

under authority of this House, for the advice to the Governor-General must be given by Ministers responsible to this House. The honourable gentleman said the Local Legislatures were independent of this Parliament. He (Mr. Holton) told the honourable gentleman that in his Province of Quebec he had no powers independent of this Parliament. This was the first Parliament ever created under the British system. He was amazed to hear the leader of the Government, who claimed some merit, and he believed properly, for having got from the Legislature of the Empire the recognition of our existence as a Parliament, saying that we had no power to deal with such a question as that now under consideration—that we must go to the Imperial Parliament to get power to deal with questions presenting themselves to this House. In connection with this subject, he would like to know from Government what view they took of the very important measure now before them, the incorporation of the St. Louis Hydraulic Company, passed by the Quebec Legislature. He thought it singular that the Quebec Government should have allowed a Bill to pass which they would not advise the Lieutenant-Governor to sanction. It was important to know what course the Dominion Government intended to take with reference to this Bill, which raised a very important question as to the jurisdiction of the Local Legislatures over the borders of the great River St. Lawrence.

**Hon. Mr. Cartier** was glad to hear the honourable member for Chateauguay speak of this Parliament as the next great political institution to that of the English Parliament. It was a pleasure to hear a former opponent of the Confederation scheme speak thus of it. He (Mr. Cartier) would inform the member for Chateauguay that the members for Quebec and for Brome did not argue that the power of the Local Government was derived from the Federal Government, and undoubtedly if there were any conflict of authority between the Local and Federal Parliament, the difficulty could not be solved by that House, nor yet the Local Legislature. It must be a question for adjudication by the Judges. The Federal Government now had power to establish a general Court of Appeal, and that Court would take cognizance of such difficulties. As to the statement that the Dominion Parliament was supreme, and that without their consent the Local Legislature could do nothing, the statement was incorrect. The Provincial Legislature had certain

[Mr. Holton (Chateauguay).]

rights assigned to them, and with regard to these they could legislate independently of the Dominion. True, there was a power of disallowance reserved to the Governor-General, not to that House, although there was not the least doubt His Excellency would be advised in such cases by the Government. There was in reality no such thing as the supremacy of this Parliament over the Local Legislature, and he would be very sorry to believe such a power existed. He would ask, was not their legislation in that House subject to be disallowed by the Queen, acting through the advice of her Privy Council? And would any honourable gentleman state that that Parliament had no power to legislate irrespective of the British Parliament, because the Queen had the disallowing power? If such could be the case, what was the use of that great political institution which the honourable member for Chateauguay had spoken of so highly? The fact was that both the Federal and Local Legislatures had their independent rights, and there was no such thing as supremacy in the sense understood by some members. The matter respecting the Hydraulic Company was one under the consideration of the Government at present, and he could say nothing concerning it.

**Hon. Mr. Dunkin** in reply to the member for Chateauguay would simply remark that the particular measure referred to, the St. Louis Hydraulic Company's Bill, had no reference to the navigable waters of the St. Lawrence. It had reference only to that portion of the river which was not navigable, never had been and never would be. On that ground, the Local Legislature did not oppose it, but not being sure of their right to enact it the measure was referred.

**Hon. Mr. Fisher** made some remarks which were for the most part inaudible.

The motion was withdrawn.

#### RECALL OF DR. TUPPER

Notices of motion having been taken up—

**Dr. Parker**, who happened to be out of the House when his motion for the recall of Dr. Tupper was called, shortly afterwards came in and asked leave to go back on the paper and have his motion taken up.

**Hon. Mr. McGee**—The honourable gentleman cannot do so except by consent, and I object.

**Dr. Parker** hoped the honourable gentleman would withdraw his objection.