interpreted by the United States like the one in reference to the Long Sault.

I am not a lawyer, but I think some legal gentleman should have had time to look this over, in order to make sure that any action taken by the Senate on the point which I have raised should be legally sound. So far as the development of power is concerned I have no objection whatever to the Treaty, but I have cited two or three cases, and I think others might be mentioned, which would justify our going slowly in such a matter as this, because once this Treaty passes both Houses it cannot be changed. It may be very long before another treaty is made, and there should be no question about the intention and meaning of this one. I claim that if the United States Government can interpret this Treaty to the effect that the Board will have power to dictate to us in regard to power—and they will carry out what their power interests over there wish—Canada will never see that power again.

Hon. Mr. CALDER: May I add a word to what I have said? I do not agree with the view taken by the honourable member for Prescott (Hon. Mr. Reid). He is referring to the diversion of power, whereas this Treaty deals with the diversion of water for the purpose of creating scenic beauty. They are two entirely different things. There is not one word within the four corners of the Treaty with reference to the diversion of power from Canada to the United States; but there is a point that comes to my attention now, and this is why I rise. Section 6 of the report of the Special International Niagara Board, which is made a part of the Convention, says:

The Board shall have complete supervision and control over the additional waters permitted to be diverted, with power to diminish or suspend such additional diversion.

It struck me when my honourable friend was making his argument that this Board is given complete power over the quantity of diversion, and I presume over the location of the diversion as well. Now, is it possible for this situation to arise? Under the Convention as it stands power is taken to divert 10,000 cubic feet per second on each side of the channel, that water to go through the works of the existing Electric Commission and the Company, and all the power resulting therefrom to be owned respectively