

WATER IN THE RAILWAY BELT AND PEACE RIVER BLOCK—*Con.*

*Borden, Rt. Hon. R. L. (Prime Minister)*—5969.

On section 1. A comma was meant to be inserted between 'swamp' and 'marsh'—5969. The definition of the word 'water' is used for other purposes in this Bill. No objection to section 3 standing—5974. On section 5, only refers to water rights vested in the Crown. Mr. Oliver's suggestion can only happen in certain cases—5975. He asks that special provision be made for those rights that have been granted. Maybe some additional safeguard should be provided—5976. Will be glad to consider any suggestion he may make. If it is thought desirable to make that perfectly clear there could be no objection—5977. Sir Wilfrid has misunderstood the meaning of section 6. They reserve the right to examine any future act—5981. Its effect at all events seems to be restriction. Section 6 merely a continuation of the proposals embodied in section 5—5982. It is proposed that these water rights be administered under the existing B. C. Statute. Possible that it may not work hence this clause—5983.

*Burrell, Hon. M. (Minister of Agriculture)*—5986.

A large amount of the land affected by the Bill has already passed under the jurisdiction of the province—5986. With a clause added as suggested by Mr. Guthrie does not see why the Bill should not be passed—5987.

*German, W. M. (Welland)*—5970.

The only thing the Governor General has a right to do is to annul section 5—5970.

*Goodeve, A. S. (Kootenay)*—5984.

The constant friction and trouble alluded to arise from the fact that at present there is dual jurisdiction—5984. There will be no friction in future because there will be one regulation. Any grants in the meantime will hold good—5985.

*Graham, Hon. Geo. P. (Renfrew)*—5973.

The machinery you have to use is the British Columbia Act—5973.

*Guthrie, H. (Wellington)*—5970.

This Bill was introduced on the 18th of March, but only distributed on Saturday—5970. Asks that the usual clause protecting the rights of litigants be inserted in this Bill—5971. Asks to have a saving clause inserted in section 5. Asks that this most vital clause stand—5974. The case of Marshall, where the claim ante-dates the entry of B. C. into Confederation—5978. The minister would do well to consider some general clause to protect all existing rights—5979.

*Laurier, Rt. Hon. Sir Wilfrid (East Quebec)*—5972.

The Bill does not confer ownership in water, or in land, it simply transfers to B.C. the administration of water rights—5972. Much simpler to make the defi-

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inition of 'water' what is found in the B. C. Water Act. It is safe—5973. It seems natural to take the exact wording of their Act—5974. There are grants made by the B.C. government before the railway belt was established. All rights must be protected—5977. Is sure it is not the intention to take away from any man what has been given him by the Crown—5978. Clause 6 is a very suggestive one. All conflicts have arisen because B. C. undertook to regulate the use of water—5980. This is putting upon the B.C. Acts the sanction of this parliament and of this government. That is what we want to avoid—5981. A clause should be inserted that this parliament does not intend to invade any legal right from any Act of the Crown—5982. There are men who claim to have legal rights and to have these rights invaded by the action of the board—5984.

*Lemieux, Hon. B. (Rouville)*—6175.

Asks an explanation of the Bill—6175.

*Oliver, Hon. F. (Edmonton)*—5969.

Thinks it should be shewn that the interpretation clause is the same as that in the B.C. Act—5969. Does he understand that this clause is for the purpose of handing over these rights to the province—5970. It is rather an important question and one which should not be dealt with lightly—5971. Should not take effect until rights acquired by individuals from the government have been fully protected—5972. On sec. 5. Wishes to emphasize the very great importance of this clause, having regard to existing rights in the Railway Belt—5973. This government did not issue water grants appurtenant to certain lands. There is bound to be confusion—5974. The late government being confronted by this very position, undertook to have a very careful examination of the water rights—5976. The difference is that parliament is giving validity to the British Columbia law. That would preserve the control of parliament—5982. An adequate protection to the dignity and authority of parliament, but hardly to individual rights—5983. One clause should be settled on the responsibility of the government that has jurisdiction—5985. The B. C. government will have the administration of the water power without the ownership of the land—5986. Mr. Burrell has not given any reason for section 7—5987. In case the cost of administration exceeds the revenue, what occurs?—5988. It was suggested that subsection (b) of clause 2 should conform to the B.C. Act—6175. Has Mr. Guthrie seen the amendment?—6176.

*Pugsley, Hon. Wm. (St. John City)*—5968.

On sec. 1 asks the meaning of 'swamp marsh' in par. (b)—5968. Then call it a water-course. What the result of putting it in would be—5969.