

WATER POWERS IN BRITISH COLUMBIA  
RAILWAY BELT—*Con.**Guthrie, Hugh*—*Con.*

ment which the Exchequer court might give, 8441. On the Dominion's own land, at all events, they have the right to regulate the waters flowing therein, 8442. It would be only a provisional Bill in an case. It may be upset in a few months. 8443. Reads clause 4, in regard to riparian rights, 8445. Reads clause 4, 8451. If they do obtain rights, all the government will have to do is to remove them by force if necessary, 8455. It cannot prejudice it very much to let it stand over till Monday, 8456. His difficulty with the Bill is to understand just what it does me, 8713. No further confirmation of such rights is required than the holders now possess, 8714. Put in simple clauses merely to give a declaration of Dominion rights and confirm these rights, 8715. It goes further, 8720. The section can be put in very simple language, 8727. Then what is the meaning of the language, 8728.

*Lancaster, E. A.* (Lincoln, Ont.)—8436.

Did the decision go to the length of holding that after the land was alienated, the Crown by virtue of the Dominion would still control? 8436. If we interfere now by legislation, we shall be rendering the judgement of the further court nugatory, 8437. You say the Dominion became land owners, 8442. I have here these cases in July, 8444. I have here the judgement of the Exchequer court. I do not read that judgement as declaring that this parliament has legislative power, 8447-8. I do not think it wise to government at this stage of the session to press such a contraversial matter, 8449. Titles could not be obtained by possession against the Crown, 8452. Why not hold the legislation for the same reason, 8458. Asks what those rights are that are reserved, 8706. If there is an unfounded suspicion it can be removed by a frank and clear statement, 8707. It makes it a party question when it is brought in in the last days of the session. 8708. Asks what great calamity would befall if the Bill stood over, 8709. The minister may find that he is the pirate by reason of the passing of this Bill, 8710. British Columbia has the authority to say what shall be done directly the lands are alienated, 8711. It does not read that way. 8716. As an ordinary individual the Crown could not do it, 8719. The minister will be the cause of a lot of innocent people getting into a couple of hundred law suits, 8724. Section 4 should be struck out, 8725. It is not legal knowledge, it is common sense, 8726. Complicate matters by this legislation, 8727. No two men in this House take the same meaning out of this section, 8728. Could draw a clause, 8729.

*Macdonald, E. M.* (Pictou)—8718.

A friend has called his attention to this Bill, 8718. The Privy Council meets in 279—23.

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July, and decision will be given before we meet again, 8719. There is the government right in everything that has not been granted, 8720. Disagrees with the minister as a matter of interruption of law, 8721. The use of the word 'until' creates a kind of suspensory rights in the Crown, 8727. Its use in that connection in unheard of, 8728.

*Oliver, Hon. F.* (Minister of the Interior)—6373.

Concerning lands granted by the province of the Dominion in connection with the C. P. R. construction, 6373. In every body's interest, it is desirable that there should be a validating of existing rights, 6374. It is not intended to interfere with any matter in litigation, 6375. The purpose of the Bill is to relieve a deadlock in the situation, 6376. There was an explanation given before the Bill was read the second time, 8435. What is called the railway Belt of British Columbia is a strip 20 miles wide on each side of the C.P.R., 8436. Our legislation cannot affect the decision of the Privy Council, 8437. I understand that leave has just been granted for the hearing of the case by the Privy Council, 8438. The object of this Bill is to validate existing and to provide for the continuous development of the water privileges, 8439. I could not say about collecting revenue, but I understand they are not issuing new licenses, 8446. The question is complicated but it is the duty of parliament to deal with questions, 8449. The first amendment is to strike out section 3 as it stands at the present time, 8450. Nothing comes up for legislation quite so complicated as the question of water rights, 8452. In the United States, in the irrigation states 90 per cent of the litigation is in regard to water rights, 8453. It is a Bill to avoid litigation, 8454. Probably a squatter's right is confined to land right, 8455. I have no wish to force this Bill on the House, 8456. The province could scarcely be asked to come to an arrangement with a party that possibly has no standing whatever, 8458. Moves substitution for section 3, 8459. On section 3, moves an amendment, rights cover all existing riparian rights, 8706. There are a times when it is necessary to bring in legislation at a very late date, 8708. There is no infringement of provincial or other rights, 8709. The Supreme Court has declared that the jurisdiction rests upon the Dominion Government, 8710. There are no applications for law that have anything to do with this Bill, 8712. Two companies acquiring the same water power, 8713. There are just three points in the Bill: C. numerates them, 8716. Neither the province nor anyone in the Dominion wants to hold back the development of power, 8717. Development is tied up, lacking the security of