

we get to that the better, because nearly every Bill that comes before this House contains something with reference to provincial rights, and the sooner we obtain a ruling on the question whether we have a right to incorporate power companies or not, the better.

Hon. Mr. BEIQUÉ—I was in charge of this Bill, and I obtained the consent of the promoters to accept this clause, and the reason why I think this clause is good legislation is that the rights of the provinces should be preserved in a reasonable measure. Suppose that any of the provinces should create a commission in years to come, entrusting the commission with the control of the rates of water power companies, as far as public utilities are concerned, in the distribution of power in cities and towns, would it not be but proper that the legislature of any of the provinces should have the right to legislate, and that their legislation, provided it be applied to all companies of that nature, should affect companies whether they are created by the local legislature, or whether they are the creation of this parliament? I think this is legislation in the proper direction, and we have passed a number of Bills in the last three or four years, with a clause in this direction. That is the reason this clause has been inserted. There is no question as to the power of this parliament to pass the Bill. That is not the object of the clause at all. It is merely to save the rights of the legislature if there should be an occasion hereafter to pass a general law which should properly affect companies incorporated by this parliament or any other body.

Hon. Mr. POWER—I do not wish to contradict the hon. gentleman who has just resumed his seat, but I had received an altogether different impression as to the attitude of the promoters of the Bill. I understood the counsel who represented the promoters to say that if this clause passed in its present form, the Bill would be of no value. And my humble opinion is that, if I understood the promoter correctly, he was right. We have to consider something further than the position as stated by the hon. gentleman from De Salaberry. If the province of Ontario

were like the province of Quebec or the province of Nova Scotia, and had not undertaken to go into the power business itself, then I could see no particular objection to making this company subject to the existing, or to any future legislation of the province with respect to power and the transmission of electricity. It says 'The provisions of any Act of the legislature.' It does not confine it to Acts which deal with electricity or power. The probabilities are that this company, under the circumstances, will really not get a fair opportunity to carry on its business if the company persist, after the passing of the Bill in this form, in having it made law by putting it through the other House. I do not think they will ever be able to do business under this charter we have given them, and I agree with the hon. gentleman from Prince Albert that in a case of this kind, it is our duty not to interfere unnecessarily with the legislation of the province. When gentlemen come to us and ask for an Act of incorporation, it is not our duty, and I think it is improper, that we should annex conditions to the granting of the charter which will render that charter useless to the promoters, and that is just what I feel the passing of this fifth clause will do. My honest opinion is that this fifth clause in the Bill, if the measure becomes law, will render it of no use to the promoters and those who are asking for the charter.

Hon. Mr. POIRIER—The hon. gentleman from De Salaberry says that he desires the rights of the provinces to be preserved in a reasonable measure. I desire the rights of the provinces to be totally preserved. That is where I differ from my hon. friend, and it is the reason why I shall hold the view that I held in committee, that that clause should be struck out altogether. It is for the courts to decide the extent to which we have to go, and the extent of the jurisdiction of the provinces, I will add that I wish to be the guardian of the provincial rights and also of the Dominion rights. Supposing the province should enact in such a manner that they would trespass upon the rights of the Dominion, then, according to the reading of the clause, as I understand it, whatever