

to legislate in regard to any works that might be proposed to be constructed on those two rivers. The hon. gentleman seems to be so consumed with the importance of those works which are stated to be for the general advantage of Canada that they have obscured his vision altogether and he cannot see that they are not for the general advantage of the country.

Mr. CONMEE. Is the hon. gentleman aware that this government has exercised power with regards to the works on the Don?

Mr. NORTHRUP. Very possible under certain circumstances it might, but I do not think it has ever laid down that it would be proper for this government to give a company power to construct a dam 10 to 15 miles up the Don on account of its being an international stream and the dam being for the general advantage of Canada. I do not think that the House has up to the present time gone as far as that. Not only is there the objection to the principle laid down, but there is a very strong objection to allowing a Bill to go to its second reading with this objectionable clause in it. I venture to say that when the British North America Act was passed it never entered into the contemplation of the legislators of the old country who framed section 92 (10-C):

Such works as, although wholly situate within the province, are before or after their execution declared by the parliament of Canada to be for the general advantage of Canada or for the advantage of two or more of the provinces.

That this clause was intended to be other than such a clause would be in the case of a parliament similar to that which passed the British North America Act; it was taken for granted that there would at least be some conscience in a parliament dealing with these questions. It was never contemplated that the Dominion parliament would declare the most contemptible, insignificant, little piece of work to be for the general advantage of Canada. It was never expected that this House would declare something that was obviously untrue, and thereby bring such little pieces of work within its jurisdiction. I have no hesitation in saying that this House would be departing entirely from the principles of good government if it allowed the passage of such a Bill. I suppose the hon. member for Rainy River (Mr. Conmee) thought he had simply to insert the second clause declaring this to be for the general advantage of Canada and every member of this House, from Nova Scotia to British Columbia, would leap to his feet to secure this valuable work which would contribute so much to the happiness and prosperity of his con-

stituents. When we come to deal with it in the spirit of common sense I do not think the hon. gentleman himself would advance any particular reason why this paltry enterprise should be declared for the general advantage of Canada. If the clause stated that it was for the general disadvantage of Canada I could understand it being inserted in the Bill. One has only to look at the clause allowing the rivers to be dammed and consider what the hon. gentleman says about one river being navigable and the other international to see that it is an imposition on the common sense and good nature of this House to ask for the passage of the Bill.

Sir WILFRID LAURIER. Quite apart from the question of the general advantage of Canada is it the hon. gentleman's opinion that under the constitution, by which navigable rivers are placed under the jurisdiction of the parliament of Canada, such a river could be barred or impeded in any way by an Act of a local legislature; in other words, that the local legislature can give authority to bar or impede a navigable river?

Mr. NORTHRUP. I certainly think not; I think the local legislature would not have power to give a company authority to bar the navigation of a navigable river, but at the same time I think if the water-power were sufficient to justify works being constructed, the local legislature of Ontario could do as they have done at Niagara and give power to a company to extract power from the water, although not the power to dam the river.

Mr. CONMEE. Mr. Speaker—

Mr. R. L. BORDEN. Mr. Speaker—

Mr. SPEAKER. I allowed the hon. member for Rainy River to speak the second time in answer to a question.

Mr. CONMEE. I think I have the permission of the hon. member who had the floor. I wanted to answer one or two questions. The hon. gentleman (Mr. Magrath) stated that he was opposed to granting permission to export a portion of this power into the United States. That is the general law. The power at Niagara has been exported for many years. We have an Act of parliament governing it, and that clause was put in as a protection so that half the power might be always at the demand of the Canadian people. The hon. gentleman (Mr. Northrup) calls this an insignificant piece of work. It is a work involving the development of 35,000 or 40,000 horse-power. It is proposed to extend the lines into various parts of Canada as well as to the United States, and yet the hon. gentleman chooses to sneer at it—