

second reading when on its face it claims to relate to a work for the general advantage of Canada. That language is absurd, as it relates to a purely local undertaking. The hon. member for Rainy River has challenged us on this side of the House to point out in the British North America Act where power is given to the local legislature to grant a charter of this nature. One would suppose that the hon. member had been studying the British North America Act night and day, and had it by heart; but I find no difficulty in pointing to a clause in the British North America Act giving the Ontario legislature power to deal with this matter. Subsection 10 of section 92 mentions, among the other powers of the local legislatures, that with reference to 'local works and undertakings other than such as are of the following classes;' and these exceptions are limited to 'those which connect the province with another province or extend beyond the limits of the province.' In other words, the local legislature is distinctly given power over works such as are proposed on the Nipigon river. At all events, I for one would certainly be opposed to this Bill getting even a second reading, while it has section 2 in it.

Hon. H. R. EMMERSON (Westmoreland). This is a discussion of a very old subject. I think it was at the last session that a very lengthy discussion arose with respect to a Bill entitled 'An Act to incorporate the Saskatchewan Power Company.' I raised the question on that occasion of not so much the power but the advisability of this parliament attempting to deal with the subject. I deprecated the idea of the parliament of Canada incorporating companies which might properly be incorporated by the legislatures of the respective provinces, and I think it was pointed out that any company seeking such powers could secure them from the provincial legislature. The necessary powers in connection with the damming of streams or the construction of other works on streams or the control of water would necessarily be obtained from the Minister of Public Works, to whom this parliament has in a measure delegated these powers by the Act relating to Public Works and navigable waters; so that a company securing from the provincial legislature power to build dams and construct other works could only do so after obtaining permission from the Minister of Public Works. The Act incorporating the Saskatchewan Power Company was passed last session, and the strange feature of that Act was that there was no declaration in it that the work was to be one for the general advantage of Canada. Moreover, we gave the company power to expropriate land, on the ground that the Dominion government owned the lands in the western provinces, and controlled the navi-

Mr. PERLEY.

gation of the Saskatchewan river. Now, it seems to me that if this parliament was justified in incorporating the Saskatchewan Power Company, it is much more justified in incorporating this company, inasmuch as it relates to an international stream.

Mr. Sproule. The Nipigon river is not an international stream, though the Pigeon river is; but they seek power to deal with both.

Mr. EMMERSON. So far as the Bill relates to an international stream, the power should be sought from this parliament; and I go further and say that the provincial legislature would have no power to deal with it. Therefore the object of this Bill carries with it the implication that this parliament must deal with this subject, and that the promoters of the legislation could not secure the necessary power from the local legislature. We did not refuse to send to the committee the Bill to incorporate the Saskatchewan Power Company, and I think it would be fair to send this Bill to the committee. There the provisions of the several sections could be dealt with, and those which properly come under the jurisdiction of the provincial legislature could be removed from the Bill.

Mr. W. B. NORTHRUP (East Hastings). I listened very attentively to the remarks made by the hon. member for Rainy River (Mr. Conmee), and one of the reasons he advanced in appealing to the House to allow the second reading of the Bill, was of such a startling nature that the House had better be careful of the legislation on which it is entering. He gave as a reason that one of these rivers, while not itself on the international boundary, flowed into one of the great lakes, and therefore became an international stream.

Mr. CONMEE. If the hon. member will pardon me, I did not make that statement. I stated that because it was a tributary of the great lakes, as the question of the right of international waters extended to the watershed, it more or less became a question in issue in this case in regard to that river. I did not go beyond that point.

Mr. NORTHRUP. The hon. gentleman has gone a good deal farther than I stated, for he would not only include such a stream as that, but all other streams which might flow into it. It is very easy to lay this down as an abstract principle, but when one lays aside the superlative wisdom which only would justify a man in moving the second reading of a Bill like this, and comes down to ordinary everyday life and thinks applying the principle to our own province, say to the city of Toronto, we would find that the Humber and the Don were two international streams, and that it would be necessary for this parliament