

we see looming before us the development of this thing. I do not see how the committee and this Parliament with these facts before them can do anything but pass this bill. If there are any other items we shall be prepared to give information.

Mayor Clavette: Mayor Dike has gone so extensively into the question that I will make my remarks short. I endorse all he has said. We have discussed the matter fully amongst ourselves, and we are quite willing to see Mr. Jenison arrange to take it in his past position, providing that certain clauses protecting Port Arthur's rights are inserted; but the main point before you is this, that we would like to see a position taken by this committee in such a strong manner that the opening up of that power will not be delayed any longer.

Mr. Lee: Last year I think one of you two gentlemen opposed the position you advocate now. How far has it progressed since last year?

Mayor Dike: In answer to Mr. Lee's question, I may say that the only thing that prevented the Town of Fort William accepting the offer of Mr. Jenison was, he would not submit any names.

Mr. Marks: A statement has been made here that the people of both towns are unanimous. The people of both towns are not unanimous. The question has never come before the people of either town. Fort William came down here last year to take that power away from Mr. Jenison, and the same gentleman who is arguing now to revive Mr. Jenison's rights, last year advocated taking them away. It has been tied up for seven years through Mr. Jenison, and it is only a year since these other people have had a chance.

Mr. Watson: I think it is highly essential that a short history of the rights and interests of the parties should be referred to, and that the premises should be put before the committee in order to enable the committee to deal with this proposed important legislation. In the first place, it is probably known to some of the members of the committee that the property upon which this power is proposed to be developed was acquired by Mr. Clergue and those associated with him in the year 1880, and shortly afterward this company was formed, called the Kakabeka Falls Company. That company has expended in the acquirement of property and property interests \$35,000 since that time. That company was incorporated in 1890. It has been using reasonable efforts with the growth of the country and with the demands of the people from that time on to preserve and to facilitate the use of this power. It was incorporated, as I say, in 1890; progress was naturally slow for some years in that vicinity, and as you know it was not until 1896 that things got fairly on the go, so to speak. In 1897 Mr. Jenison, who, my learned friend admits, is a man of no capital, no means, never has been a man of any financial means, acquired some interest in the locality adjoining the premises owned by the Kakabeka Falls Company, and after he acquired that interest, which was comparatively small, and at a trifling expense, he applied to the legislature in the year 1897, and obtained legislation which perhaps many of you are not responsible for, but which I may say, if you will permit me, Mr. Chairman, is, I think, the most extraordinary piece of legislation that was ever put on a statute book. By that Act of 1897 Mr. Jenison acquired the most extraordinary rights. The effect of this legislation was to enable him to develop all the power on the river and in the Kakabeka Falls owned by my clients with the exception of a small power of four thousand cubic feet per minute, which would produce about 920 horse power, the whole capacity of the Falls not being less than 20,000 horse power; so that Mr. Jenison by this Act sought and succeeded in taking away from Mr. Clergue and those interested with him practically all their property interests, for which they had paid a very large sum of money. Now, Mr. Chairman, it is of importance, bearing upon this, just to advert for a moment to some of the features of the Act. For instance, as shown by the marginal notes, Mr. Jenison was given power to divert the waters of the rivers, to expropriate lands, authority to expiate highways, authority to cross-road allowances, authority to lower the bed of the Kaministiquia River and of the Mattawin, authority to withdraw waters from the