

3. Has the Parliament of Canada the power, by appropriate legislative enactment, to authorize the Dominion Government to expropriate the lands of the Crown in the right of the province for the purposes of navigation with provision or without provision for compensation?
4. By section 108 of the British North America Act, 1867, and the first item of the Third Schedule thereto, the following public works and property of each province, amongst others, shall be the property of Canada, namely, "Canals with lands and water power connected therewith."

Has the province any proprietary interest in or beneficial ownership of or legislative control over the water power which, though connected with the said canals, is created or made available by reason of extensions, enlargements or replacements of said canals made by the Dominion since Confederation and which is not required from time to time for the purposes of navigation? If so, what is the nature or extent of such interest or ownership or control?

5. Where the bed of a navigable river is vested in the Crown in the right of the province, has the province any proprietary interest in or beneficial ownership of or legislative control over the water-power created or made available by works for the improvement of navigation constructed thereupon in whole or in part by or under the authority of the Dominion since Confederation which is not required from time to time for the purposes of navigation? If so, what is the nature or extent of such interest, ownership or control?
6. (a) Has the Dominion the exclusive proprietary interest in or beneficial ownership of or legislative control over water-powers created or made available by works authorized by Parliament to be erected in any boundary waters for the purpose of carrying out a treaty between His Majesty and a foreign country providing for the erection of joint works for (i) the improvement of navigation in such waters, or (ii) for the development of power, or (iii) for both?

The expression "boundary waters" in this question means the waters defined by the preliminary article of the Treaty dated January 11, 1909, between His Britannic Majesty and the United States of America.

(b) If the Dominion has not the exclusive proprietary interest in or beneficial ownership of or legislative control over such water powers, has the province the exclusive proprietary interest in or beneficial ownership of or legislative control over such water powers?

(c) If neither the Dominion nor the province has the exclusive proprietary interest in or beneficial ownership of or legislative control over such water-powers, what are their respective rights and interests in relation to such water-powers?

7. Has the Parliament of Canada legislative power to authorize the construction and operation by the Dominion Government of works wholly for power purposes and the acquisition by purchase or expropriation of the lands and property required for the purposes of such works including lands of the Crown in the right of a province (a) in interprovincial rivers; and (b) in provincial rivers?

"Interprovincial rivers" in this question means rivers flowing along or across the boundaries between provinces.

8. May a province notwithstanding the construction by the Dominion for the purposes of navigation of works in a river the bed of which is within such province, control, regulate and use the waters in such river so long as such control, regulation and use does not interfere with navigation? In the case