

be vested in the Province of Quebec over or in respect of the use of the waters of the River St. Lawrence for the development of hydro-electric power.

It says "the rights, if any." That raises the question of ownership.

Hon. Mr. SMITH: In the other House just now the Secretary of State has made an amendment changing the words "the rights, if any" to read "any rights".

Right Hon. Mr. GRAHAM: Then we are discussing a Bill that is incorrectly worded, for that amendment is not in here.

Hon. Mr. WILLOUGHBY: I have two trifling amendments here that would not affect the point the right honourable gentleman is discussing.

Hon. Mr. DANDURAND: Is clause 4 of Bill 144 amended?

Right Hon. Mr. GRAHAM: If so, how is it amended?

Hon. Mr. WILLOUGHBY: Section 4 is not touched at all, according to the amendments that have been brought to me. In the tenth line of the Bill, on the first page, the words "New Welland Canal" have been changed to "Welland Ship Canal."

Right Hon. Mr. GRAHAM: I am talking about section 4.

Hon. Mr. WILLOUGHBY: I have nothing before me.

Hon. Mr. SMITH: The amendment I mentioned was made in the other House.

Right Hon. Mr. GRAHAM: I am now told that at the request of the Attorney General of Quebec this Bill has been amended in accordance with the point I am making, and the words "if any" have been stricken out.

Hon. Mr. WILLOUGHBY: An amendment to section 4 has just come to me. The section as amended reads:

Nothing in this Act contained shall be deemed to affect any rights that may be vested in the Province of Quebec over or in respect of the use of the waters of the River St. Lawrence for the development of hydro-electric power.

Right Hon. Mr. GRAHAM: Evidently members of the other House saw the light while they were going through this Bill.

Hon. Mr. WILLOUGHBY: The right honourable gentleman's light shone over in the darkness.

Right Hon. Mr. GRAHAM: I am informed that the Attorney General of the Province of Quebec has taken the same stand as I

Right Hon. Mr. GRAHAM.

have with reference to this Bill. My honourable friend says that the words "New Welland Canal" have been amended to read "Welland Ship Canal." That is another change that I was going to suggest. Most people refer to the "Welland Canal," but there are the New Welland Canal, the Old Welland Canal and the Welland Ship Canal. The New Welland Canal is the legal name of the canal that is being superseded by the Welland Ship Canal. We are not discussing the New Welland Canal now.

Section 1 of Bill 144 provides:

The canal now being constructed by the Beauharnois Light, Heat and Power Company, Limited, a body corporate, incorporated under the laws of the province of Quebec, between Lake St. Francis and Lake St. Louis, on the south side of, or in or along the St. Lawrence River, and the works on lands or lands covered with water, excavations, embankments, retaining structures, remedial works, dams, locks and other works appurtenant to said canal, now executed or hereafter to be executed, are hereby declared to be works for the general advantage of Canada.

The words "the works on lands or lands covered with water" seem to me to leave it open to the suggestion that the Government is seeking to expropriate land that, according to the Privy Council, belongs to the Province of Quebec. This is one of my reasons for declaring that the foundation is being laid for a big row with that province, which strongly adheres to the principle of private ownership. By declaring certain works to be for the general advantage of Canada we cannot make them publicly owned. Any railway may be declared to be a work for the general advantage of Canada. It is under the jurisdiction of the Board of Railway Commissioners, and subject to federal legislation, but still it may be a private enterprise. It seems to me that according to section 1 of Bill 144 it may be said in Quebec that the Dominion Government is in favour of private enterprise, and in Ontario that it is in favour of public ownership. The Ontario press is taking the declaration that the works are "works for the general advantage of Canada" to indicate public ownership. In my opinion Quebec would be perfectly justified in contending that some of this proposed legislation is ultra vires of the Dominion Parliament.

Hon. Mr. ROBERTSON: I wonder whether my honourable friend has the correct amendments that have been made to Bill 143 in the other House?

Right Hon. Mr. GRAHAM: If the Bills we have been discussing are incorrect we may have been wasting time.