

## Manitoba Flood

the situation is something like this. I should like the Minister of Justice (Mr. Garson) to correct me if my exposition of the constitutional position is not quite correct. This is as a stock rancher would put it anyway: that the water, in so far as its use is for navigation is concerned, is the property of the federal government. The water in so far as it is used for the production of power is the property of the provincial government. It is the kinetic energy in the water that produces the power; it is the kinetic energy in the water that produces the flood damage. Therefore I understand the federal government, from a constitutional point of view, is actually not responsible, because the kinetic energy in the water damages the property of the province, and the land is either provincially owned or belongs to the municipality which is the creature of the provincial government. I understand that is the constitutional position in regard to this situation. I am of the opinion, Mr. Speaker, that we require some up-to-date legislation that makes it quite clear-cut what we can do with respect to flood control and erosion control on these Canadian rivers that give difficulty from year to year. Therefore I think we require an over-all conservation plan for Canada that includes legislation for flood control and erosion control on the navigable rivers of Canada.

**Mr. Speaker:** I do not think the hon. member should develop that argument any further.

**Mr. Herridge:** Mr. Speaker, I was going to say, such as the Red river. I am just concluding, but I think that is necessary if we only read the history of previous civilizations such as on the Euphrates—

**Mr. Speaker:** Order. The hon. member must observe the rules of debate and confine his remarks to a discussion of the flood conditions in Manitoba.

**Mr. Herridge:** If we here learn our lesson we will not have this condition on the Red river. We have got to learn from the history of the past and use our modern knowledge, our modern techniques and our modern sciences to develop an over-all conservation plan to prevent future disasters of this sort in Canada.

**Mr. J. M. Macdonnell (Greenwood):** I just want to add a word. I agree, of course, with the things that have been said about the duty of the rest of the country to come to the assistance of Manitoba if this proves to be a disaster of the first magnitude, as it appears to be. The point I wish to make is just this. I wish to suggest there may be a very definite responsibility on the part of

the dominion by reason of the fact that, so far as I can learn from a very fragmentary review, it is true, of the proceedings of the international waterways commission, it would look as if the Red river and the area have been greatly neglected. I have here the report of the first several years, and by going through the index I find that although many rivers in Canada that I know and a good many that I do not know are mentioned here and were evidently considered, I cannot find the name of the Red river in the index at all.

While I am not able to say that I have scrutinized all the reports since, I would suggest that there may be a very definite responsibility there by reason of what appears to have been the neglect to deal with this area which has been known to be a dangerous flood area for over a hundred years.

**Mr. Garson:** Before my hon. friend takes his seat, I wonder if he would give us the citation he is quoting from.

**Mr. Macdonnell (Greenwood):** The report of the international waterways commission from 1905 to 1913.

**Mr. Garson:** From 1905 to 1913?

**Mr. Macdonnell (Greenwood):** Yes.

**Mr. Garson:** Have you looked at any since?

**Mr. Macdonnell (Greenwood):** I said that I have not. I have only the early years. I have not examined them all.

**Mr. Garson:** It is important to know what my hon. friend is dealing with.

**Mr. Macdonnell (Greenwood):** If the Red river has been dealt with properly, at any rate it got a late start.

**Mr. Garson:** Is it because it was not mentioned between 1905 and 1913 that the hon. member wants us to assume that nothing has taken place since 1913?

**Mr. Macdonnell (Greenwood):** I did not say that at all. I said, here was a prima facie case that at any rate they had been very late in coming to deal with the Red river situation, because during the first eight years it was not mentioned though, as I say, every river of any consequence as a river seems to be in this. I can mention some that I know and many that I do not know. The Red river is not even mentioned. I was not suggesting I had proved the point. I think I made it perfectly clear that there was merely a prima facie case, indicated in the index at any rate, that in the early years of the commission the Red river seemed to have been neglected.

**Mr. Garson:** My hon. friend has not looked at it since.