

emerged in the consideration of the St. Lawrence deep waterway. There was a question submitted to the Joint Board—it is question number five of the submissions to the Joint Board of International Engineers, which is contained in the St. Lawrence Waterway Report of the Joint Board of Engineers appointed by the governments of the United States and Canada, 1926. On page 42, the following question appears:—

To what extent may water levels in the St. Lawrence River, at and below Montreal, as well as the river and lake generally, be affected by the execution of the project.

That is the project of the canalization of the St. Lawrence. The answer, as given in this report, is as follows:—

The irresponsible operation of the power works proposed by the Board, or indeed, of any power works, however designed, that develop fully the power resources of any section of the river, would affect injuriously the water levels in the St. Lawrence River at and below Montreal, but it is feasible to operate these works under government supervision in such manner that they will neither lower the summer levels in the lower river, nor raise the winter and spring levels. With such control, the improvements proposed will have no injurious effect whatever on the water levels of the St. Lawrence at and below Montreal.

Now, our company submits, gentlemen, that water levels in the harbour of Montreal, and in the lower St. Lawrence, depend partially upon the flow of the St. Lawrence river, and partially upon the flow of the Ottawa river. The waters are mixed; they join at the St. Lawrence, and it is the waters of the two rivers which maintain the levels in the harbour of Montreal, and the lower St. Lawrence. It is true the Ottawa river is but a small portion of the total, but in the ratio that the flow of the Ottawa river bears to the flow of the St. Lawrence, the same finding applies, and we submit that the finding of this Joint Board of Engineers means exactly what we have contended, and that is that you cannot develop the Ottawa river without injuring the water levels in the harbour of Montreal, and in the lower St. Lawrence, unless you develop the Ottawa river as one unit, and under one control, for the purposes of navigation, and subsidiary and auxiliary to that navigation, as it is in our charter.

In continuing the examination of the charter itself, as it now exists, I want to draw your attention for a moment to the expropriation clause now contained in clause five of the Act of 1906, which I would like to read:—

Section 43 of Chapter 103 of the Statutes of 1894 is hereby repealed, and the following is substituted therefor.

His Majesty, his heirs and successors, may, at any time assume the possession of and to the property in the said canal and works, and all and any of the rights, privileges and advantages of the company, on giving to the company one week's notice of intention to do so; thereupon the property in the said canal, works, rights, privileges, and advantages shall become, and thenceforward shall be vested in His Majesty, his heirs and successors.

Now, gentlemen, the important aspect in the expropriation clause is the terms upon which you can expropriate, and that was contained in the balance of the clause as follows:—

And by way of compensation, His Majesty shall pay to the company the value of the work actually done by the company, up to the time of the giving of such notice, of any survey, and the making of plans and otherwise, upon the ground, together with the value of all tangible property of the company, of which possession may be so taken, such value to be